

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**WEDNESDAY, 22 JUNE 2022**

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## **The Governor**

The Honourable LINDA DESSAU AC

## **The Lieutenant-Governor**

The Honourable JAMES ANGUS AO

## **The ministry**

Premier .....	The Hon. DM Andrews MP
Deputy Premier, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop and Minister for Commonwealth Games Delivery .....	The Hon. JM Allan MP
Attorney-General and Minister for Emergency Services .....	The Hon. J Symes MLC
Minister for Training and Skills, Minister for Higher Education and Minister for Agriculture .....	The Hon. GA Tierney MLC
Treasurer, Minister for Economic Development, Minister for Industrial Relations and Minister for Trade .....	The Hon. TH Pallas MP
Minister for Planning .....	The Hon. EA Blandthorn MP
Minister for Child Protection and Family Services and Minister for Disability, Ageing and Carers .....	The Hon. CW Brooks MP
Minister for Police, Minister for Crime Prevention and Minister for Racing .....	The Hon. AR Carbines MP
Minister for Public Transport, Minister for Roads and Road Safety, Minister for Industry Support and Recovery and Minister for Business Precincts .....	The Hon. BA Carroll MP
Minister for Energy, Minister for Environment and Climate Action and Minister for Solar Homes .....	The Hon. L D’Ambrosio MP
Minister for Tourism, Sport and Major Events and Minister for Creative Industries .....	The Hon. S Dimopoulos MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Local Government and Minister for Suburban Development .....	The Hon. MM Horne MP
Minister for Education and Minister for Women .....	The Hon. NM Hutchins MP
Minister for Corrections, Minister for Youth Justice, Minister for Victim Support and Minister for Fishing and Boating .....	The Hon. S Kilkenny MP
Minister for Commonwealth Games Legacy and Minister for Veterans ..	The Hon. SL Leane MLC
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Housing .....	The Hon. DJ Pearson MP
Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources .....	The Hon. JL Pulford MLC
Minister for Water, Minister for Regional Development and Minister for Equality .....	The Hon. H Shing MLC
Minister for Multicultural Affairs, Minister for Prevention of Family Violence, Minister for Community Sport and Minister for Youth .....	The Hon. RL Spence MP
Minister for Workplace Safety and Minister for Early Childhood and Pre-Prep .....	The Hon. I Stitt MLC
Minister for Health and Minister for Ambulance Services .....	The Hon. M Thomas MP
Minister for Mental Health and Minister for Treaty and First Peoples ...	The Hon. G Williams MP
Cabinet Secretary .....	Mr SJ McGhie MP

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

**Speaker**

The Hon. JM EDWARDS

**Deputy Speaker**

Ms N SULEYMAN

**Acting Speakers**

Mr Blackwood, Mr J Bull, Ms Connolly, Ms Couzens, Ms Crugnale, Mr Edbrooke, Ms Halfpenny, Mr McCurdy, Mr McGuire, Mr Morris, Ms Richards, Mr Richardson, Mr Taylor and Ms Ward

**Leader of the Parliamentary Labor Party and Premier**

The Hon. DM ANDREWS

**Deputy Leader of the Parliamentary Labor Party and Deputy Premier**

The Hon. JM ALLAN

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

The Hon. MJ GUY

**Deputy Leader of the Parliamentary Liberal Party**

Mr DJ SOUTHWICK

**Leader of The Nationals and Deputy Leader of the Opposition**

The Hon. PL WALSH

**Deputy Leader of The Nationals**

Ms E KEALY

**Leader of the House**

Ms EA BLANDTHORN

**Manager of Opposition Business**

Ms LE STALEY

**Heads of parliamentary departments**

*Assembly:* Clerk of the Legislative Assembly: Ms B Noonan

*Council:* Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

*Parliamentary Services:* Secretary: Ms T Burrows

**MEMBERS OF THE LEGISLATIVE ASSEMBLY**  
**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Addison, Ms Juliana	Wendouree	ALP	Maas, Mr Gary	Narre Warren South	ALP
Allan, Ms Jacinta Marie	Bendigo East	ALP	McCurdy, Mr Timothy Logan	Ovens Valley	Nats
Andrews, Mr Daniel Michael	Mulgrave	ALP	McGhie, Mr Stephen John	Melton	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McGuire, Mr Frank	Broadmeadows	ALP
Battin, Mr Bradley William	Gembrook	LP	McLeish, Ms Lucinda Gaye	Eildon	LP
Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Morris, Mr David Charles	Mornington	LP
Brayne, Mr Chris	Nepean	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma	South-West Coast	LP	Newbury, Mr James	Brighton	LP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Ind
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Pearson, Mr Daniel James	Essendon	ALP
Cheeseman, Mr Darren Leicester	South Barwon	ALP	Read, Dr Tim	Brunswick	Greens
Connolly, Ms Sarah	Tarneit	ALP	Richardson, Ms Pauline	Cranbourne	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Crugnale, Ms Jordan Alessandra	Bass	ALP	Riordan, Mr Richard Vincent	Polwarth	LP
Cupper, Ms Ali	Mildura	Ind	Rowswell, Mr Brad	Sandringham	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Ryan, Stephanie Maureen	Euroa	Nats
Dimopoulos, Mr Stephen	Oakleigh	ALP	Sandell, Ms Ellen	Melbourne	Greens
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Scott, Mr Robin David	Preston	ALP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Settle, Ms Michaela	Buninyong	ALP
Edwards, Ms Janice Maree	Bendigo West	ALP	Sheed, Ms Suzanna	Shepparton	Ind
Eren, Mr John Hamdi	Lara	ALP	Smith, Mr Ryan	Warrandyte	LP
Foley, Mr Martin Peter	Albert Park	ALP	Smith, Mr Timothy Colin	Kew	LP
Fowles, Mr Will	Burwood	ALP	Southwick, Mr David James	Caulfield	LP
Fregon, Mr Matt	Mount Waverley	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Staikos, Mr Nicholas	Bentleigh	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staley, Ms Louise Eileen	Ripon	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hall, Ms Katie	Footscray	ALP	Tak, Mr Meng Heang	Clarinda	ALP
Halse, Mr Dustin	Ringwood	ALP	Taylor, Mr Jackson	Bayswater	ALP
Hamer, Mr Paul	Box Hill	ALP	Theophanous, Ms Katerina	Northcote	ALP
Hennessy, Ms Jill	Altona	ALP	Thomas, Ms Mary-Anne	Macedon	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Tilley, Mr William John	Benambra	LP
Hodgett, Mr David John	Croydon	LP	Vallence, Ms Bridget	Evelyn	LP
Horne, Ms Melissa Margaret	Williamstown	ALP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kairouz, Ms Marlene	Kororoit	ALP	Ward, Ms Vicki	Eltham	ALP
Kealy, Ms Emma Jayne	Lowan	Nats	Wells, Mr Kimberley Arthur	Rowville	LP
Kennedy, Mr John Ormond	Hawthorn	ALP	Williams, Ms Gabrielle	Dandenong	ALP
Kilkenny, Ms Sonya	Carrum	ALP	Wynne, Mr Richard William	Richmond	ALP

**PARTY ABBREVIATIONS**

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

## Legislative Assembly committees

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

Ms Addison, Mr Blackwood, Ms Couzens, Mr Eren, Ms Ryan, Ms Theophanous and Mr Wakeling.

### **Environment and Planning Standing Committee**

Ms Addison, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Ms McLeish and Mr Morris.

### **Legal and Social Issues Standing Committee**

Mr Angus, Mr Battin, Ms Couzens, Ms Kealy, Ms Settle, Ms Theophanous and Mr Tak.

### **Privileges Committee**

Mr Allan, Mr Carroll, Ms Hennessy, Mr McGuire, Mr Morris, Mr Pakula, Ms Ryan, Ms Staley and Mr Wells.

### **Standing Orders Committee**

The Speaker, Ms Blandthorn, Mr Fregon, Ms McLeish, Ms Settle, Ms Sheed, Ms Staley, Ms Suleyman and Mr Walsh.

## Joint committees

### **Dispute Resolution Committee**

*Assembly:* Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

*Council:* Mr Bourman, Ms Crozier, Mr Davis, Ms Symes and Ms Tierney.

### **Electoral Matters Committee**

*Assembly:* Ms Hall, Dr Read and Mr Rowswell.

*Council:* Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

### **House Committee**

*Assembly:* The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Mr Fregon, Ms Sandell, Ms Staley and Ms Suleyman.

*Council:* The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

### **Integrity and Oversight Committee**

*Assembly:* Mr Halse, Mr Maas, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

*Council:* Mr Grimley.

### **Pandemic Declaration Accountability and Oversight Committee**

*Assembly:* Mr J Bull, Mr Eren, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

*Council:* Ms Crozier and Mr Erdogan.

### **Public Accounts and Estimates Committee**

*Assembly:* Ms Connolly, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

*Council:* Mrs McArthur and Ms Taylor.

### **Scrutiny of Acts and Regulations Committee**

*Assembly:* Mr Burgess, Ms Connolly and Mr Morris.

*Council:* Ms Patten and Ms Watt.

# CONTENTS

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ANNOUNCEMENTS	
Acknowledgement of country .....	2495
Photography in chamber .....	2495
BILLS	
Crimes Legislation Amendment Bill 2022 .....	2495
Introduction and first reading .....	2495
BUSINESS OF THE HOUSE	
Orders of the day .....	2495
PETITIONS	
Mount Alexander shire public transport .....	2496
DOCUMENTS	
Documents .....	2496
BILLS	
Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022 .....	2496
Council's agreement .....	2496
MEMBERS STATEMENTS	
Nazi symbol prohibition .....	2496
Maccabiah Games .....	2497
Dr Moses 'Moss' Cass .....	2497
Gary 'Pud' Howard .....	2497
Dr Margaret Rowe OAM .....	2498
Lone Pines project .....	2498
Dr Mary Burbidge .....	2498
Let's Talk Foundation .....	2498
Kangaroo Flat Bowls Club .....	2499
Galkangu .....	2499
Mount Alexander projects .....	2499
Autism .....	2499
Eildon electorate female jockey facilities .....	2499
Alexandra Truck, Ute and Rod Show .....	2499
Friends of Refugees .....	2500
Mental health .....	2500
Brighton electorate crime .....	2500
Hampton crime .....	2500
Bayside police station .....	2500
Steve Dimos .....	2500
Rutherglen Winery Walkabout .....	2501
Falls Creek .....	2501
Benambra electorate health funding .....	2501
Mordialloc College .....	2501
Energy policy .....	2502
Federal election .....	2502
Pahran electorate arts events .....	2502
Early childhood education .....	2502
Wages policy .....	2502
Casey early parenting centre .....	2503
Early childhood education .....	2503
Nillumbik Prize for Contemporary Writing .....	2503
Bonbeach Mermaids .....	2504
Kiamah Dowling and Jasmine Pole .....	2504
Asylum Seeker Resource Centre .....	2505
Early childhood education .....	2505
Wages policy .....	2505
STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS	
Public Accounts and Estimates Committee .....	2505
Report on the 2020–21 Financial and Performance Outcomes .....	2505
Economy and Infrastructure Committee .....	2506
Inquiry into Commonwealth Support for Victoria .....	2506
Environment and Planning Committee .....	2507
Inquiry into Tackling Climate Change in Victorian Communities .....	2507
Public Accounts and Estimates Committee .....	2508
Report on the 2020–21 Budget Estimates .....	2508
Electoral Matters Committee .....	2509

Inquiry into the Conduct of the 2018 Victorian State Election.....	2509
Legal and Social Issues Committee.....	2510
Inquiry into Anti-Vilification Protections .....	2510
ADDRESS TO PARLIAMENT	
Address by First Peoples' Assembly of Victoria co-chairs.....	2511
BUSINESS OF THE HOUSE	
Notices of motion .....	2515
BILLS	
Treaty Authority and Other Treaty Elements Bill 2022 .....	2515
Second reading.....	2515
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Health system.....	2537
Ministers statements: TAFE funding.....	2538
Health system.....	2539
Ministers statements: Victoria's Big Build.....	2540
Emergency Services Telecommunications Authority .....	2540
Ministers statements: Solar Homes program.....	2542
Mildura Base Public Hospital.....	2542
Ministers statements: Big Housing Build .....	2544
Albury Wodonga Health.....	2544
Ministers statements: rural and regional TAFE investment.....	2545
CONSTITUENCY QUESTIONS	
South-West Coast electorate.....	2546
Wendouree electorate.....	2546
Lowan electorate.....	2546
Mordialloc electorate.....	2547
Ferntree Gully electorate.....	2547
Tarneit electorate .....	2547
Shepparton electorate .....	2547
Box Hill electorate .....	2548
Forest Hill electorate .....	2548
Yan Yean electorate .....	2548
BILLS	
Treaty Authority and Other Treaty Elements Bill 2022 .....	2549
Second reading.....	2549
MATTERS OF PUBLIC IMPORTANCE	
Gambling harm.....	2562
BILLS	
Treaty Authority and Other Treaty Elements Bill 2022 .....	2584
Second reading.....	2584
ADJOURNMENT	
Yarra Road Primary School .....	2594
Connecting Victoria program.....	2594
Rural and regional planning .....	2595
Disability inclusion package.....	2595
Lowan electorate roads .....	2596
Ballarat Foodbank hub.....	2596
Murray Basin rail project.....	2597
Energy policy .....	2598
Evelyn electorate telecommunications.....	2598
Nepean electorate community sports grants .....	2599
Responses.....	2599
JOINT SITTING OF PARLIAMENT	
Legislative Council vacancy.....	2602



**Wednesday, 22 June 2022**

**The SPEAKER (Hon. Colin Brooks) took the chair at 9.33 am and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The SPEAKER (09:32):** We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

**PHOTOGRAPHY IN CHAMBER**

**The SPEAKER (09:33):** I wish to advise the house that I have given approval for various photographers to take photos during proceedings today, including during question time. During the address by the co-chairs of the First Peoples' Assembly I have also given approval for the photography of the lower galleries. The photographs will be used by the Parliament for community engagement purposes and by the First Peoples' Assembly.

**Bills**

**CRIMES LEGISLATION AMENDMENT BILL 2022**

*Introduction and first reading*

**Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:34):** I move:

That I introduce a bill for an act to amend the Crimes Act 1958 to create a new offence of engaging in grossly offensive public conduct and to abolish the common law offence of outraging public decency, to amend the Summary Offences Amendment (Decriminalisation of Public Drunkenness) Act 2021 to extend its default commencement date and for other purposes.

**Motion agreed to.**

**Mr M O'BRIEN (Malvern) (09:34):** I ask the minister to give a brief explanation of the bill.

**Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:34):** The bill introduces a new contemporary statutory offence for grossly offensive public conduct. It is an unrelated amendment. The bill will also apply to conduct which occurs in public places or is seen and heard from a person in a public place. It will not apply to online offensive conduct, and it contains defences for good faith and reasonable conduct in the public's interest including genuine political activity, art or science.

**Read first time.**

**Ordered to be read second time tomorrow.**

**Business of the house**

**ORDERS OF THE DAY**

**The SPEAKER (09:35):** I wish to advise the house that general business, orders of the day 1, 2 and 8, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2.00 pm today.

**Petitions**

**Following petition presented to house by Deputy Clerk:**

**MOUNT ALEXANDER SHIRE PUBLIC TRANSPORT**

The Petition of

Residents of the Mount Alexander Shire in the Bendigo West Electorate of Victoria

Draws to the attention of the House

the need for a Review of Public Transport in our shire

The petitioners therefore request that the Legislative Assembly of Victoria

and the State Minister for Transport look at the following points that need attention

as part of this Review

1. Population growth & change.
2. Vline timetable mismatched.
3. Not serving areas of need.
4. Patronage down.

**By Ms EDWARDS (Bendigo West) (626 signatures).**

**Tabled.**

**Ordered that petition be considered next day on motion of Ms EDWARDS (Bendigo West).**

**Documents****DOCUMENTS**

**Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT**—The Deputy Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Kinship Care—Ordered to be published

Melbourne Metro Tunnel Phase 2: Main Works—Ordered to be published

Ombudsman—Report on investigations into the use of force at the Metropolitan Remand Centre and the Melbourne Assessment Prison—Ordered to be published

*Subordinate Legislation Act 1994:*

Documents under s 15 in relation to Statutory Rule 44

Documents under s 16B in relation to the *Dairy Act 2000*—Dairy Food Safety Victoria Determination of Licence Classes and Fees for Dairy Businesses—1 July 2022 to 30 June 2023.

**Bills****SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022**

*Council's agreement*

**The SPEAKER (09:37):** I wish to advise the house that I have received a message from the Legislative Council agreeing to the Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022 without amendment.

**Members statements****NAZI SYMBOL PROHIBITION**

**Mr SOUTHWICK (Caulfield) (09:37):** As I have said on many occasions, there is no place for hate in Victoria, and colleagues, together we have made history by being the first jurisdiction in Australia to ban the evil Nazi swastika. After campaigning for years for the ban alongside many from

the Jewish community in my electorate, I am truly very proud of the fact that we have been able to finally get this ban in Victoria, and it could not come soon enough. I want to particularly put on record my thanks to the Anti-Defamation Commission and Dvir Abramovich; the Melbourne Holocaust Museum; Zionism Victoria; the Zionist Federation of Australia; the Jewish Community Council of Victoria; Jewish Care Victoria and Emmy Monash, who have Holocaust survivors that have had to deal with this evil symbol on their front nature strip; the Australasian Union of Jewish Students; the Rabbinical Council of Victoria; Maccabi Victoria, who ran a call to action campaign with Brian Swersky; the Executive Council of Australian Jewry and Peter Wertheim; the *Australian Jewish News*; *The Schtick* and J-AIR for constantly reporting on this, and everybody else that has helped make this ban a reality. With the rise of antisemitic attacks in Victoria these laws could not come soon enough. These laws will send a strong message that using such evil symbols to target people is not acceptable and that there are now consequences.

#### MACCABIAH GAMES

**Mr SOUTHWICK:** I wanted to also wish the best of luck to Maccabi athletes as they head to Israel for the Maccabiah Games. It was a fitting farewell last night at Government House, and we hope they bring back lots of gold.

#### DR MOSES 'MOSS' CASS

**Mr CARROLL** (Niddrie—Minister for Public Transport, Minister for Roads and Road Safety) (09:39): A radical, bearded intellectual was the very first elected Labor representative to the House of Representatives for Maribyrnong in 1969, and he was re-elected in 1972, 1974, 1975, 1977 and 1980 before retiring prior to the general election in 1983. The Honourable Dr Moses Henry Cass, better known as Moss, is a giant of the Labor movement. Before entering Parliament he was a medical practitioner and a scientist at the Royal Children's Hospital. He built our first heart-lung machine. He was the inaugural director of the Trade Union Clinic and Research Centre in Footscray in 1964. He transformed the trade union clinic into what was known as Western Region Health Centre and then Cohealth—what a legacy. But politics beckoned. Fifty years ago this year he was the first Minister for Environment and Conservation in the Whitlam government. He arguably instituted the environment protection act—our most important legislation. He laid the groundwork for the protection of Fraser Island and the Great Barrier Reef. As Minister for Media he helped build the Special Broadcasting Service, community radio and Triple J. He laid the foundations of the Australian Press Council, and before he departed he wanted to do a print edition of the ABC.

I had the great pleasure of attending his memorial with the current federal member for Maribyrnong, the member for Footscray and the member for Essendon. Moss Cass, for those who serve now you are an inspiration. You were honest and unguarded. You were regarded as not a politician's politician and for those of us who now serve, you are an inspiration. Vale, Moss Cass.

#### GARY 'PUD' HOWARD

**Mr D O'BRIEN** (Gippsland South) (09:40): I rise to pay tribute today to Sale's Gary 'Pud' Howard for his Order of Australia Medal announced in the Queen's Birthday honours for services to conservation and the environment. A successful local businessman, Pud has been a member of Sale Field and Game for more than 50 years and has dedicated his life to the conservation of wetlands, particularly in the Sale area. A former national president of Field and Game Australia, he has been particularly active in the rehabilitation of the Heart Morass, just near Sale. On any given day you will find Pud out at the site, fixing this, planting that, checking on water levels and generally making the place better. As a duck hunter, he is committed to the notion that hunters must conserve the habitat and populations of the species they hunt. In this contentious area I have no doubt Pud has done more for the conservation of native waterbirds than most of the bleeding-heart opponents of hunting put together. This is a well-overdue and well-deserved recognition of his work in this area.

**DR MARGARET ROWE OAM**

**Mr D O'BRIEN:** Congratulations also to Dr Margaret Rowe of Leongatha, who was also awarded an OAM for services to the environment.

**LONE PINES PROJECT**

**Mr D O'BRIEN:** It was an honour to take part in recent ceremonies to deliver seedlings to 100 local schools as part of the Lone Pines project. Lone Pine trees cultivated from the seeds of direct descendants of the World War I Lone Pine in Gallipoli were delivered to several local primary schools in Gippsland South. The Lone Pine was a solitary tree on the Gallipoli peninsula which marked the site of the start of an Anzac assault in August 1915. Congratulations to the chairman of Friends of Gallipoli, Dr John Basarin OAM, for this wonderful initiative, which not only is about remembrance but also reminds us of the friendship that subsequently developed between Australia and Turkey.

**DR MARY BURBIDGE**

**Ms HORNE** (Williamstown—Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Fishing and Boating) (09:42): Today I rise to celebrate the life of and pay tribute to Dr Mary Burbidge, who passed on 25 April 2022. Mary was a proud local visionary and an ALP member in Williamstown whose legacy is extensive. She was a doctor, a Labor councillor for the south ward of Williamstown council, an author, a lecturer, a foster parent and a passionate advocate for children with disabilities.

She was an Outlets netballer. She was involved in writing groups, choirs and literary competitions. When Prime Minister Gough Whitlam founded childcare catalysts at local government, Mary set up the first toy library in the west at Outlets, which is now at the Newport Gardens hub, and that is a legacy that lives on and has become part of our local government network. She founded the Gellibrand special needs centre, which delivered so much for children in the west, and I know she would be particularly pleased with the Andrews Labor government's delivery of upgrades in every single special development school across the state, including Yarraville Special Developmental School.

She was also a founding member of the Friends of Newport Lakes, which developed from a quarry to a thriving bushland oasis in the west. Mary educated medical students on the care of people with disabilities at Melbourne and Monash universities. She authored *Forever Baby: Jenny's Story—A Mother's Diary* and sponsored the Jennifer Burbidge Short Story Award at the Williamstown Literary Festival. She will be greatly missed by the communities in the west.

**LET'S TALK FOUNDATION**

**Ms BRITNELL** (South-West Coast) (09:43): The Let's Talk Foundation is doing an amazing job in raising awareness of mental health issues in my electorate and across the broader south-west Victorian region. It is a grassroots community-driven foundation which was established in 2016 after an increase in suicide rates. Over the past two years mental health issues have been exacerbated by the COVID-19 lockdowns and restrictions across all sections of our society. Pressure has grown enormously on mental health providers to meet the growing demand. Let's Talk has been embraced by our community and has grown organically. It is a unique foundation which provides an effective way for the community to be involved in addressing mental health issues. Its mission is to reduce the stigma of mental illness and increase help-seeking behaviour while giving the community tools to offer support.

I met with John Parkinson and Michael Fitzgibbon, two of the founding members of Let's Talk. What is clear is that suicide rates in our community remain sadly and alarmingly high, which makes the work the Let's Talk Foundation do even more important than ever. Three years after the Royal Commission into Victoria's Mental Health System groups like Let's Talk provide practical, low-cost and effective ways of reducing stigmas around mental health. In many ways discussions around mental illness can be difficult and uncomfortable for many people. The Let's Talk Foundation is about empowering the community by giving information and knowledge that is crucial in starting these conversations. We can

all play a role in reducing the stigmas of mental illness and advocating for better services for those suffering from mental health issues. I commend the Let's Talk Foundation on its initiatives.

#### **KANGAROO FLAT BOWLS CLUB**

**Ms EDWARDS** (Bendigo West) (09:45): On Saturday I was thrilled to officially open the Kangaroo Flat Bowls Club's impressive new facilities, made possible thanks to \$330 000 from the Andrews Labor government. The new synthetic green, upgraded lights and new fencing and seating will help to expand competition, attract new members and provide better opportunities. With the Commonwealth Games announced and Bendigo set to host the bowls competition, this is such a timely community infrastructure upgrade. Thanks to the City of Greater Bendigo and the club for their funds and work on the project.

#### **GALKANGU**

**Ms EDWARDS**: Last week I was joined by the Minister for Regional Development for a topping out ceremony for Galkangu, the Bendigo GovHub, which paves the way for the building's internal fit-out. This project injects \$130 million into the Bendigo economy and on completion will support 1000 government workers. Galkangu is stunning. The building features a striking facade, connecting out to local traditional owners, and will achieve a minimum 5-star Green Star rating.

#### **MOUNT ALEXANDER PROJECTS**

**Ms EDWARDS**: The Andrews Labor government is also supporting key projects in Mount Alexander. I joined volunteers from the Victorian Goldfields Railway last week to announce \$125 000 towards a feasibility study for the final stages of the heritage steam train linking Castlemaine and Maldon, and it was great to visit Cairn Curran to announce \$120 000 towards a feasibility study for the proposed Castlemaine to Maryborough rail trail. Both these projects will be tourism drawcards for our region.

#### **AUTISM**

**Ms EDWARDS**: Finally, a shout-out for the first-ever Autism@Vic Parliament event, happening this week. It is five years since the handing down of the parliamentary inquiry into autism services that I was honoured to chair, an Australian first which has led to groundbreaking change.

#### **EILDON ELECTORATE FEMALE JOCKEY FACILITIES**

**Ms McLEISH** (Eildon) (09:46): Racing is an important feature across my electorate, with picnic clubs in five towns and the larger Yarra Valley Racing club in Yarra Glen. I am keen to see these clubs get a bit more attention, and I am calling for change rooms for female jockeys to be given a lot more love. Female jockey numbers have been steadily increasing, making up a third of jockeys. At meetings in Mansfield the number of female jockeys is on par with the number of males. Female change rooms need to be improved to ensure the jockeys have comfortable and safe facilities with showers and toilets. Racing clubs in my electorate typically describe their female change rooms as 'adequate'. In Yea the small female golf change room doubles as a jockeys area. It is cramped. Mansfield racing club would like to see upgrades to their bathroom facilities, new flooring, new plumbing and storage. At Healesville and Merton, the male and female change rooms are the same, but in Healesville they are still inadequate. The change rooms at Yarra Valley Racing club are over 15 years old and need to be expanded to accommodate the growing number of female jockeys. The committees are doing the best with what they have, but an upgrade would be most welcome by clubs and jockeys.

#### **ALEXANDRA TRUCK, UTE AND ROD SHOW**

**Ms McLEISH**: After COVID cancellations, the Alexandra Truck, Ute and Rod Show came roaring back this year, stronger than ever. Huge congratulations to Alexandra Events and the many volunteers who made this happen. Some of those volunteers were up at 4.00 am and had an exceptional

undertaking to get 350 trucks all sorted and parked in an orderly manner. The support from community organisation with foods and events made a ripper day.

#### FRIENDS OF REFUGEES

**Mr TAK** (Clarinda) (09:48): It was my pleasure to join the launch of the Friends of Refugees community garden on Monday. Monday marked the start of Refugee Week and World Refugee Day. Refugee Week is a global celebration of the many ways people from refugee and asylum seeker backgrounds enrich our communities and culture. Every year a new theme is set to raise awareness of issues affecting refugees. This year's theme is about healing, casting a spotlight on how all of our community can come together to heal from shared hardships, to learn from each other and to move forward.

Victoria typically has the largest refugee intake and the highest number of asylum seekers in Australia, with around 4000 people settling in Victoria each year through the humanitarian program. Friends of Refugees is a vital resource for so many refugees and asylum seekers in Melbourne's south-east. CEO and founder Sri Samy is a tireless advocate for the community, as are committee members Jinny, Naresh, Andre and Mitch and of course my good friend former mayor Roz Blades AM. Your work is inspiring, and the Victorian government is extremely proud to support this important work for a stronger and fairer Victoria.

#### MENTAL HEALTH

**Mr NEWBURY** (Brighton) (09:49): The Australian Patients Association's *Australian Healthcare Index*, released this week, confirms a lot more needs to be done to support the mental health of our community. The index shows one in four people say their mental health has declined in the last six months and almost 60 per cent of people have been waiting over three months for mental health support. We need to do more.

#### BRIGHTON ELECTORATE CRIME

**Mr NEWBURY**: Victoria Police's deputy commissioner Rick Nugent confirmed an increase in aggravated burglaries in my community, saying, 'We have seen an increase in Brighton'. In the reporting period to March there were six aggravated burglaries compared to none in the year prior. Since March, a period not reported in data, my community saw three home invasions and a police shooting in one week in May alone.

#### HAMPTON CRIME

**Mr NEWBURY**: Residents of Hampton are concerned about local crime. Last week alone a car was stolen in Ludstone Street after the offender broke into a home to steal the keys, and a family in Barnett Street had their car broken into. As a local resident said to me, there have been a huge number of break-ins, it is getting out of control and it is in broad daylight.

#### BAYSIDE POLICE STATION

**Mr NEWBURY**: On Saturday night the 24-hour Bayside police station was closed. No services were available to my community despite the latest crime data showing an increase in aggravated burglary in Brighton. My community knows that the Bracks Labor government's closure of the Brighton police station, announced in the 2007–08 budget, was wrong. Labor must commit to a new Brighton police station.

#### STEVE DIMOS

**Ms HALFPENNY** (Thomastown) (09:51): It was with great sadness that I heard the news of the passing of Steve Dimos. Steve and his brother, Mick, have been unwavering in their commitment to and belief in the Australian Labor Party and its values. Steve had been a member of the ALP for 58 years. He was a wise and passionate man that gave his all to fight for a better Australia, one that accepted people no matter who they were or where they came from.

Steve was there for all of Labor's ups and downs. He was there with Gough Whitlam when Gough introduced universal health care and free university and embraced the first steps of multiculturalism. He was there with Bob Hawke and Paul Keating when they restored the health system after the Liberals pulled it down and introduced the concept of a social wage. He had been through it all with the Labor Party. He saw all the premiers and all the prime ministers that we have had to offer, and he stayed loyal and true to the Labor Party through all of this journey.

Steve was also a tireless worker for the Macedonian Australian community. He understood how lonely and difficult life can be for those that leave their homelands in search of a better life for their families. He is well known to four generations of local Labor politicians. We have all known and worked with him and appreciated his views and advice and all the work he has done. Vale, Steve Dimos.

### RUTHERGLEN WINERY WALKABOUT

**Mr TILLEY** (Benambra) (09:52): I am making every effort to end this session of Parliament on a positive note before we go into the winter recess. The north-east is looking up after two years of questionable lockdowns and unnecessary border closures. After a two-year hiatus the Rutherglen Winery Walkabout burst into life on the long weekend, with 18 wineries opening to massive crowds. I had the chance to attend a few as part of a bus tour. My group ranged from Little Red Riding Hood to Tweedledee and Tweedledum, the Mad Hatter, the Queen of Hearts and the three blind mice. But, quoting Dennis Denuto, it was 'the vibe of the thing'; it was so infectious. After a wet summer there were some concerns about this year's vintage, but that seems to have disappeared with a bumper harvest. Sláinte, Rutherglen.

### FALLS CREEK

**Mr TILLEY**: At the other end of the electorate, Falls Creek is the first resort to open all terrain in 2022. The resort opened early and had 12 700 visitors on the long weekend alone. Falls had two years of great snow but no visitors. Let us hope that all changes in 2022.

### BENAMBRA ELECTORATE HEALTH FUNDING

**Mr TILLEY**: On Monday it was a great privilege, with the Leader of the Opposition, to announce a plan to invest \$300 million into a new hospital for the border. The only way it gets any better than that is to change the government in November.

### MORDIALLOC COLLEGE

**Mr RICHARDSON** (Mordialloc) (09:53): It was a great pleasure to join the Premier recently at Mordialloc College to open the stage 2 redevelopment works with hundreds of excited students. I want to pay tribute to principal Michelle Roberts, her principal leadership team and the wider Mordialloc College community. It has been a wonderful journey to get to the completion of the junior learning centre, the year 7 and year 8 building. To go from classroom to classroom and meet some of the young legends out there was absolutely outstanding, and I want to wish them all the very best for the future.

It is part of a package of investments that we are delivering for our community. From Chelsea through to Parkdale and into Keysborough South, we are delivering in education. We are providing mental health and wellbeing support in every single government school. We are making our schools more inclusive for the future with a disability inclusion package as well. It is really exciting that now, in the second year of the rollout, we have hundreds of schools that are benefiting from that tier 2 funding. This is generational change that will make sure that all students are supported in an inclusive environment. A strengths-based approach to their learning and their education is so very critical. This policy was worked on by the Deputy Premier and Minister for Education and is as reforming and transformational as three-year-old kinder. So it was really exciting to be out there to see that benefit and how that is changing across the communities—hundreds of schools now benefiting from more inclusive education for the future.

### ENERGY POLICY

**Mr HIBBINS** (Pahran) (09:55): This week the Greens introduced our Planning and Environment Amendment (Transition from Gas) Bill 2022 to change the ridiculous planning laws that we have in this state that force new homes to connect to gas when we know just how expensive, how unhealthy and how bad for our climate it is. To tackle the climate crisis and to tackle the rising cost of living we need to get homes off gas, not force them to connect. If the recent federal election made anything clear, people want their governments to go further and faster on tackling climate change. They are prepared to change their vote for it. This is the critical decade for climate action, and we can get to 100 per cent renewable energy by 2030.

### FEDERAL ELECTION

**Mr HIBBINS**: I want to congratulate our local terrific federal Greens candidates Steph Hodgins-May and Sonya Semmens and their amazing teams for their energetic campaigns, Greens Senator Lidia Thorpe for her re-election and Adam Bandt and the entire Greens team on their relentless campaign tackling climate and inequality. It is so fantastic to see the biggest Greens team ever in history in federal Parliament.

### PRAHRAN ELECTORATE ARTS EVENTS

**Mr HIBBINS**: I recently attended two events in Prahran: the National Institute of Circus Arts' first live performance for several years, *Eclipse*, and also Melbourne Polytechnic's diploma of theatre arts' *Playing House, or the Importance of Love*. Well done to all students involved. They were fantastic shows. It really shows that there is a strong future for thriving creative industries in the Prahran electorate and hopefully a future with a thriving arts and education precinct on the Prahran TAFE site.

### EARLY CHILDHOOD EDUCATION

**Ms ADDISON** (Wendouree) (09:56): The Andrews Labor government is committed to supporting families in ensuring our littlest Victorians have the best start in life, with kinder to be free from 2023. Every Victorian child will have access to free three- and four-year-old kinder. This will provide families with a saving of up to \$2500 per child, making a real difference for household budgets. This is the Education State, and this Labor government believes that every child deserves access to high-quality education and care, regardless of where they live or their household income. This is why we are transforming Victoria's early education system.

From 2025 we are introducing 30 hours per week of fully funded universal pre-prep for all Victorian children. Not only will this change have profound impacts on our children's development and school readiness but this early childhood reform will fundamentally change opportunities for parents to work, especially mums. It would certainly have helped me when I was juggling with working part time, paying for child care and managing kinder drop-offs and pick-ups. This is a very significant reform for gender equality in homes and workplaces, as well as creating opportunities for women to advance their careers, increase their incomes and build their superannuation balances as they return to work sooner. The Andrews Labor government has also committed to opening 50 government-run childcare centres in areas that currently have limited places. This will be a huge relief to thousands of working families.

### WAGES POLICY

**Mr ROWSWELL** (Sandringham) (09:58): After two gruelling years of pandemic mismanagement and Labor's debilitating lockdowns, many Victorian businesses are on the brink of collapse. Now the Fair Work Commission has decided to award a 5.2 per cent increase in the minimum wage. This is a job-killing impost on small businesses. Already employers are facing rising fuel prices, jacking up transport costs; rampant inflation, discouraging consumer spending; an energy crisis; and gradually increasing interest rates. This is exacerbated by supply chain disruption and labour shortages. The 5.2 per cent increase will lead to even higher interest rates and more financial hardship for people



with mortgages, credit card debts or personal loans and adds to the substantial risk of unemployment and underemployment. At worst, the most likely result will be many more redundancies.

This will come at an enormous cost to many businesses in my community and right across the state whose profit margins remain so tight that greater employment costs will be simply disastrous. This is particularly the case for the hospitality sector, the many incredible restaurants and cafes in my community who are experiencing a labour crisis as well. Restaurant and Catering Australia told the Fair Work Commission how almost two in three business owners in hospitality underpay themselves to make ends meet, with over 80 per cent of owners working unpaid hours. These are extremely challenging economic times, and the recklessness of both federal and state Labor governments is only making it worse. This 5.2 per cent job-killing impost on small business is simply wrong.

### CASEY EARLY PARENTING CENTRE

**Mr MAAS** (Narre Warren South) (10:00): I was recently joined by my colleagues the member for Cranbourne and the member for Bass to officially announce the location for the new early parenting centre in Clyde North. The centre is part of the *Expanding Victoria's Early Parenting Centre Network 2019–24* strategy and will be operated by Monash Health in partnership with the Queen Elizabeth Centre. When built, the centre will provide parents and carers in surrounding areas, including in my electorate of Narre Warren South, with the additional supports they need to develop their parenting skills. The centre will deliver tailored and targeted advice that aims to enhance the parent-child relationship and provide support with sleep and settling, feeding and extra care for babies and toddlers with additional needs. The new centre will support our local families as they experience the early years of their children's development, and I know that our parents and carers will take that knowledge and support that will benefit themselves and their children.

### EARLY CHILDHOOD EDUCATION

**Mr MAAS**: Last week the state government announced that they will give relief to thousands of families by changing the childcare system. From 2023 we will be providing funding for free kinder for three- and four-year-olds, which will save families up to \$2500 per year every year. This means more women and families will have more opportunities to return to work and support their household budgets. To help address the shortage of available places, the government will also be building 50 government-owned and operated childcare centres. I am so grateful to be a part of a government that promises to deliver and does that.

### NILLUMBIK PRIZE FOR CONTEMPORARY WRITING

**Ms WARD** (Eltham) (10:01): Thank you to Nillumbik Shire Council for again running the Nillumbik Prize for Contemporary Writing. This prize builds on the long-term successes of the Alan Marshall Short Story Award and the shire's ongoing tradition of supporting contemporary Australian writing. The Alan Marshall Short Story Award is in its 37th year and has continued to attract interest from authors and creatives across the country. Almost 500 entries were submitted this year. Authors across age groups have covered an amazing array of topics from family resilience to hopes, relationships and the impact of the pandemic.

*The Nightingale*, a short story by Meredith Tucker, was the overall winner. Congratulations to 'fiction award: local' winner Anastasia Warmuth for her story *Goodbye Stranger*. The judges were also incredibly impressed with the quality of entries in the youth category. I make special note of the winner of the youth poetry category, Willem van Hasselt, for his poem *Dog Brodie*, and the winner of the youth fiction category, Eve Ballard, for *The Kindergarten Train*. They managed to convey intense emotion and complexity through their words. Here is Willem's poem, *Dog Brodie*:

The dusty track  
And that Jeep you used to like  
The yellow grass  
The soil so fertile

Beneath which you lie  
Companion for life and death  
Your endless smile  
Dog Brodie.  
Your cheerful arf  
Your fierceness  
Remember the day you went swimming  
Or your first ride  
On the noisy diesel train  
Old Bob is getting old without you  
Dog Brodie.  
Remember that cocky you scared  
What a funny bird  
Remember your bravery and heroism  
Old Bob would be dead in desert  
Without you  
Dog Brodie  
And the taipan you fought off  
Even though you were bitten  
Dog Brodie  
Tears filled my one working eye  
As you lay down to die  
Venom overtaking your will to live  
Dog Brodie  
Still I hear your cheerful arf  
And I want to laugh  
My Dog Brodie.

### BONBEACH MERMAIDS

**Ms KILKENNY** (Carrum) (10:03): I wish to acknowledge a group of fabulous women known as the Bonbeach Mermaids, who braved the icy waters off Carrum Beach last weekend to raise more than \$3000 for Headspace. The group, the Bonbeach Mermaids, came together during the COVID lockdowns when locals Cassie Woolley and Nellie Luhrmann thought it would be a great way to get local women together and connected and to do something positive for their mental health every day. There are now more than 500 members, and whilst they do not all swim every day, Bonbeach Mermaids continue to meet daily for a quick dip at Carrum Beach or, as they say, a dunk like a teabag. Well done, Bonbeach Mermaids.

### KIAMAH DOWLING AND JASMINE POLE

**Ms KILKENNY**: Congratulations to two outstanding young women, Kiamah Dowling and Jasmine Pole, from Carrum Girl Guides for achieving their Queen's Guide award, the peak achievement for youth members of Girl Guides Australia. I was honoured to join them for their award presentation and to hear about their incredible service to the community and to the guiding movement over many years. These two Queen's Guides now join Alicia Withers, daughter of Jan Withers, the district manager for Kingston and region and manager southern for Girl Guides Victoria, who was the last Queen's Guide recipient at Carrum 21 years ago. To Kiamah and Jasmine, this is an outstanding and well-deserved recognition of your hard work, perseverance and determination to reach milestones and personal goals and to contribute to our community. Congratulations to you both. You are wonderful role models for so many. I also wish to acknowledge the many other mother-daughter-leader combinations there, including Tamara Rees with her two daughters, as well as Sam Dowling and Fiona Connell.

### ASYLUM SEEKER RESOURCE CENTRE

**Ms HALL** (Footscray) (10:04): From little things big things grow, and this Refugee Week I want to pay tribute to my neighbours in Nicholson Street, Footscray, the Asylum Seeker Resource Centre, which has been a beacon of hope for people in our community for 21 years. The ASRC was founded in 2001 by Kon Karapanagiotidis, who was the welfare lecturer at Victoria University of Technology. It started as a small food bank in Footscray, opposite to its current location on Nicholson Street, and from being a food bank they added English lessons. Then came the legal support, then came the primary health services, then came the employment program, casework support and counselling.

Footscray has always been a place that lifts people up, and the Asylum Seeker Resource Centre is an absolute example of the kinds of support we offer to refugee and asylum seeker Victorians in Footscray. I am very proud to have the Asylum Seeker Resource Centre in Footscray. I am very proud of all of the volunteers who make that place tick and all of the hard work they do every day. The ASRC is pure humanity. Thank you for everything you do every day.

### EARLY CHILDHOOD EDUCATION

**Mr CHEESEMAN** (South Barwon) (10:06): I have seen firsthand through my own boys, Isaac and Noah, the benefits of kinder. Kinder improved their socialisation and built up their confidence, which then well prepared them for primary school. That is why I welcome the Andrews Labor government's massive free kinder announcement made last week. My electorate is a growing one, and this means that I represent many young families who have chosen to make South Barwon their home. This reform means for many South Barwon families the opportunity to save up to \$2500 per child every year through kinder. Over the next decade the Andrews Labor government's announcement will see a massive change to our kinder program, and this will provide every opportunity for kinder-aged kids to access up to 30 hours a week of play-based learning, which will make a huge difference in preparing those young people for the future. The Andrews Labor government believes that kinder is so important, and we are also making available through this announcement up to 50 new government-owned and operated childcare centres to help support our growing community. This reform is so important.

### WAGES POLICY

**Mr HALSE** (Ringwood) (10:07): On this significant day I acknowledge the First Peoples and First Nations of the state of Victoria. I also want to commend the trade union movement here in Australia on a historic 5.2 per cent wage increase for hundreds of thousands, indeed millions, of the lowest paid workers right across our country. *(Time expired)*

### Statements on parliamentary committee reports

#### PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

##### *Report on the 2020–21 Financial and Performance Outcomes*

**Mr ANGUS** (Forest Hill) (10:08): I am very pleased to rise this morning to make a contribution on the Public Accounts and Estimates Committee *Report on the 2020–21 Financial and Performance Outcomes*, which was tabled in this place in April of this year. I particularly want to focus my comments this morning on chapter 2, which deals with financial and economic performance. I turn firstly to page 22. It talks there, under 2.4.2, about labour market performance. It notes that employment in Victoria declined by 1.1 per cent in 2020–21 compared to the previous year, and it goes on to say that the unemployment rate in 2020–21 was 6.2 per cent, which was 0.8 per cent higher than the previous year. The finding on page 25 says:

Population growth has previously been a significant driver of Victoria's economic growth. In 2020–21 Victoria's population declined by 0.7% compared to the forecast growth of 0.2% outlined in the 2020–21 Budget.

Right there we can see that that is a significant issue for the state, because at the time when these figures came through the full revelation in relation to the number of people leaving Victoria—in fact

fleeing Victoria—was not apparent. That is now apparent, and, as we know from figures released recently by the ABS, there are estimated to be about 60 000 people that have left Victoria. I expect that that will continue to increase, probably at a dramatic rate, because I would imagine there probably is no-one in this chamber today that would not know of someone that has left Victoria—fled Victoria—to get away from the draconian restrictions that we have had over the last couple of years. That is going to be a significant issue for the state as we try to rebuild and recover the state. We can see that now with the tremendous shortages in terms of job opportunities for people. Most employers are struggling to get people, particularly in the hospitality area. It is a significant issue in Victoria.

If I turn to page 26, under 2.5, ‘Fiscal strategy’, table 2.3 talks about the Victorian government’s four-step plan for 2020–21 and the status of that plan. I just want to go through those four steps, because what this indicates to all Victorians now very clearly is that of the four steps that the government has put out there in the public domain and has sought to achieve all have been an abject failure. So we can see step 1 is titled ‘creating jobs, reducing unemployment and restoring economic growth’. Well, we know that that is a failure. As it says in this report under 2020–21, the gross state product has decreased by 0.4 per cent and the state final demand has decreased by 0.8 per cent. We can see that that state final demand is continuing to decline, and that has got implications for the state for a range of reasons. I think these figures will ultimately look good compared to what we are going to be experiencing in the very near future, it is sad to say. Part of that is going to be driven by what I just referred to in terms of the decreasing population and people getting out of the state of Victoria and closing their businesses here in Victoria as well.

Step 2 talks about ‘returning to an operating cash surplus’, and we can see that that is a complete and utter fail. That is particularly apparent not only if we look at that figure that is reported in there—there is a minus \$13 billion figure—but if we look at the budget that was recently handed down. In budget paper 2 on page 5 it gives the ‘Net cash flows from operating activities’, and we can see that that is going to continue to be in deficit for quite some time. There are some modest surpluses recorded for 2022–23, 2023–24 and 2024–25, but the reality is that the likelihood of those cash surpluses being achieved is going to be extremely limited because we know that the net results from transactions—the actual deficits there—as history will always show with Labor governments, will continue to be understated. So that will flow through also into the cash flows for the state. That is going to be perilously bad for the state, because not only will we have increasing debt, we will have increasing deficits and we will have cash flow going south as well, so we are not even going to be covering our cash flow requirements at that stage. The 2022–23 budget shows an expected cash surplus of \$1.3 billion, but that is very unlikely to be met.

## ECONOMY AND INFRASTRUCTURE COMMITTEE

### *Inquiry into Commonwealth Support for Victoria*

**Ms CONNOLLY** (Tarnait) (10:13): With a new Labor government and what can only be described as a true partner to Victoria now in Canberra, I thought it would be really fitting to read about and talk about today the Economy and Infrastructure Committee’s report on the inquiry into commonwealth support for Victoria. I have to say the Legislative Assembly’s Economy and Infrastructure Committee is a committee that I was previously on, and it was a great pleasure to be on that committee. Certainly members from across parties were wonderful to work with, and it is very pleasing to say that they undertook an inquiry into commonwealth support for Victoria.

I think over the last eight years—and certainly the last almost four years that I have been here in this place—we have talked time and time again about Victoria needing and deserving to get its fair share of funding from the government in Canberra. We are a state that no doubt truly believes in fairness, and when we feel that we are not being treated fairly we are very quick at calling it out, which is exactly what our government did when the previous government in Canberra sought to starve Victoria of millions of dollars in GST revenue that should have rightfully gone to us. It was so rampant, what was going on, that we were forced to go ahead and do an inquiry into that commonwealth support for Victoria.

The report found that every state in Australia and territory, save for WA, would receive a lower proportion of GST than it was entitled to. That would mean that by 2028 Victoria would have lost out on between \$87 million and \$1.2 billion in funding. That is so much money, and when I think about that I think about the people in my community, in the electorate of Tarneit—those folks in Wyndham who are sitting in one of the largest growth corridors in this country—and what missing out on that funding actually means in terms of infrastructure and services that communities like mine desperately need. To give you an idea about the rapid population growth that my community is experiencing right now, I can explain it to you in these terms: a couple of weeks ago it was four classrooms of preps born each and every single week in Wyndham—that is 120 kids. Last week I found out it is now 130 babies being born each and every single week in Wyndham alone. That is massive.

In order to keep up with that type of rapid population growth we need states and governments like the Andrews Labor government—and we certainly have been—investing billions and billions of dollars into communities like mine, into growth communities. But we also need the federal government to pull their weight. I feel very optimistic after last month's election. It feels like such a long time ago now, standing on those booths and pre-polls handing out for my local federal MPs, but I feel very optimistic that we are going to see finally a fairer, a better share of funding from an Albanese Labor federal government than certainly we ever saw from that terrible Morrison government that we had to reside under for almost a decade.

That is money that will go towards building, in our patch, new schools; upgrading our roads and our rail network; and delivering better hospitals. And I was very, very happy and very, very proud to see the Labor federal member—the newly re-elected federal member—for Labor make an election commitment during that election campaign of I think it was about \$57 million of federal government money towards Wyndham's WestLink, which is going to provide better highway connection for folks in Tarneit and out there across towards Manor Lakes and Wyndham Vale to be able to get onto the highway. The WestLink was something that was talked about at the previous federal election. It was again a commitment that the federal member secured if Labor was elected, and it was not. I can only hope that we are now—and I certainly feel we are—on a great track forward to deliver that vital piece of infrastructure now we have an Albanese Labor government. I would like to thank the members of the committee who took part in the inquiry and acknowledge the secretariat for their hard work.

## ENVIRONMENT AND PLANNING COMMITTEE

### *Inquiry into Tackling Climate Change in Victorian Communities*

**Mr McCURDY** (Ovens Valley) (10:18): I am delighted to rise and speak on the inquiry into tackling climate change in Victorian communities. I want to burrow into 7.2.1 in the transport section because, as we know, the government for Melbourne continues to bang on about renewables and climate change and targets, but there have been some missed opportunities. At 7.2.1 in the report it says:

Although the Inquiry into Electric Vehicles made no recommendations, it provided a comprehensive overview of the benefits and challenges of the introduction of more electric vehicles (EVs) into Victoria.

Now, in the transport industry this is where the opportunities are missed. We know that with people with electric vehicles—those who purchase electric vehicles—many of them do so with a moral obligation, wanting to do their bit for the climate and do what they can to support in that area, but when you look at trucks and freight it is a whole different matter. There is an absolute commercial imperative and benefit straight away, whereas that it is not always the case with electric vehicles. Certainly it is cheaper to run an electric vehicle, but the cost to get into one, when you look at the overall cost, may not be beneficial. But in a commercial aspect there are great opportunities.

As many people know, in the Ovens Valley the Hume Highway, the biggest freight corridor in the country, runs right through Wangaratta, and there are some real, great opportunities there on the Melbourne to Sydney freight line, as there are in New South Wales, where they are already doing it between Sydney and Brisbane—it is a similar freight line or length. There is a company called Janus Electric, who have developed a swap-and-go type situation with batteries for trucks.

If you think about trucks having to pull up and charge for 12 hours, that would not work at all. But at a swap and go it takes 3 minutes to change a battery from a truck with a forklift. They get another battery, and away they go. It is a bit like gas bottles at Bunnings, really, when it comes down to that, but it is quite a practical outcome. If you look at the numbers, on the Melbourne to Sydney freight line it is about 960 kilometres. For a diesel truck, a diesel B-double, it would cost \$800 in diesel to do that trip. With hydrogen it would be \$1450 to do that trip. But for an electric vehicle under this scenario it would be \$320 per trip. When you superimpose those commercial imperatives, it really is quite outstanding. If you look at the average interstate truck, Melbourne to Sydney, it does two trips a week. That is a saving of \$920 a week. More commonly they do five trips a fortnight, and that is a \$2500 saving per week on average. If you look at that, it is like getting the driver for free in that sense. So when you look at transport companies with multiple trucks—many, many hundreds of trucks—you can see where the savings would go.

As I said, there are 6000 to 7000 electric vehicles in the whole of Australia in terms of cars. But Janus Electric do not rely on new vehicles being produced; they can actually convert trucks. In five days they can convert an old diesel truck into an electric truck, put the batteries on, and away they go. If we roll those numbers out, of the 25 000-plus articulated vehicles in Victoria, even if 20 per cent of those were converted, there would be 5000 articulated vehicles—B-doubles, semitrailers, long-haul carriers—and massive benefits in the emissions drops and in improvements in driver fatigue. Certainly the commercial improvements would see half a billion dollars in savings. That is just for 20 per cent of the articulated vehicles if they turn to this swap-and-go battery scenario.

While the government continues to prattle on about different things with climate change, I just think there is a real opportunity here. They could certainly look into supporting commercial businesses—because, let us face it, private enterprise runs this country and runs this state, and we need to be able to promote and support private enterprise. And yes, the Victorian government are doing a bus—terrific—but at the end of the day we need to support small business and commercial business because that is what makes the wheels turn in Victoria.

I think the opportunities would work out very well. They can do it in Queensland and New South Wales, where Queensland is 1.7 million square kilometres and New South Wales is 800 000 square kilometres. Victoria is only 220 000 square kilometres, so you would only need to put five or six of these swap and gos around Victoria, strategically placed, and they would be most beneficial in terms of how we would move forward. A driver takes 20 minutes to fill up his truck with diesel. In terms of a swap-and-go battery, it is about 4 minutes. I just think it really is a no-brainer for benefits to the climate, to the drivers and to a company's bottom line, and this government needs to look further afield into how we can do this. As I said, Janus Electric is doing it in New South Wales and Queensland. We certainly are behind the eight ball here, and I think it is time the government took a closer look at opportunities particularly in regional Victoria but certainly on this freight line between Melbourne and Sydney.

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### *Report on the 2020–21 Budget Estimates*

**Mr McGUIRE** (Broadmeadows) (10:23): I refer to the Public Accounts and Estimates Committee's inquiry into the budget estimates for 2021–22, and the contribution from the Minister for Economic Development on how Victoria is trying to strengthen economic performance through a range of mechanisms. I want to continue my contribution on how we look globally, how we look nationally and how we lead as a state in Victoria, particularly with research and development and innovation. It is really important to know and understand that this is a relentless pursuit. To give an international context, in two years China expects to have more research and development and to overtake the United States as the biggest investor. That is a critical understanding. This is what is going on globally, and this is what we need to address if we want to keep our leadership.

It was great this week to see that there are pay rises for our most needy workers. That is fantastic. You need money in your pocket to have a better quality of life. But you also need, from the government

perspective, industry and the universities to be thinking, 'How do we leverage our intellectual property? How do we create new industries and jobs, and how do we keep doing that?'. I think that one of the great initiatives of the Victorian Andrews Labor government is that we have created the Breakthrough Victoria Fund, with \$2 billion to be invested to help these collaborations.

This is the culmination of a proud Labor tradition. I remember Barry Jones. As Australia's longest-serving science minister he was always talking about the need—*Sleepers, Wake!* was the title of his book that defined the need—for innovation and the need to keep changing. We have had former premiers John Cain, Steve Bracks and John Brumby, and now the current Premier, and I want to acknowledge the Treasurer and the other ministers who have been involved in making this happen.

If you see what has occurred in research and development generally, of 133 countries in the world we rank 15th. We rank in the top 1 per cent of countries in the world in 15 fields of research, so it is all about knowing your competitive advantages and leveraging those. But it is in translating into products where we rank last out of 27 OECD countries, so this is the critical gap that this investment, the Breakthrough Victoria Fund, and other funds from throughout the Victorian government in the budget and the big-picture blueprint are trying to address. That is the challenge: how do we turn our research into products and businesses that change lives? This is a huge investment in research, and again the leadership nationally is coming out of Victoria. It has been my humbling privilege to be the Parliamentary Secretary for Medical Research, to formerly be the Parliamentary Secretary for Small Business Innovation, and to get to know the critical people and leaders in these fields.

This is the area where I do want to acknowledge that again Victoria has taken the leadership. We had the Prime Minister with the Premier making a new announcement on melanoma. Melanoma is known internationally as the Australian disease, so to have a new clinical trial centre right here in Melbourne that is world class—the investment is \$152 million for a centre to bring together specialist researchers, clinical care and cancer patient treatment facilities under one roof, and it will drive innovation in cancer research and provide comprehensive skin cancer care services—is a wonderful result, delivered again by this government. It is backed by \$50 million from the Victorian Labor government and will be located next to the Alfred hospital.

The new centre will be home to the Victorian Melanoma Service, the Alfred cancer service and the Australian clinical trial centre. These trials are really important. I do want to acknowledge that it is going to be named the Paula Fox Melanoma and Cancer Centre, named after the philanthropist Paula Fox, with her personal connection to melanoma. I remember when she showed me the scar; it was nearly 50 stitches down her back. It was like the sash on the Essendon jumper. That is a huge personal connection, and I think it is really interesting to bring philanthropists together, bring governments together and get this result. It is world-leading research, it will change lives, it will save lives, and it is Victoria at its best. The world is watching. They are wanting to connect—the Australian British Health Catalyst is coming up as well.

### ELECTORAL MATTERS COMMITTEE

#### *Inquiry into the Conduct of the 2018 Victorian State Election*

**Mr HIBBINS** (Pahran) (10:28): I rise to speak on the Electoral Matters Committee report on the inquiry into the 2018 election. Most of the submissions to that inquiry related to group voting tickets. The inquiry did not consider those; in fact I believe witnesses were actually gagged from talking about group voting tickets, and promises were made for a specific inquiry into that issue. The committee also issued its report and recommended an inquiry into the upper house voting system.

Five months out from the election this has not occurred. That is a broken promise. We will now have, or it looks like we will have, another election in Victoria and Victoria will now be the only state or territory with the old group voting ticket system, which has the potential for MPs to be voted in with just a tiny number of votes. In WA, the last state to get rid of group voting tickets, we had a representative elected on just 98 votes—98 votes out of around 50 000. That does not reflect the will

of voters. Instead it reflects the will of backroom deals, now with money changing hands so parties and candidates can buy into preference-harvesting cartels. This is farcical at best, corrupt at worst. Anyone with a sense of democracy would see this as incredibly wrong and undemocratic, and it can be changed right now before the election with the government introducing legislation. Proportional representation should, as best as possible, have the number of representatives match up with the number of votes cast for them. Getting rid of group voting tickets does not guarantee politically the representatives that you might want, but it should, as best as possible, reflect the will of the voters.

I would really warn the government against sticking with this system in perhaps some attempt to game the system or get the upper house that they want. Any attempts I think to try and get the result that you want through gaming the system will no doubt indeed backfire. I note that when proportional representation was first introduced into the upper house in Victoria there were a few iterations of what it should look like. The Labor government of the day landed on one that probably did not quite reflect what the recommendations were, and of course not long after there was a Liberal-National majority in the upper house. Proportional representation resulted in a majority for a party that I think just won 50 per cent of the overall primary vote. So I would warn against that. I would urge the government to reform group voting tickets—to abolish group voting tickets—to have true proportional representation in the upper house and to not put their faith in backroom deals but put their trust in voters and the Victorian people.

### LEGAL AND SOCIAL ISSUES COMMITTEE

#### *Inquiry into Anti-Vilification Protections*

**Mr TAK** (Clarinda) (10:32): The Legal and Social Issues Committee was referred an inquiry into anti-vilification protections in September 2019. We were asked to examine whether Victoria's Racial and Religious Tolerance Act 2001 was achieving its objectives, considering the low number of complaints made under the act while the incidence of vilification and hate conduct was increasing. The committee tabled its report in March 2021. The committee received 62 submissions, with 11 supplementary submissions, and held seven days of public hearings. I would like to thank everyone who participated in the inquiry and gave firsthand evidence of their experiences of vilification to the committee. We heard that vilification is common among people who identify as Aboriginal and Torres Strait Islanders, Muslims, Jews, women, LGBTIQ+ and those who have a disability. Vilification comes in many forms and is often frequent and repeated, creating a harmful impact on mental health. The rise of online vilification only exacerbates the issue.

We also heard that many Victorians were unaware of anti-vilification laws or they understood vilification differently to the legal definition of incitement. The legal definition also does not reflect the hate and abuse that people experience online or in person. Consequently the 20-year-old legislation was hard to use and not fit for purpose to assist victims to exercise their rights. The public display of Nazi symbolism was a common theme during the inquiry, and the committee wanted to send a clear message that this is harmful, offensive and unacceptable. We recommended that the display of symbols of Nazi ideology become a criminal offence so these symbols could be removed immediately if they were deliberately displayed to vilify others. I am pleased that this recommendation has been drafted into legislation that recently passed this house and also passed the other house as of yesterday. Victoria is once again leading the way in the nation by banning Nazi symbolism thanks to the Labor government.

Overall the committee made 36 recommendations to try to prevent vilification, strengthen law enforcement and address online vilification, including by lowering the legal threshold for incitement-based vilification, introducing a harm-based vilification provision to make it easier to prove a complaint, supporting individuals and communities affected by vilification and helping them to navigate the reporting process, strengthening the powers of the Victorian Equal Opportunity and Human Rights Commission to shift the burden away from the individuals and setting up prevention



initiatives in the area of school-based education, responsible media reporting and a public awareness campaign. I would like to take this opportunity—

*Members interjecting.*

**The DEPUTY SPEAKER:** Order! Members, I am having trouble hearing the member for Clarinda. There is too much audible conversation in the chamber.

**Mr TAK:** Thank you, Deputy Speaker. I would like to acknowledge the hard work of my fellow committee members and the support and commitment of the staff who worked so hard on this inquiry. Implementing the report's recommendations and strengthening anti-vilification laws will not only protect individuals and the community but also promote harmony and cohesion in our society. It is only Victoria that makes this possible.

**Business interrupted in accordance with resolution of house of 9 June.**

### Address to Parliament

#### ADDRESS BY FIRST PEOPLES' ASSEMBLY OF VICTORIA CO-CHAIRS

**The SPEAKER (10:38):** Members, pursuant to a resolution of this house I have the privilege to invite Bangerang and Wiradjuri elder Aunty Geraldine Atkinson and Nira illim bulluk man of the Taungurung nation Mr Marcus Stewart to the floor of the house. I would like to thank the traditional owners for the welcome to country today and on behalf of the honourable members of this house acknowledge, as we do every sitting day, the traditional owners of the land we are meeting on. We pay our respects to them, their culture, their elders past, present and future, and elders who are with us today from other communities. Co-chair Atkinson and co-chair Stewart, this is a historic day for our state, and it is my privilege to now invite you both to read out the names of the members of the First Peoples' Assembly and to address the house.

**Aunty Geraldine ATKINSON (10:39):** I would like to acknowledge the First Peoples' Assembly of Victoria members. From South-East Region, Alice Pepper and Kaylene Williamson; elected member for North-East Region, Aunty Leanne Miller; elected member for South-West Region, Aunty Charmaine Clarke; elected members for North-West Region, Jacinta Chaplin and Raylene Harradine; elected members for the Metropolitan Region, Ngarrá Murray, Tracey Evans, Aunty Carolyn Briggs and Aunty Muriel Bamblett; the representative from the Gunditj Mirring Traditional Owners Aboriginal Corporation, Aunty Donna Wright; and the representative for the First People of the Millewa-Mallee Aboriginal Corporation, Melissa Jones. I would also like to acknowledge Metropolitan representative Aunty Esme Bamblett, who could not be here today but has made an enormous contribution to our work. Thank you.

**Mr Marcus STEWART (10:40):** I would also like to acknowledge elected member for the South East Peter Hood; elected member for the North East Travis Morgan; elected members for the South West Region Uncle Michael 'Mookeye' Bell and Jordan Edwards; elected members for the Metropolitan Region Rueben Berg, Matt Burns and Alister Thorpe; representative for the Gunaikurnai Land and Waters Aboriginal Corporation Troy McDonald; representative for the Dja Dja Wurrung Clans Aboriginal Corporation Trent Nelson; representative for the Barengi Gadjin Land Council Dylan Clarke; and representative for the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation Uncle Andrew Gardiner.

**Uncle Andrew GARDINER (10:41):** Andrew Gardiner, Wurundjeri Woi Wurrung. I would like to say that this is a very significant, momentous day. We invite everybody to participate in the debate and err on the side of caution, which is our future. I would also like to say that our country has never been ceded—the Wurundjeri Woi Wurrung are the traditional owners of Melbourne. We always pay our respects to our elders past, present and future. Our traditional lands extended from Werribee River in the west to the Great Dividing Range in the north, Mount Baw Baw in the east and Mordialloc Creek to the south. We always pay our respects to elders. They are knowledge holders, and they give

us their wisdom and their life experience. Those truths are evident from our elders of the past time. I would like to say Wominjeka, Wurundjeri Woi wurrung balak, yearmen koondi biik. Welcome to the traditional country of the Wurundjeri clans of the Woi Wurrung people. Thank you.

**Mr Marcus STEWART (10:42):** I would just also like to note an elected member for the North West who cannot be here—a couple of our members—Jason Kelly; Sean Fagan, Wadawurrung Traditional Owners Aboriginal Corporation reserved seat holder; elected member from the Metropolitan Region Uncle Trevor Gallagher; and representative of the Eastern Maar corporation Jamie Lowe.

**Aunty Geraldine ATKINSON (10:42):** Hello, everybody. My name is Geraldine Atkinson, and those who know me usually call me Aunty Geri. I hope that I will get to know you and you will be able to also acknowledge me that way, so thank you.

I too would like to acknowledge country and acknowledge that sovereignty was never ceded in this land. I specifically acknowledge the traditional owners of the land on which this Parliament House sits, the Wurundjeri Woi Wurrung people, and we have just heard from Uncle Andrew. I am a proud Bangerang woman. I am from the north-east of what is known as Victoria, country which flanks the Goulburn and the Murray rivers. In my language I would just like to say Galya Yawa Wuta, Nyuwanda gaka yapaneyepuk muma girrandjamik burraya, wuta nyuwandan yenbena barrpirrik. What I have just said is ‘Good morning, everyone. We, all of us, come here together today from near and far for the future of all people, all our people’. I love the opportunity to share my language, and I love seeing the increasing willingness of people, communities and institutions right across Victoria to embrace and celebrate our culture.

In many ways the agreement that we have reached with the government to create a Treaty Authority led by First Peoples and grounded in our culture goes to the heart of this very dynamic. It recognises the journey to treaty is not only about destination, but how we get there is vitally important. Our community knows what is best for our community. It is essential that First Peoples lead this journey—essential because it is both the morally right approach and the most effective approach in achieving the best results. But the journey also presents many opportunities for everyone to learn from and share in the strength and the wisdom of the oldest living culture in the world.

Marcus and I are so proud to be here with you today to talk about the Treaty Authority. It is a vital piece of the architecture that is going to help us deliver treaty. We are here representing the democratic voice of our people, the First Peoples’ Assembly of Victoria, and we are here to present to you the democratic voice of the state of Victoria. It is remarkable when you think about it like that. Although a huge power imbalance remains, my people, the First Peoples, now have a voice and the means to communicate with, to negotiate with and to create with this institution—sovereign power from us, sovereign power to you.

Many people have worked hard to make this a reality, but I want to take a moment to give a particular thanks to Gunditjmara woman Jill Gallagher AO, who I believe is with us today. Jill’s patience and steady guidance in bringing form to the First Peoples’ Assembly as the treaty advancement commissioner is something everyone in Victoria should be grateful for, and I acknowledge the plaudits that you have just given her. So thank you, Jill. I hope you are as pleased as I am to see such tangible steps being taken towards treaty—this Treaty Authority Agreement being a prime example.

There is no escaping the harsh reality that Aboriginal people have suffered immensely at the hands of the Victorian state. We were driven from our lands, murdered, herded onto reserves, torn apart from our families. We were unfairly targeted and discriminated against for generations, with the disadvantage and injustice compounding over the years. But you know what? We have survived. We survived the concerted attempts to eradicate us and our culture, and it should be of no surprise that many of our people find it hard to place any trust in Parliament or have faith in government systems.

Indeed all too often these are still the sources of ongoing injustices. That needs to change, and treaty is the way that we can change that.

I want treaty to restore the ability of my people to make the decisions that affect our communities, our culture and our country—the ability to do things our way. This is why it is so important that the Treaty Authority is led by First Peoples and grounded in our culture, lore and law. The Treaty Authority will support treaty making in Victoria between the First Peoples of Victoria and the state government. It will also be an independent umpire to help resolve disputes between our nation groups, and we are going to do it our way. This is not something that any colonial system can do for us. We determine who we are, who represents us and where our country is.

We asked for the Treaty Authority to sit outside the usual government system. It will not report to a minister that sits in Parliament. Its funding cycle will be insulated from the whims of the usual political cycles. And I understand that that is different, but it needs to be. Treaty needs to be done on our terms. Our people need to have faith in the path forward. Our lore and law have stood the test of time, and I am proud to see thousands of years of knowledge, wisdom and resilience of our people being embedded into the public institutions we are creating on the journey to treaty. Western court systems are combative by default, whereas the Treaty Authority will respect our culture. The starting point will always be dialogue.

Our culture has been practised for countless generations, and I want it to be practised here for countless more generations. You each have a part to play here in ensuring that this can happen. I ask you to walk with us on this journey. I ask that you give the Treaty Authority and Other Treaty Elements Bill 2022 your blessings and play your part in making history. Do not look back on this moment in years to come to see yourself on the wrong side of history. Instead step into this moment and have the courage to help create change and relinquish a fraction of power so that the treaty umpire can be truly independent from government.

In passing this bill the members of this Parliament have an opportunity to facilitate the creation of the first permanent peace architecture for treaty making. This is a positive step, and I believe it is a step best taken together with all of us. What a message that will send for everyone to see: a consensus vote, all sides of politics coming together to get us closer to treaty in Victoria. Thank you for listening. I will now hand over to Marcus.

**Mr Marcus STEWART (10:50):** Thanks, Aunty Geri. My name is Marcus Stewart. I am a proud Nira illim bulluk man of the Taungurung nation in Central Victoria, and I am also the fellow co-chair of the First Peoples' Assembly of Victoria. I also want to begin by paying my respects to country, acknowledging the Wurundjuri Woi Wurrung people as the traditional owners of this land and paying respects to their elders past and present, but also acknowledging all Aboriginal people, elders and all our ancestors who have guided us on this journey.

We think about Parliament, where we stand today, and the short history it has on this land in the context of the Wurundjeri Woi Wurrung who have been on this land for thousands of years, like many traditional owners throughout Victoria. Wa wa gi Woi Wurrung, liwick nugal-dhan gaaguk, wa wa gi yumaagu, gilgruk ngun-godjin.

If I talk about the context of the acknowledgements that we give and the language that we use, they recognise the simple truth that there was a society of people here before invasion and that we are still here. As I did a couple of weeks ago when we were on Gadubanud country of the Eastern Maar nation in Lorne for a ceremonial signing of the Treaty Authority Agreement with the Premier, I want to invite everyone elected to the legislature—all MPs—just to take a second or a moment throughout my speech to look up at the faces in the smaller gallery and to remember the faces of our elected members of the First Peoples' Assembly of Victoria who represent the state of Victoria. These members are the heart and soul of the treaty movement here in Victoria. They stand on the shoulders of giants and have been able to deliver on our community's aspirations and build on our activism and advocacy that we have

seen for generations and decades. They have been out yarning in every corner of this state on country, having the hard conversations, finding the common ground, building consensus and finding the common threads to weave those stitches together of how we come here today with the bill that is in front of you.

We are the builders, and our community are the architects. We build to their design and to their aspirations. I am really proud to be walking alongside our members for the common purpose of securing tangible, structural change that will improve the lives of our people. The assembly is living proof that sovereignty was never ceded—a bold and positive act of self-determination. I also want to join Aunty Geri in thanking Aunty Jill Gallagher AO for her role in establishing the assembly. Jill, thank you. It is a good example of the progress that can be made when First Peoples are put in the driver's seat, when solutions are crafted by First Peoples for First Peoples. So it makes complete sense that our lore, Western law and our cultural authority are at the heart of the architecture that will be put in place to get treaty done in this great state.

Since invasion successive governments have, by and large, inflicted serious harm on our people. For a long time the desire behind policies and laws—that were created in this room right here—was to eliminate us entirely. First Peoples in Victoria live in the shadow of colonisation, and it follows us everywhere we go. Targeted, issue-specific reform may cast discrete beams of light into our lives as First Peoples, but only more profound structural change can eradicate this shadow. Centuries have shown that the platitudes of the powerful cannot bring the kind of change that we want, that we seek and that we need.

Treaty is changing this. It is about giving First Peoples the power to decide First Peoples' issues. If we want treaty to deliver, if we want to improve the lives of our people, we cannot move forward using the same systems that have been used against us and that have held us back. That is why passing the Treaty Authority and Other Treaty Elements Bill 2022 is such a critical step forward in the treaty journey, not only for this state but for this nation.

The Treaty Authority was informed by years of yarning, consultations and engagement with our people across the state and over country. As you know, building consensus takes time, and we have come here with an agreement that we are confident has the backing of our community. This model will ensure treaty negotiations are not restrained by colonial systems or government bureaucracy. Instead these negotiations will uphold our culture, our lore and western law, which has been practised on these lands for countless generations. By passing this bill we would take a huge leap forward in the journey towards treaty, a huge step forward in making things right. I will repeat the wise words of Aunty Geri:

Do not look back on this moment in years to come to see yourself on the wrong side of history.

Instead, walk with us, do what you can to support this groundbreaking treaty process. Again, this model was designed by First Peoples for First Peoples. The Victorian government has shown that they are willing to listen to our people. Yesterday the opposition did the same, demonstrating that treaty is beyond politics, and for that we thank you. So I stand here in expectation that the entire Parliament will support the bill. Treaty is about listening to the First Peoples. Well, we have spoken. This is what we are asking for. Without treaty, what is now called Victoria will remain, in our people's hearts, in their minds and in reality, the colony of Victoria. We are asking you to pass the bill and breathe life into this agreement. Show the rest of Australia that Victoria is ready to right the wrongs of the past and create a better future, to welcome a united, not a divided, future for all Victorians. The sad truth is there are not many indicators that show positive outcomes of government involvement in Aboriginal people's lives. On the flip side, there is overwhelming evidence that shows when Aboriginal people are in charge of the programs and the policies that affect our lives they succeed.

If you believe that Aboriginal people should succeed, then vote for this bill. If you believe that Aboriginal people should have the ability to make the decisions that disproportionately impact our lives, then support this bill. I firmly believe that the journey of treaty will bring us closer together as a

society, but I want to be clear: treaty is not merely symbolic, as some have tried to suggest in recent days—treaty is about securing tangible, structural change that will improve our lives.

I want to thank all the parliamentarians that have met with us and have sought to learn more about the treaty process that we are putting together. I urge anyone who has any reservations to reach out. Our door is open, and our door will always be open. The journey to treaty might not always be easy. It might push some beyond their comfort zones, but it is a journey we need to take, and it is a journey best taken together. So please walk with us, and thank you.

**The SPEAKER:** Members, we thank the members of the First Peoples' Assembly for being with us today, and we thank the co-chairs, Aunty Geri and Marcus Stewart, for his and her inspiring words. I ask members to acknowledge the co-chairs as they withdraw from the chamber.

*Members applauded.*

### Business of the house

#### NOTICES OF MOTION

**Mr MERLINO** (Monbulk—Minister for Education, Minister for Mental Health) (11:00): I advise that the government does not wish to proceed with notice of motion, government business, 1, today and ask that it remain on the notice paper.

#### Bills

#### TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022

##### *Second reading*

#### Debate resumed on motion of Ms WILLIAMS:

That this bill be now read a second time.

**Mr WALSH** (Murray Plains) (11:01): Can I start by acknowledging country as well. I know it is against the forms of the house but can I particularly acknowledge all those in the gallery who have been part of this process. I think we all owe them a debt of gratitude for the work that has gone into arriving at where we have arrived at today. So can I particularly acknowledge everyone who is in the gallery. Can I say that Aunty Geraldine's speech is one of the best inaugural speeches I have seen from a member on this floor, and I commend her for doing it. I know she was nervous, but it was a brilliant speech. Thank you very, very much for that speech, and to Marcus as well for his speech.

As Uncle Wally Cooper used to say when he did welcomes to country when I was in the Wangaratta area with the member for Ovens Valley, we want to walk across this land together. We want to walk across this land together with all of you to make sure that your aspirations, your desires and your wishes are actually achieved for your particular people but particularly for your children and your grandchildren. I know, as I have talked to a lot of particularly the aunties over my journeys, the aunties' key wish is that for their children and their grandchildren we make sure that they, like all of us, have a better life than we have had as we go forward.

The Liberal and National parties absolutely support this legislation and want to see the whole process progress further. The treaty journey will mean different things to different people, and it will be a difficult process for a lot of people. There is no argument about that—that as we work through these issues, as we have worked through the discussions, they will not always be easy. But I think the first thing is the truth telling that has been going on, because as people would say, the truth sets you free. Whatever the truth is, the truth is, and we need to acknowledge that truth and move forward. But as the Leader of the Opposition said yesterday, it is important that those discussions are actually respectful and that that journey is carried out in a respectful manner. It is not about conflict, it is about actually resolving past conflicts and making sure we walk forward together, as I have said. This bill before the house to set up the Treaty Authority is putting in place an authority, as has been described

by both Aunty Geri and Marcus, that will actually guide the process and assist those in the process with mediation, advice and research. And we look forward to working as part of that.

I suppose what I would like to do is also dispel the myth that has been created by some around this process that it is only the Labor Party that will actually work with the Indigenous community on treaty. This side of the house, both the Liberal and the National parties, are committed to working with the Indigenous community on treaty as well. For anyone that is actually spreading that myth, I think it reflects more on them than it does on anyone else in this chamber or in the wider community. Both sides of the chamber are prepared to work together on this, and I think that has been demonstrated today. I would like anyone that tries to propagate that myth in the future to stop and think—because if you actually look back on the history in this place, when we were in government Jeanette Powell was the Minister for Aboriginal Affairs and she worked tirelessly with her community and the wider community, and we thank Jeanette for her work. When she retired, the member for Gippsland East took over that role and equally filled that role to carry it out there. So it is about both sides of the chamber. When we were in government we worked with our Indigenous community, and the member for Gippsland East continued that work in opposition as the shadow minister before I took that role on. So for anyone that thinks there is any issue around our side of politics not wanting to work with the Indigenous community, that is a falsehood. We do want to do that, so can you please take that away from the discussions today on this particular bill.

As has been said, it is about sharing knowledge and sharing information, because that is how we will all learn and we will all go forward. I want to spend a few minutes talking about the people that I have interacted with over that journey and that have helped me in my wider community in northern Victoria, and I am sure other speakers on this bill will talk about their sharing of knowledge in their particular communities as well. But I start off with Uncle Sandy Atkinson, and obviously Uncle Wally, who I have already mentioned. Uncle Sandy was someone that was always really good to sit down and just talk with and have a yarn with about what went on. Uncle Sandy's contribution to the whole process of getting the path for the new Echuca bridge that was recently opened was the very important role he played in that community in making sure everyone understood the issues involved in determining the route and having that bridge built.

Aunty Geraldine we have already welcomed to the chamber. She made, as I said, one of the best inaugural speeches I have heard in this place from any member. Aunty Geraldine is absolutely committed to the education process and making sure that her community has the educational opportunities that some others missed out on. The fact is that her grandmother was part of the walk-off from Cummeragunja, and they have this history that we need to know, because there were wrongs—wrongs that do need to be acknowledged and do need to be righted. To Aunty Geraldine for the work she has done in her community about increasing educational opportunities, thank you, and we want to keep working with you and others on that particular part of your commitment to your community about education.

One of the ones that I have really enjoyed spending time with is Uncle Rick Ronan in Echuca, a proud Wolithiga man. Uncle Rick has shared his history as well. His family left Cummeragunja before the walk-off and they moved into Echuca, and as he has shared his history of how they integrated into the community there it has been a learning for me. The thing that has always stuck in my mind with Uncle Rick is that on Australia Day in Echuca three years ago, I think it was—we know how Australia Day is very contentious within the Indigenous community—Uncle Rick still came along and did the welcome to country. I was talking to him afterwards, and he said, 'I am conflicted. I know my people don't like Australia Day, but I am Australian as well, and I felt I had a responsibility to come along and be part of it and do the acknowledgement of my country and welcome to my country'. That sort of attitude is something that I think we all need to take forward in how we heal and work together over time. Uncle Rick has a proud history working in the education system—he has recently retired—and has done a lot for his community in Echuca.

If I go to Kerang in my community, Uncle Lloyd Murray and Aunty Esther Kirby are two powers of that community there in what they do for their community. I have an emu egg. Aunty Esther is great at doing emu eggs. I have an emu egg from Aunty Esther that has pride of place in my house, and I thank her and Uncle Lloyd for what they do for the communities there.

As I raised with the Minister for Aboriginal Affairs when we had the debate recently in this house, one of the unfortunate things in that community is that Department of Premier and Cabinet bureaucrats are using the elders' names in vain, I think, in stopping a new preschool at Koondrook, because they are saying there are cultural heritage issues there. The local elders are saying, 'You haven't even talked to us. You haven't asked us. We have no issue with that preschool building being built. Why are you holding it up?'. The minister took it on notice last time when I raised it in the house and said she would go away and look at it. I hope that is the case, because that is an issue where Indigenous people working on Indigenous issues should have rights on their own land, rather than someone from Melbourne coming in and having a say over and above them on that particular issue.

The other person that I have had a long journey with is Rodney Carter, who is the CEO of the Dja Dja Wurrung Clans Aboriginal Corporation in Bendigo. That history goes back, as Rodney comes from Swan Hill. He worked for the department and then worked for the Game Management Authority before he took on the role he has now.

What I would like to do is use an example where I think everyone can work together and we can create the healing that is needed as we go forward. It involved some time with the member for Ripon at Melville Caves in Kooyoorra State Park near Kingower and Rheola, where there is a lot of good work being done by the Dja Dja Wurrung in restoring that park. But there is an issue with a building, Catto Lodge, which was put there 50-odd years ago, which some people wanted to remove. It has meaning and history to that community, as does the rest of the park to the Indigenous community. To Rodney's credit, to the local community's credit and to the member for Ripon's credit, everyone was able to work together to get a good outcome. I think that paints the picture for what can be achieved if we all sit down, we all talk, we all understand where everyone is coming from and we understand this is a shared journey. I think that is an example of what can be achieved as we go forward. I thank Rodney for everything he has done over that time. I thank him for the work he has done making sure that the timber out of the Wombat forest is cleaned up, and there is an opportunity there for the Indigenous community and in this case VicForests to work together to achieve a good outcome in the Wombat forest. One of the reasons the issue with Catto Lodge and Kooyoorra State Park is personal to me is that my family actually settled there pre gold rush, so I have a history with that land too—nowhere near as long and nowhere near as strong as the Indigenous community, but we do have a history and we need to share that and understand where we both come from through that particular time.

I would like to finish off by acknowledging the aunts in Swan Hill that I have spent a lot of time with, and I go back to what Aunty Geri has been talking about and their aspiration for their grandchildren particularly to have a better life into the future. One of the women in Swan Hill I spent a lot of time with a number of years ago is a lady called Sue Connolly, who is a local Aboriginal artist, and I note she has a display on at the Swan Hill art gallery at the moment. Back in the millennium drought Lake Boga, which is one of the lakes in Swan Hill, was going dry. Sue rang me up, and we went out and had a look at the lake. Most people were concerned about the lake going dry because they could not waterski or they could not sail or carry out the normal recreational activities that you carry out at a lake, but what Sue was really concerned about was the reed beds on the side of the lake, that if they died she would not be able to get reeds to make her mats into the future and how to make sure there is water there to keep the reeds alive so that she could gather reeds to make the beautiful reed mats that she makes. Again, it is about understanding what people's involvement in any particular issues is, and for her it was not so much about the lake going dry for normal recreational activity, it was about the traditional use of the reeds that grow around the lake and what she needed to make those mats—again, an issue when we talk about the management of water and an Indigenous say in how water is managed into the future.

This legislation puts in place the process and the support so those ongoing discussions can happen. We are very supportive of that process. We want to be part of that process. If we are fortunate to have a change of government in November and we are the government, we will continue that process. We want to work with you into the future. Again, I go back to what I said before: do not believe anyone who is peddling the myth that you have to work with the Labor Party to get these outcomes. You can work with our side of politics as well. If we are in government, we want to make sure that we work with you to achieve your aspirations for your community.

As both Marcus and Aunty Geri have said when I have talked to them, treaty will mean different things to different people. Some treaty will be local, some may be statewide. Those are the things that will happen over time as the discussions happen. It will not be an easy process, it will not be a short process, but let us make sure it is a positive process for everyone that is involved. As I said, as the Leader of the Opposition said yesterday, let us make sure that those discussions are respectful, that everyone sits down and talks sensibly and that we actually arrive at a good outcome for the Indigenous community here in Victoria. Thank you for coming into Parliament. Thank you for presenting today. We look forward to continuing that dialogue in the future.

**Ms COUZENS (Geelong) (11:14):** I am really proud to rise to contribute on the Treaty Authority and Other Treaty Elements Bill 2022. I want to begin by acknowledging the Wurundjeri people as traditional owners of the land that this Parliament is built on, and I also acknowledge the traditional owners, the Wadawurrung people of my electorate, known as Djilang, and all First Nations people present in the gallery and online today. I pay my respects to ancestors and elders. I thank First Nations people for their care of the lands and waterways and for sharing their beautiful culture with us.

I also acknowledge and thank the First Peoples' Assembly and the co-chairs, Aunty Geri and Marcus, for their hard work. I know how challenging it is for all the assembly, including the co-chairs. I want to also acknowledge and thank the Minister for Aboriginal Affairs for her strong commitment to doing what is right and past ministers—the member for Sydenham was the previous minister. I also want to acknowledge Aunty Jill Gallagher, the past treaty commissioner. I did a lot of work with Jill in her role. The education and awareness that was shared across our communities was extraordinary, so I want to pay a special thanks to her.

For me personally, this is the most important bill that I have ever spoken on in the Parliament in my time as an MP. This is not just about words, it is about action, and this is a Labor government delivering in partnership with the Victorian Aboriginal community. Treaty is about unfinished business. It is an opportunity to come to terms with our past, to acknowledge the long, rich culture and to work together for a shared future. This is about real determination, truth telling, justice. First Peoples know what is right for their communities: making the decisions that matter and that make a difference. This is all about connection to country. This is all about connection to their community. This is about survival.

I am really proud that the Andrews Labor government has genuinely listened to the First Peoples of this state. There has been a lot of funding committed, which is fantastic, and it is a very important part of this process. The dollars attached are important, but the price—or the pricelessness—of this treaty commitment is far more valuable. I am pleased that we have gone down this track. I am really pleased that the opposition are supporting this bill, although I have seen comments over the last week in the media that it has to be about closing the gap—well, that is exactly what this is doing. It is closing the gap. It will close the gap. It will work towards closing the gap.

The lead speaker for the opposition I do not think really talked about treaty at all. He talked about working with his community, and that is fine, and everyone in this place works with the Aboriginal community in some way. But this is far bigger than that. This is not just about helping Aboriginal communities to provide services, this is so fundamental to the Aboriginal community of Victoria. To not hear any discussion about what is in the bill I found quite disappointing. There are members opposite and in the other place that have made some pretty shocking comments, particularly a member for Western Victoria Region in the other place, who is quite clear about opposing this bill. For



Aboriginal communities across Western Victoria, which is part of the south-west of my electorate, on Wadawurrung country and Gunditjmarra country, why would you be saying that to those people? We talk about supporting Aboriginal communities, we talk about treaty—well, let us be genuine about what we are saying here.

I do want to also acknowledge the Couzens family, the Gunditjmarra people from Framlingham, because it is from them that I learned of the invasion of First Peoples' lands, of the massacres, of the stolen generation and of stolen language. That was my education, and being married to a Gunditjmarra man, I learned and saw firsthand the racism and white privilege that was so prevalent in our communities—the impact of racism when he tried to get housing or employment, the police harassment, the assumptions that were made when accessing health care. He died at the age of 26 and never had the chance to have his children know who he was. We did not really get the opportunity to talk about treaty or recognition of First Nations people, because his daily battle was surviving the racism that was in our community. I never really expected to see treaty in my lifetime, and my late husband did not, but I would like to think he would be proud of what we are doing in this place today. I know our children are. And the reason I tell this story is that it is the truth for thousands of Aboriginal people in this state. This is not a unique story. It is not something you hear occasionally. His story is what Aboriginal people have experienced in this state for over 200 years, so I thought it was important to tell this story and to put into *Hansard* that this is not a unique story. The importance of what we are doing here today is so significant, and my children and every Aboriginal and Torres Strait Islander person in this gallery today know exactly what I am talking about.

The bill today is a result of ancestors, elders, community members and activists past and present, including the assembly members who have in the chamber today told their stories and talked about truth telling. Victoria is leading this country on the *Uluru Statement from the Heart*, treaty, truth, justice and self-determination for Aboriginal Victorians. I have had the opportunity to read what the assembly representatives think about treaty, and I want to include in *Hansard* the South-West Region representatives, which includes Wadawurrung country. Jordan Edwards, Gunditjmarra, member for South-West Region:

It's definitely been a different process ... There's been a lot of challenges internally and externally and hopefully we can nut them out, but definitely an achievement is getting the truth and justice commission, the Yoo-rook Justice Commission, up and running. That's definitely a win, but there's a lot more challenges that we need to overcome.

...

Educate yourselves on the process ... so we can get a full understanding of where people are coming from and we're all on the same page.

...

Read up and study what this process is and what the outcomes could potentially be.

Uncle Michael 'Mookeye' Bell, Gunditjmarra:

I support the establishment of the Treaty Process and connections to many communities across the South-West Region gave me the confidence to run for the Assembly ...

Sean Fagan, Wadawurrung, reserved seat holder for the Wadawurrung traditional owners:

... I am sick and tired of fighting and crying and sick and tired of seeing my family cry and all the struggle ... It is time we can move forward, and it is time for change.

...

There's still a lot to be done, we've only just started really, but we're laying the foundations for a new way of doing things so hopefully there won't be the heartache of the past for our people.

This bill will allow the Treaty Authority to be established as a truly independent umpire, and we have heard that this is what Aboriginal communities are saying needs to happen. As I said, I am so proud of this government and our commitment to treaty. And as I said, I never thought I would see it in my lifetime. I am so proud and privileged to be able to stand here today representing my three Gunditjmarra

children but also every Aboriginal Victorian in this state, because it means so much to so many people and I am just delighted that we have got to this point. It is only a Labor government that delivers this sort of reform in the state. Those opposite can say whatever they like, but I commend this bill to the house.

**Ms BRITNELL** (South-West Coast) (11:24): I rise to speak on the Treaty Authority and Other Treaty Elements Bill 2022. I do so with great happiness that today we are here, with both sides of the assembly and the chamber in unison, to see treaty go forward. I see it as an authority that will be facilitating discussion—discussion that will make sure that into the future we see a lot less of the word ‘shame’ being used by the Aboriginal community. I do not want to hear ‘shame job’ said ever again. I want to hear pride. I want to hear the history told with the absolute pride that I have heard so many times in the past.

When I came into the chamber today, I held hands with my dear friend Michael Bell and walked through the smoking ceremony as a sign of unity, of us walking forward together. I have got a long history of friendship within the community, and it gave me much pleasure to hold your hand, Michael, and walk together into this chamber. I am very disappointed to hear that we are still politicising this; member for Geelong, I am sorry, but this is not a place or a time to politicise this. It has been stated quite clearly that we want to work together on both sides of the chamber to progress treaty, and we endorse it and embrace this opportunity. So no more divisive discussion—only unity from hereon in.

I speak in this place as somebody who had managed an ACCHO from 1997, when I first met Jill Gallagher, who also started in the field of health in Aboriginal communities in and around 1997. As a manager of an ACCHO in the Aboriginal community controlled health organisation system, I saw very, very clearly the importance of self-determination and the importance of having the Aboriginal community in charge of making decisions and determining their future. One aim I began with was the aim of making myself redundant as the non-Indigenous nurse in the community so I had the community empowered to be able to continue the good work that was being done in that health service, Kirrae Health Service. I left knowing that it was in very good hands with Veronica Harradine, who today still runs a fantastic show. Some of the young girls who started there are still working there today, such as Ivy Clark, who does a fantastic job.

I was fortunate to work with Violet Clark—or Mary, as many of you would affectionately remember her as—and I pay my respects. Violet passed on just a few years ago now, and together I worked with her. We were a team, we were buddies. I had the health credentials, certificates and whatever and Violet had the experience, and together we worked in the community. Together we were actually a great team. It was such a pleasure to see her daughter Alice come through the system. Before the Victorian Aboriginal Community Controlled Health Organisation developed the Aboriginal health worker course training, Violet and I got her to go through the local hospital, go through different departments and different wards, learn about the health system and develop her career at the start of her life. Now Alice is the mother of the famous Jamarra, who we are all very proud of, watching his career progressing at the Bulldogs, and it is with great pleasure that I remember that journey of Alice, beginning her career at the age of 17.

So I think we have got a lot of work to do, and I know there are capable people who I worked with in different communities, be it Kirrae Whurrong, where I worked, or Gunditjmarra up the road, Dja Dja Wurrung, Dhauwurd Wurrung, Wathaurong down in Geelong or Rumbalara up in the north. All those amazing communities have got so much to offer and have so much capability, so it is through treaty that we will be able to embrace and unite our communities. I was so fortunate to have the opportunity to learn not much of the language but enough to feel comfortable, to learn that there were people from the Noongar community, the Murray community and of course the Koori community, which we know so well, and to learn little things like what ‘gunjies’ means or what ‘moom’ means. The word I really love the most is ‘ngatanwarr’, which means in our community of the Peek Woorroong and Gunditjmarra people ‘welcome, hello’; it is such a wonderful word, and I hope it is okay that I use that if ever I am doing a welcome to country. I look for your permission to be able to use it, because I think it is a fantastic word and everybody should have it in their vocabulary.

The reason I speak today is because of the experiences I had, and if you would let me, I will talk about just a couple of the experiences. When I started, I thought I was a person who really did have an understanding of general people and was very embracing, but I did not have a lot of understanding of the Indigenous community. I do not have, still, a lot of understanding of multicultural communities, but that is quite different. I need to know, and I did not know as much as I should have about Indigenous communities, having grown up in Australia. I did not know, which is a shame.

I was so lucky. Uncle Bill Edwards shared with me his story about going off to war and coming back and not being able to get land allocated to him—as my children’s grandfather did as a soldier who went to war and came back and was allocated a soldier settlement block. Because that was before Aboriginal communities were allowed to own land, Bill was not allowed to do that. I was mortified to learn that. Bill worked for his whole life and was an amazing worker. He worked at the Union Station in Woolsthorpe and worked as a home and community care worker at the end of his career, mowing lawns around the community and helping me run the home and community care program.

I heard stories about Lionel Harradine. The Harradines came from the east coast of New South Wales. I think Raylene is in the audience today—one of Lionel’s cousins; I do know the blood lines probably more than a lot of the young kids in the community. When they say to me, ‘How do you know that, Roma?’, I say, ‘Oh, well, this one’s connected here, and I understand all the connections’—not as much as I used to. Lionel tells the story of when his mum worked in the local doctor’s clinic in New South Wales up on the border. When the people came to take the children who were not full Aboriginal blood, she was told by the doctor and she hid her little kids under the willow branches. One day they got too close, so the kids took off and started swimming across the river. Lionel’s sister had asthma and she could not make it. So she was taken that day, and Lionel never saw his sister again. He was the older one in the family, a teenage boy, who forever felt the terror and fear that he should have actually done something more. It was a revolting story to be told. I pay my respects to Lionel and his family today, and I hope they are okay with me telling that story.

There is Violet’s story of Archie Roach being taken—she told me about the day when they came to the Fram mission and took Archie. There is even the story, more of today, of Ann Litster, who I worked with very closely and who is a fantastic lady working in the community still today, in the health service. Ann used to tell me. She would say, ‘Watch. Watch as you come with me, Roma, through the check-outs at the supermarket’. Dale was her husband, who has now passed away. She said, ‘They’ll put the money in Dale’s hand. Watch them connect with the skin’. And she said, ‘When I go through, watch them drop the money because my skin is dark and my husband’s is not’. I would actually watch that and see it play out. Until you have seen or experienced that racism that is kind of an unconscious bias—if that is the right term, I am not sure—then I do not think you can understand the challenges. But that is what we are here to do today, to really understand and move forward together—unity, not divisive behaviours.

I would like to pay respect to some of the names in my community who I work with. Whether it is the Roaches, the Couzens, the Atkinsons, the Bells, the Roses, the Clarks—with an ‘e’ and without an ‘e’; very important—the Harradines, the Wacketts, the McDonalds, the Saunderses, the Lowes, the Edwardses, the Chatfields, the Eccleses, the Briggses and so many more, some of them more new to the area than once upon a time. Some of these people that I have worked with over the years are doing amazing jobs, and it is to the future and the aspiration of our youth that we should turn our attentions. I look at the work done at the health service whilst I was there: setting up a playgroup; a men’s group, which is still run today by Aaron Hagan; and the influenza nights where we vaccinated people for flu. It was because of that that we had such great take-up of the COVID vaccine recently, because that is still happening today. Dr Hall, who I worked with for many, many years, is still going out to the community offering his service and should be commended. The maternal and child health nurse would come out, because people are just so much more comfortable with it being done at their communities than in the system.

I will just take a minute to ask for leave. There are so many more young people I would like to acknowledge for the good work they are doing. I have asked for the Treasurer's permission to have leave to go a little bit longer.

**The DEPUTY SPEAKER:** Leave has been granted.

**Ms BRITNELL:** Thank you, because this is where I think the really important part of the discussion takes place, and that is with the young people. There are just so many. I look at Michael Bell with his wife, Sandra, and his sons, Micky and Billy, who do such a great job and showed us around when we came up into the community and looked at the great work they were doing at Budj Bim, now a World Heritage-listed tourism site. I think of girls like young Ivy Clark, who is working with the young children in the playgroup and other areas in the Kirrae Health Service that I worked at. You know, you might say, 'Why do you have your own playgroup?', but when I started there none of the women were taking their kids into the playgroups, so the children were not going because the mums did not feel welcome. We started a playgroup and we empowered the women to know that they are able to go out into the community and be as welcomed as everyone else. But it started by having a group that empowered people to feel safe together, and the mums and the children were able to partake in other programs there that developed confidence. It is about closing the gap, and we all know we have been working on that for a very long time, because the community of the Indigenous world having less life expectancy is just not acceptable and there is so much we can do in not only health but also education and other areas.

I would like to acknowledge in that instance the work that Wayne and Karen Harradine have done in the region around education—a lot of work by that couple. Then I look at the Litster family that I have already mentioned—Ann and Troy. Troy has been working for a long time, and Troy volunteers with the SES locally. His two daughters, Kiri and Skye, work with the Warrnambool City Council and do some tourism work with Flagstaff Hill from time to time. Tanaya Harradine is an amazing young girl who I worked so closely with from a very young age. What an amazing woman, who will take the Indigenous community by storm, I am sure, in the next few years, because she is a powerhouse, that one. I am really reluctant now that I have started naming people, because there are just so many: Denis Rose, Adeline McDonald, Locky Eccles—Locky and his daughter, Mel. It is the younger ones I want to focus on. Mel is now out there doing fantastic work, like Uncle Locky, learning the language and speaking at the welcomes to country. They are a fantastic asset to our communities. Tracy Roach's young child, Mariah, has been working at the hospital for a long time now, doing a wonderful job. I am so proud. I remember Mariah coming to playgroup and drawing me a picture, which I still have many, many years on. Young Billy held an education session on making sure traditional lands are respected—for my son the other day, who is in civil engineering. It was just so lovely, because Tom and Billy would have known each other when they were little tackers. Trent, Bernie Clark's young man, is doing a fantastic job.

I really have started something I probably should not have, because there are way too many people that I would love to acknowledge. But can I wrap up by just saying I really do want to see less of the shame job and so much more pride. The Indigenous community have so much to offer. We can all think we know it, but until you embrace it and until you really hold hands and walk together—as I am so proud to have done with you, Michael, today—you really cannot understand the challenges, the problems and the fear that has gone on. I really do want to thank everyone for working together. We are genuine, particularly on this side of the house as well as the other side of the house. I would like to work with you. I look forward to meeting those who I have not met and holding hands and walking together into the future.

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (11:38): I at the outset would like to acknowledge the traditional owners and custodians of the land on which this Parliament stands, the Wurundjeri, and I pay my respects to their elders and ancestors past, present and future and Aboriginal elders of other communities who may be here today. I am so proud to be speaking on this bill today. This is a historic moment—a historic moment not only

for this state but for this nation as we move forward together and, importantly, as we move forward in ways that effectively only our Aboriginal community can set the terms of.

It is a historic moment for our state and for our country, and I would like to acknowledge the member for Geelong's very, quite frankly, powerful contribution just before as well as the tireless work of my colleague the Minister for Aboriginal Affairs and of the First Peoples' Assembly of course. The member for Geelong and the minister have been tireless advocates for Aboriginal Victorians, and I thank them both for their work, but I also thank them for the acknowledgement that the journey that we are on is really not ours to steer. It is for the Aboriginal community to determine the terms under which we engage around treaty and for us to be sensitive to their needs, to their aspirations and to their expectations of this process.

The introduction of the Treaty Authority and Other Treaty Elements Bill 2022 into Parliament represents a significant milestone on this journey. The bill is a result of work alongside Victoria's Aboriginal community through the First Peoples' Assembly of Victoria. Victoria is leading the nation in advancing Aboriginal self-determination by ensuring that Aboriginal Victorians are at the heart of decision-making on the matters that affect their lives. This is not an issue on which to be partisan, but I do acknowledge the work of previous champions of Aboriginal advancement, both in this chamber and in Canberra, champions like Gough Whitlam, Paul Keating and of course Patrick Dodson, who lived their values large in the pursuit of fairness. Politics needs more diversity and more First Nations voices, and I have been pleased in my time here to see champions like Jana Stewart enter the Senate, Sheena Watt enter the other place here on Spring Street, Lidia Thorpe here and in Canberra and ministers in Canberra like Linda Burney, Patrick Dodson and Ken Wyatt.

In the *Uluru Statement from the Heart* it says:

*This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished ...*

For generations First People have called for treaty to secure the structural change to improve the lives of First Peoples, to give them the freedom and the power to make their own decisions. Treaty brings us closer to the unfinished business of our state. It starts with the recognition of the historical wrongs and ongoing injustices, recognition that a future rooted in truth, justice, equality and respect comes hand in hand with self-determination. Treaty represents and presents an opportunity to accelerate Closing the Gap by building a relationship that acknowledges both the wrongs of the past and shared goals for the future. We are on a historic journey towards treaty. It is a profound opportunity for Victoria to recognise and to celebrate the unique status, rights, culture and histories of Aboriginal Victorians. It is also an opportunity for reconciliation and to heal the wounds of the past, and every Victorian has a role to play in reconciliation.

But without truth there can be no treaty. It is why Yoorrook Justice Commission was established—to investigate both historical and ongoing injustices committed against Aboriginal Victorians across all areas of social, political, cultural and economic life. We know as a state, as a nation, we must do better. That means not only hearing Aboriginal voices but actually listening to them and taking meaningful action in order to achieve real and lasting change.

When I first stood in this chamber back in 2006 I reflected on a personal motto my father instilled in me. He would say, 'If you give more than you get, you'll never be rich, but you will always know the true value of things'. Give more than you get. Much has been taken from the Aboriginal community, and we are all the poorer for it. This is why we are here today. Treaty is about fairness. It is about righting wrongs. It is about doing things differently. There perhaps are some that are scared of this journey, of doing things differently, but in my experience doing things differently is usually the best way to make things better.

As many of you would know, treasurers have a reputation to not really like much in the way of risk, but while any action has risk, taking no action is its own risk too. No change means no progress. We cannot reconcile or heal what we have not resolved—the injustice, the harm, the hurt. Yet beyond the forward investments and the minutiae of budget papers exists the greater goal of government: that future generations have the ability to reach their true potential, by their hand and on their terms. As noted in the *Uluru Statement from the Heart*, the only way in which future generations can reach their true potential is when Aboriginal people have power over their own destiny. I would like to quote Marcus Stewart, Nira illim bulluk man of the Taungurung nation:

This is about stepping outside the colonial system ... We've said to government, if you're serious about treaty, you'll do it our way, and to their credit, that's what they're doing. This is decolonisation in action.

The government is relinquishing some of its control and power ... together we are creating new institutions that will be guided by Aboriginal lore, law and cultural authority that has been practised on these lands for countless generations.

We know treaty will change the cultural landscape of our state. It will change our collective identity. We know it will alter that forever—how we view ourselves and understand our identity, our history and our future. We know it will create a future where we give back and where First Nations communities have autonomy, power and self-determination. It will create a stronger, fairer Victoria for us all. Every Victorian should be proud of the progress that we have made towards treaty, truth and justice for Aboriginal Victorians. We are a government that prides itself on action, not just words but action delivered by a Victorian government in partnership with Victoria's Aboriginal community.

Treaty is unfinished business. It is an opportunity to come to terms with our past and work together for our shared future. The cost for our society of not doing something critically important in this space is sometimes greater than the cost of doing something that is suboptimal and indeed less than effusive in its embrace. So we embrace treaty, and we embrace all the implicit obligations around the Aboriginal community driving this process. This is a historic opportunity to do something to make this state better, to invest in and support the community that has for too long and too often been treated as second-class citizens. This is a time to if not right the wrongs of the past, then at least to admit them, take responsibility for them, apologise for them and work to correct them. I will finish with a quote from Jacinta Chaplin, member of the First Nations' Assembly and a Wadi Wadi woman:

The past defined where we are now. What we do next will define what we become ...

History is calling. This is a historic day, and I encourage all members of this house to join me in support of this bill.

**Mr RIORDAN** (Polwarth) (11:48): I rise today to join my coalition colleagues in supporting the process that the government is putting forward today in terms of how we bring together the old world with the new world with a modern world to a world that will better reflect and acknowledge and work towards accepting what is uniquely Victorian. There are traditions and practices and ways of treating land and treating people, going forward together, that have been lost to modern Victoria now for far too long. This new process will enable us to develop a new Victoria, a Victoria that will have traditions and customs that are unique to us and ways forward that we can all be very proud of into the future. The reality is that when different civilisations come together—different traditions, different pasts—you cannot undo what has happened in the past, but what you can do is get a better future that better acknowledges who was here and how they were here and the best parts of both worlds. I think that is something all of us have to work towards.

There is also the issue that many in mainstream Victorian society are still not part of this journey in a way that is going to be really useful going into the future. We do have to spend time not only working with traditional owner groups who, as the government has made very clear today, believe that this process is one that they have helped build and that they are happy to be part of, but we have also got to have a process that brings the majority of Victorians along. We do not want to see this as a point of conflict, and as both the Leader of The Nationals and the member for South-West Coast made clear,

for the opportunity to get this right, to really faithfully and dutifully right the wrongs of the past, we have to have all sides of politics together. We have to have all sides of the house prepared to speak to and work on this process.

While some criticism has been made of our side of the house, I would also point out that in the true spirit of reconciliation, bipartisanship and bringing people together, it was somewhat disconcerting for me to learn that not only was the Treaty Authority signed in my electorate of Polwarth, down in Gadubanud country at Lorne, but the Premier was there and there was quite a lot of fanfare, but not only was this side of the house not invited to that even though it was in an area that we represent, it was also disturbing to know that many of the local Aboriginal community who make up that part of the world were not told about it or invited either. There is a challenge for all of us to at all times be mindful of bringing everyone along on a journey in a way that is open and transparent and that does not leave any room for dispute or conflict. We have to at all times understand that this process has been a good 200 years in making the mess and that to unwind that mess will take time. I think there is a general agreement, and one that I am very grateful for, from Indigenous communities that this is not going to be solved in 5 seconds and that we are going to have to take time and put effort from all sides into it.

The other interesting thing that we have to keep in mind of course is that over the 200-odd year journey of Victoria there have been many waves of new people coming in and everyone's experience of that is from a very different perspective. As I spoke once to some people on this issue, you know, early settler people like myself from families that have been here a long time will have one perspective; others that perhaps came out as Vietnamese refugees or people that came in the postwar wave will all have different views and understandings of what has happened in the past—which makes it even more important that we bring everybody along on that journey.

In the short time I have left I do want to acknowledge some of the people that have really helped engage and inform me in this debate across my region. The first person I would like to acknowledge—and many in the gallery may know him—is John Clarke, who works a lot in the Colac area and I know right through western Victoria and who has been quite a leader, particularly in land management issues. I acknowledge John. We have had many a robust conversation, and I guess that is going to be part of the journey as we go forward—there will be robust conversations—but I acknowledge very much that John has been prepared to have those conversations. We do not always agree. We finish the conversation, but we can go back again. I really thank John. Whether we catch up having a coffee in Colac or talk on the phone in my office or wherever it may be, he has been a very useful source of information and one who I would put as a person who deeply believes in the need to educate and better inform people.

I would also like to acknowledge Ron Arnold, another traditional owner, based in Apollo Bay. Ron is an interesting character. He has a very unique perspective on life and on what a lot of these things mean to him and his family, and I acknowledge very much the time that he has given me in my role as a member of Parliament in better understanding the issues as he sees them.

Finally, I acknowledge Richard and Peter Collopy, who care very much about their part of the world and who have been deeply engaged in inland management and Landcare in the Hordern Vale area in particular and Cape Otway. These brothers, again too, have been very generous with their time for me and very prepared to give me a greater understanding, and of course it better informs the role of a member of Parliament when you have people prepared to talk like that.

Throwing back a bit further in time—and once again many in the gallery may be familiar with him—I go to one of the state's earliest settlers in James Dawson. James Dawson was, sadly, unknown to me at all as a kid growing up in western Victoria, which is a great shame. He is one of the few people in early times who paid great attention to many of the issues that we are talking about today, and that of course is how poorly treated the First Peoples of Victoria were in those very early days of settlement, and particularly in western Victoria. There are a couple of things I would like to point out about James

Dawson. I think that in this treaty process some of this may get a chance to be better aired and better understood, certainly by local communities.

First of all, there is the great monument that James Dawson built to the Aboriginal people in complete acknowledgement of the fact that they had had a very raw deal and were dispossessed of their land. The strange irony is that he was a very, very devout Presbyterian Scot, so I doubt he had much of a sense of humour, except for the monument that he built. He had a very strong public disagreement with many of the early settlers and he tried to convince them that they were not on the right track and needed to do things differently. In order to prove his point, in the cemetery where this monument is—and it is often lost to passing traffic, as the sign on the highway has now faded—it is the biggest obelisk in the cemetery. This cemetery is the place of final rest for many of the greatest, most well-known and respected, powerful and wealthy settlers of western Victoria and Victoria generally at the time. He deliberately and very publicly built a monument bigger than any of theirs that existed in the cemetery. He was very keen to put local language, local symbols and local customs on it. It is probably not as we would do it today, but it was an early settler's view of sort of saying, 'These people were here first. We do need to acknowledge them. We do need to think about them', and he made that very, very public statement. The concept of the need for reconciliation—the concept of the need to write down, record and better treat the first custodians of this great place—has been around for quite some time. The fact that it is 100-odd years later that we are making steps is, I think, worthy of note.

The other great legacy that James Dawson left because of his early dealings, understandings and belief in what First Nations people had to say is the great and very famous artwork by Eugene von Guerard, who painted in great detail the landscape of Tower Hill. Many people in the gallery and in this chamber may well be aware that that artwork was used 100 years later by naturalists, environmentalists and others to fully replant and try to restore that space. Why did James Dawson do that? Because very quickly he realised that the landscape that was around and meant so much to Aboriginal people was being lost and he felt it was his obligation to properly record it and have it there. That was lost at the time on many of his fellow settlers, but it was not lost on us 100-odd years later. It is a fantastic and genuine capturing of the landscape, the plants, the animals and so on that were in the area.

James Dawson did much, and there is much we can learn from that early acknowledgement by some people of much that has been lost. I guess if this Parliament can move forward, take that spirit that has been around but not fully harnessed and work together with everybody, we will get a better and more unique outcome for Victoria.

**Ms HUTCHINS** (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (11:58): I too would like to acknowledge the traditional owners of the land on which we meet and pay my respects. Aboriginal Victorians have been seeking an equitable and fair agreement with the state since before that dreadful day on Wurundjeri country in 1835 when John Batman took advantage of the people of the Kulin nation and created a sham, invalid treaty. Despite the fears and destructive attacks brought about by invasion, the dispossession of land and family, massacres, wars, the stolen generations, genocide and the current systematic colonisation and inequities, First Nations people in Victoria have held firm to their lore to develop culturally strong institutions such as the Treaty Authority.

The First Peoples' Assembly has driven the process to establish the Treaty Authority while thinking outside the colonial system to put First Nations culture and people at its heart. I want to thank the First Peoples' Assembly co-chairs, Marcus Stewart and Aunty Geri, for their incredible leadership and for their incredible powerful words here today. To all the members of the First Peoples' Assembly: I want to acknowledge your courage, your leadership and your strength, every single one of you. I know that taking on this role has not been easy, and you have needed to demonstrate that commitment every single day. To the Treaty Authority and Interim Dispute Resolution Process Committee: thank you for your work and dedication led by chair Ngarra Murray. Thank you to the Minister for Aboriginal Affairs; the former minister, Gavin Jennings; the Premier; and the Treasurer. Without all of the work that they have



all done and without their commitment we would not be here today. They have been some of the people that have really made a commitment to get us here.

There was a forum back on 3 February in 2016 that was held down by the Yarra to hear directly from traditional owners and Aboriginal Victorians about self-determination. It was a fiery forum, to say the least, and I have got to say it was one where the concept of treaty was really, really pushed forward. It was one where we heard clearly that in order to really get behind self-determination and meaningful reconciliation we needed to take forward a treaty proposition. That request was taken back to the Premier and our cabinet and has clearly progressed to where we are today. There was not an argument, I have got to say, at the time. There was a lot of process to work through, being the first state in this country to pursue this, and it was really important to achieve true reconciliation. If we were to address the deplorable poor outcomes faced by Aboriginal Victorians, then treaty was necessary.

Over the course of the two years that followed that first forum we held forums across Victoria, and that culminated in the Advancing the Treaty Process with Aboriginal Victorians Act 2018 that passed the Parliament here in 2018. Important in that process was the embedding of Aboriginal ways of doing, cultural authority and Aboriginal lore. That theme of—let us call it what it is—self-determination has been carried into the design of the Treaty Authority and will be an integral part of its success. One of the key elements of the 2108 treaty act was part 2, the process for recognition of the Aboriginal representation body now known as the First Peoples' Assembly. This law has worked well. The unique prescription by which the act did not create a body determined by government but allowed for the recognition of one by a process of self-determination was a first here in Australia. This allowed Aboriginal Victorians to create a voice that best suited Victorians and Victorian Aboriginals, one that has laid the groundwork for everything to come from then. Importantly this allowed for diversity of views among Aboriginal Victorians, particularly section 10 of the 2018 treaty act, which said:

The function of the Aboriginal Representative Body is to represent the diversity of traditional owners and Aboriginal Victorians in working with the State to establish by agreement elements necessary to support future treaty negotiations.

We need to ensure that we are embedding the differences that exist amongst community and making sure that they are heard in our way forward. I think our foundations around the Treaty Authority—in the way that it is truly unique, independent and will have oversight and an umpire arm—will ensure that we get those differences heard and balanced. The law allows for a diversity of voices, just like in this place. The diversity of views helps make better laws. When we make laws, it does not require the absolute agreement of everyone. Indeed when the commonwealth was established there was a lack of agreement about the model back then. If we do not follow through with the process we committed to in 2018, it will deny Aboriginal Victorians voice and power in their own futures.

I am really glad to hear that those opposite are supporting this bill today. That was not the case on the journey in the early days. I want to acknowledge the leadership of The Nationals, who have been on this journey with us for a lot longer than others on the other side. I think that this has been a really fantastic day here in the Parliament—to see the support for this bill go through.

The 2018 treaty act was certainly passed by this Parliament, and that was a statement of strength. It laid the foundation for what we are doing here today. It is the law of the state, and it states:

The Aboriginal Representative Body is the sole representative of traditional owners and Aboriginal Victorians for the purpose of establishing elements necessary to support future treaty negotiations.

The Aboriginal representative body, the First Peoples' Assembly, has told us that they support this bill and that this is the most appropriate model for a Treaty Authority negotiating between the state and the assembly. It is therefore incumbent upon us to be faithful to the laws this government creates and listen to the assembly in good faith, as it represents the diversity of traditional owners and Aboriginal Victorians to this Parliament on this matter. I hope everyone in this chamber sees the way to make Victoria a better place and listens to our traditional owners.

I have also sometimes heard the idea that treaty is somehow in opposition to achieving practical outcomes to improve the experiences and the lives of Aboriginal Victorians. This is nothing more than a high school debating tactic. It is a line that people use as a throwaway—from someone who has not taken the time to listen deeply, hear and understand what the needs are. I have spent many years listening to Aboriginal Victorians: having lots of conversations, having my ear chewed off, being yelled at, but most importantly having really deep and meaningful conversations that I have been able to take into this place and produce into practical outcomes—real practical outcomes like a treaty structure. This was clearly communicated in the *Uluru Statement from the Heart*, which says:

We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

And that is what we are doing exactly here in Victoria at a state level, and I am really pleased to see the new federal government is taking that up.

I finally want to conclude by saying what we are doing here today is incredibly important to the history of our state. We are reversing the power imbalances that have existed since colonisation and that have torn apart Aboriginal communities and families. Can I take the time to thank my Aboriginal justice adviser, Rachael Davies, for advising me and assisting me in all of the work that I do. I am so pleased to see this come about today. I congratulate everyone involved in getting us to this stage, and I look forward to implementing a treaty across this state.

**Mr T BULL** (Gippsland East) (12:08): It is a pleasure to rise and speak in support of the Treaty Authority and Other Treaty Elements Bill 2022. Like other speakers before me I join in acknowledging our traditional owners and welcoming all elders who are in the chamber today and everybody from our Aboriginal community statewide.

As we have heard, this bill establishes the Treaty Authority under the Treaty Authority Agreement. It facilitates its operations by giving legal force to its activities. I note that the Treaty Authority that is established in this bill has been agreed to by the First Peoples' Assembly and the state, which is one of the very, very key important steps that we should not be overlooking, and I congratulate all who have been involved in bringing that step to fruition. This bill does provide the necessary legal powers for the authority to facilitate its role in overseeing and assisting in treaty negotiations. I know other speakers have done this before but I just want to quickly put on the record the key roles of the authority, and that will be to, obviously, facilitate and oversee treaty negotiations, administer the treaty negotiation framework, assist parties to resolve disputes that may arise in negotiations—and I want to touch on that a little bit later—and carry out research to support and inform treaty negotiations.

It is very clear that over the journey thus far there has already been considerable discussion on what treaty will look like at the end of this process, and the bottom line is that I do not think anyone really yet knows the answer to the question of what it will look like in this state. There are differences of opinion that prevail today on what that may be and what it may look like. Over the course of this journey and in the period ahead there are still many negotiations to take place in relation to this, but the establishment of the authority is a key step in being able to mediate and resolve a lot of those differences of opinion and a lot of those different viewpoints. And that will be, I think, the most important role of this authority, because there are going to be different viewpoints and different ideas brought to the table; there is no doubt about that. And the matters will not always be easy to resolve. I think everybody acknowledges that, but as the previous speaker, the former Minister for Aboriginal Affairs, said—and being a former Minister for Aboriginal Affairs myself—we do not have to get to an end point where everybody is in absolute unison to bring in a treaty that will serve our Victorian Indigenous community well. We sit in here all the time and have differences of opinion on almost every issue. There are over 120 MPs in this place—128 in the Assembly and the upper house. I do not think there is a piece of legislation that has ever been through where there was not a particular element

on which we had differences of opinion. And this will be no different, but it should not stand in the way of us being able to achieve the right outcomes. So those discussions will occur. I encourage everybody who is involved in those discussions to do it in a respectful way. Respect there will be differences of opinions, but angst and anger are not going to get us to the end result that we need. The Treaty Authority will have a key role in developing those discussions, and let us hope that with the support of everybody resolving a lot of those issues we can find a landing space that the majority are comfortable with.

I come from an electorate that is very, very rich in Indigenous history, and I guess my involvement with my local Indigenous community started with a young fella turning up to play at the Swan Reach Football Club. Our best players for many, many years were actually members of our Indigenous community, and growing up and playing football I developed some incredible friendships that are still very much alive today with members of the Aboriginal community, in particular the Gunnai/Kurnai people, through sport. That is obviously one of the great things through sport. As I said, those friendships are alive today, and when I played in the competition it was very rich in Indigenous players. We occasionally had our battles on the footy field, but we were also teammates. I think I have still got a bump on the back of my head from Alfie Hudson at Bruthen there one day.

**A member** interjected.

**Mr T BULL:** Yes, I probably did deserve it, but Alfie and I now are great mates. Actually if you walk into the foyer of my electorate office, Alfie has done this amazing painting for me. It is the first thing you see if you walk into my electorate office in Bairnsdale.

I want to just briefly touch on my family's association with our local Indigenous community, and it goes back to 1882. It is an interesting little story, where my great-grandfather, who was captain of a ship that would go between Melbourne and Mallacoota to collect wattlebark for tanning, in a storm went ashore at Lake Tyers. When he woke up in the morning with the crew—this happened in the middle of the night—they could see sand dunes on the left and sand dunes on the right, but the entrance to Lake Tyers was closed. If it had been open when they beached the boat they would have sailed right into Lake Tyers. My great-grandfather—there were a couple of lives that were lost, tragically—spent a lot of time at that particular time at the Aboriginal settlement at Lake Tyers, who took him in and gave him a horse, and he was able to ride into Lakes and get supplies. He had to contact the families of those other sailors who had lost their lives in that accident, and he ended up spending a lot of time there at the settlement at Lake Tyers. In my great-grandfather's memoirs, which I sat down and read from front to back about three years ago, he believes that the Bull family at Lake Tyers may have adopted their name from him. Now, he does not have anything to confirm that, and it is probably a question that will never be answered, but they were great friendships that he established and created there.

Talking of those friendships, I spoke about the connection through sport a little bit earlier, but it is interesting that now what I find is a lot of our local leaders within the Indigenous community in East Gippsland are the young men—there are also women—that I grew up with playing football. And now, by their own admission, they have a lot more interest in the local cultural heritage and history than they had when we were young blokes growing up and we were a bit footloose and fancy-free. For them to be able to relay their stories on to me now—and I can think of half a dozen names while I am standing here—is a terrific experience.

While the area that I represent in this Parliament is very rich in Indigenous history, part of that history is not great. Part of that history involves my electorate having a number of significant massacre sites, and that is part of our history that we need to recognise and observe as we move forward and develop our relationships into the future. Those situations that occurred in the past, as much as we hate that they happened, cannot be changed, and we need to work together and foster stronger relationships into the future. That is the sort of thing that I think goes to the heart of the treaty; it is being able to foster those relationships and recognise the bad times of the past but move forward with a much brighter picture.

We do need to do more in a number of areas, and Marcus commented on that this morning. They are not new words from Marcus; I have got to know him over the years. But in the areas of health outcomes and in the areas of educational outcomes we need to close the gap and do better for our Indigenous community. We have that *Closing the Gap* report that is presented to Parliament every year, and whilst that is great for us in here to be able to monitor and gauge that progress, I think, as our leader mentioned earlier, not all those indicators are heading in the right direction. That obviously is a red flag when we are not moving forward in relation to getting those outcomes we need.

I want to conclude by saying there is much that, I guess, needs to be resolved as we work together through this into the future, and I hope that those here today have got that message that we are prepared to work together. I look forward to working with local representatives from my area as we move forward to finally achieve the endgame. But this is an exciting day, it is an important day and it is a pleasure to stand here as the member for Gippsland East, representing Gunnai/Kurnai country, and commend this bill to the house.

**Mr PEARSON** (Essendon—Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services, Minister for Creative Industries) (12:18): To begin with I would also like to acknowledge the traditional owners of the land on which we are meeting, the Wurundjeri Woi Wurrung people of the Kulin nation, and I pay my respects to elders past, present and emerging.

There is a heavy weight on all of us speaking today, with the significance and the momentousness of this occasion. This is a wonderful institution, the Parliament. It has been here for 170-odd years. It is steeped in the tradition of Westminster. But the significance of today is not about this institution; it is about the fact that we are bending this institution to reflect the fact that the power dynamic has shifted and changed, as it should and it must. We will never achieve our potential as a city or a state or a nation unless we have reconciliation, unless we have treaty, and there is an opportunity here in Victoria for Victoria to lead the nation.

Today is momentous not just for Victoria, important though that is. Today is a chance where we as a Parliament can signal to the rest of the nation that there is an opportunity lying before us to seize the moment, to recognise the fact that we can change forever relations with our First Peoples here in this nation. We can show that in Victoria it is done, it is being done, there is nothing to be feared, there is nothing to be frightened of; that this is an important day, and you can take this step with us.

At the end of the day this is about respect and it is about acknowledging the past wrongs, but it is also about having a dialogue with First Nations peoples, about trying to develop an appreciation and understanding for the way in which this land was cared for for tens of thousands of years before our arrival—before our invasion. It is about developing an appreciation for the way in which this land was cared for. It is a way in which to understand the way Indigenous culture thrived for thousands of generations. I think also it is about recognising that life is fragile and life is precious. Our moment here is fleeting in the scheme of things. When you think about the context of 40 000 years or 50 000 years, a parliamentary term is just a blink; it is just a moment. As Robert Caro, who wrote the great biography of Lyndon Baines Johnson, talked about, power reveals. So when you have power what do you choose to do with it? How do you choose to spend your time? What do you think is important? What do you think you should be doing? And what is going to be the mark that you leave behind? Jack Lang famously said to Paul Keating when he became a member of the House of Representatives in 1969: son, you might think you've got forever, but you do not have a second to lose.

From my perspective this is an opportunity for us to use this great gift of government, to try and right a wrong and to try not only to push our state on a different trajectory to reach reconciliation and treaty but to take the nation with us and to go forth with a level of confidence and certainty that this is the right thing to do and it is a fair thing to do, It is overdue, but we can do this together.

I am indebted to Rachael Davies, and the Minister for Corrections referred to Rachael. Rachel now works for the Minister for Corrections. In the previous parliamentary term Rachael worked with me.

Rachael is a Palawa woman. She taught me; she educated me. She gave me Bruce Pascoe's book *Dark Emu*, which I found a revelation. All of us can learn so much if we just are prepared to listen, if we meet Indigenous Victorians together and are prepared to listen and to learn.

I am really pleased and proud that in more recent times I partnered with the Minister for Aboriginal Affairs to be able to bring back home Uncle William's spirit through his painting, *Corroboree (Women in possum skin cloaks)*, and the parrying shield. This is something incredibly significant for the Wurundjeri people, and this is something where, again, when the opportunity emerged I knew that if I did not take that opportunity, I would regret it. I knew that if I just sat on my hands and did not take the step as the Minister for Creative Industries to ensure that the state put forward a compelling offer to ensure this could be acquired—in conjunction with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation—I knew that I would regret it. Since it has been acquired I have been so pleased and so proud with what I and the Minister for Aboriginal Affairs were able to achieve, because again I thought about what this means for future generations.

I was speaking with Uncle Bill Nicholson from the Wurundjeri people not long afterwards. He said to me, 'Look, ultimately, really what this is about is we want non-Indigenous Victoria to care as much as we do about our culture and our history'. I think that there is an opportunity for us to work together and to find ways to develop greater levels of appreciation. Pascoe talks in *Dark Emu* about the devastating impact that disease and genocide had on communities, particularly in those early years, and the fact that so much of the history was just lost. So even when the gold rush came around, it was just forgotten; it had been significantly damaged.

I think what has been demonstrated today is that we can change the dynamic, we can change the power relationship, we can bend this great institution and we can find a way to work constructively, respectfully and collaboratively with First Nations peoples to empower First Nations peoples to achieve their potential, because when First Nations peoples reach their potential then we will reach our potential. We have lived diminished lives in this state and this nation for generations because we never had a treaty. We never respected the way in which Indigenous Victorians cared for this land for tens of thousands of years. We denigrated them, we ignored them or we just attacked them—or we murdered them. I think that now is the time when we can change things and we can change this nation forever. We can start to develop that greater level of appreciation and significance of the way in which this land was cared for.

I have great respect for this institution—I always have. I have recognised the fact that this institution has played a really important role in the development of the power of the state, but what I have learned in recent times is that this institution and the state have not acted in the interest of Indigenous Victorians. It has been used against and has actively worked against the interests of Indigenous Victorians. That is a fact; no-one can dispute that. What today means, though, is that we are starting to change and we are setting up a separate, parallel process. We are empowering Indigenous communities to be able to be in charge of their own destiny. We are shifting the power balance to them because that is what they are owed, that is what they are due. In doing so we empower ourselves, because they will teach us, in the same way I learned so much from Rachael. They will make us better, they will make us stronger, they will make us richer. We as a nation, by walking together, will achieve our potential. Again, with this work, with this agreement, we will change this nation. In generations to come people will look back on this day as being a momentous day for all Indigenous Australians because of what we have done as a Parliament. It is something so incredibly important. It is something I am so incredibly proud of.

I want to conclude. I want to acknowledge the great contributions of the Minister for Aboriginal Affairs, the member for Sydenham and former Minister for Aboriginal Affairs Gavin Jennings. I want to also pay tribute to the great speech that we heard earlier today from my good friend the member for Geelong, as well as Aunty Geri's and Marcus's contributions earlier. It is so wonderful to see the floor of this place opened up to First Nations peoples. This is your place. This is our place. By working together we will change this nation.

**Ms McLEISH** (Eildon) (12:28): As a number of people may know, the electorate of Eildon straddles the Great Divide, and so with that we have to the north the Taungurung and to the south the Wurundjeri, and there is a very strong, rich history in my electorate. So I want to acknowledge, firstly, any Wurundjeri and Taungurung people who are here today—which I know there are—and equally recognise those from other areas that are here today that have joined this very big day in Parliament. And I certainly acknowledge the contributions that we heard from the floor of Parliament from Aunty Geri and from Marcus, which pave the way for where we are heading now.

There have been many wrongs—many wrongs—over the years. We have heard of those stories. They are tragic. They are unthinkable in today's terms, but with them we have heard stories of resilience and of where First Nations people have started to take the lead and to move on and do some really terrific things. The bill we have before us today establishes the Treaty Authority, and this Treaty Authority will allow the framework for the conversations to really begin—the speaking, all the yarning that will happen and the truth telling. Also within that is dispute resolution; it is covered off. I know, I am sure, there will be some disputes here and there and that this authority will help be able to find a path forward to bring everybody in the same direction.

Within my electorate, as I have said, with the Taungurung and the Wurundjeri, there are a number of commonalities. Certainly the work that I see being done in local schools—driven by families, teachers and the schools themselves—has really started to make a difference: preserving the language and symbols and understanding the totems and what they mean. I have seen Aunty Lee Healy do her stuff in the Murrindindi shire and Brooke Wandin in Healesville and at the Healesville Primary School. I have been there when the children have sung particular songs that they have practised. It is terrific to see something that is simple with language, but getting kids to understand Bunjil and getting them to understand the totem of the area. It is such a significant one in that area. I know the crow is as well—I am not so fond of crows, but anyway. My property is overridden with crows, I think.

We have a very rich and significant history, and I am going to start with the Wurundjeri area in Healesville, because not only was that traditional Wurundjeri area but it was that place that Coranderrk was set up. Coranderrk was one of the reservations that people from the north, including the Taungurung, were herded down to. They were all pushed into that area. It is pretty horrific to imagine how it happened. Uncle Roy Patterson, a late Taungurung man, told me that the Black Spur, which we all know now, that beautiful iconic drive, was actually called the 'Blacks Spur' because they were the paths that the traditional custodians went across the mountains on in that area. He was very keen for me to tell people that that was the history. Despite some people thinking that that is quite offensive, he said, 'No, this is what it was at the time. Please talk about that'. Horribly, the Taungurung and others were herded down to Coranderrk. As they set up things down at Coranderrk, within their community they started to get things sorted and organised. They had little villages, they had schools and then as they started to find a way forward again the unthinkable happened and children were removed. The horror of those stories, when you hear people talk about their grandparents and what they experienced, is really quite powerful.

I want to mention first of all a couple of people that I have had a lot to do with. Aunty Dot Peters, the late Dorothy Peters, I met when I was a candidate. Aunty Dot was very big on promoting the culture that they had. She did a lot of work with basket weaving and students, but equally she was an advocate. In today's terms we could not imagine this, but the service men and women who were Aboriginal who fought and went to war beside everyone were not recognised when they came back. This happened for a long time. In fact there was a gentleman, Thomas Bungalene, from Gippsland, who was born in 1847 and went to war on one of the first warships. A century and a half ago we had a lot of Indigenous people, the Aboriginals, go alongside others and they were not acknowledged. This was allowed to continue to 2006; I think it just was not on people's radar for a while. But Aunty Dot absolutely pushed this. She met with the Healesville RSL—Sam Halim, who is at Century House at Badger Creek now, and Brian Luscombe, also at Healesville—to push this and have the first service to recognise the Aboriginal service men and women, and now it is at the Shrine. It is a big event. It is a fabulous event.

I go every year. Aunty Dot always went. This year her brother Eric attended. Usually Andrew Peters, her son, would come along. I know Andrew quite well and have so much respect for him and Aunty Dot for what they did. Aunty Dot's father died on the Thai–Burma Railway, and this sacrifice was not acknowledged. They had not received any of the support offered to other relatives of those who were killed. This was the wrong that she managed to have righted. I thank Aunty Dot so much for that.

Aunty Joy Murphy Wandin—everybody knows Aunty Joy; she is very active. One of the things I was really pleased to see a couple of years ago was her granddaughter Chenile Chandler sing the Demons' theme song in traditional language. That made me smile. One of Aunty Joy's other granddaughters, Sophie Young, is a teacher at Woori Yallock Primary School. A couple of years ago she designed the jumpers for the footy—for the Indigenous round—for Healesville and for Woori Yallock. It was interesting; Aunty Joy had granddaughters on both sides, both teams.

Uncle Dave Wandin has done some fantastic work with cool burning, and it has just been the best thing that has happened to him, how he has grown and matured in his presence and understanding. It has been fabulous. I heard him talking the other day about how we walk through this process together, how we manage the land going forward together.

Worawa Aboriginal College in Healesville as well—Aunty Lois has done some terrific work and partnered recently with the Parliament of Victoria, with the Aboriginal change makers program, which is an educational resource.

I want to zip over the divide now to Taungurung. There had not been so many Taungurung people living on country, because they had been herded down to around Healesville. In recent years they have become very organised. Full credit to them, because they have done a lot of work to recognise their history. We have had two great art installations in Yea. The community loved both of the designs that were put forward. They thought they were only getting one. They could not decide, and they managed to get a second grant. Angela ten Buuren, who is one of the Franklin crowd, has done a fabulous job working with the Yea community group to actually honour the Taungurung history there. These were very significant projects, and I have spoken about these before. One of the projects is the art installation *Dugaluk*. Doogalook is a large farming property, but unbeknown to me, 'dugaluk' actually means 'croaking frogs'. That was something that I learned. They have in the main street an installation of people sitting—it looks like by a fire—and at night when it is lit up it actually looks a little bit like a corroboree. It is really quite terrific. The other one is the *Gurrong dharrang*, the metal scar tree. My pronunciation is not perfect. That is outside the wetlands as well.

When they installed those we had at the wetlands a fabulous display of foods and medicines, simple stuff that was so easy and made so much sense. A lot of this history and culture really needs to be imparted to kids as well. They need to know the wrongs that were done, and they also need to know the great things about the culture that some of us have seen quite a lot but others would be very, very unfamiliar with.

I do want to mention too that things have not been all going in the right direction. We have educational outcomes that are not what they should be. The incarceration rate is higher, and I think we have really got to do a lot of work to make changes to this, to what is happening, because we do not want these things to become generational and continue to the next generation and the next generation—'This is what happens'. We need to change this, and some serious work really needs to be done on educational outcomes for children at kindergarten and primary school. One of the things, as I said, that I really love across my electorate is the work that is being done with language and culture, and I hope that that becomes much more the norm across the state. It was very pleasing that I could speak on this bill today.

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (12:38): Before I begin my contribution in detail, I would like to acknowledge the traditional owners of the land on which this Parliament is built, and they are the people of the Wurundjeri Woi Wurrung. I want to acknowledge all elders of the past and present and those

emerging, and I would also like to acknowledge all of the First Peoples present here in the gallery and around this precinct here today and of course any other elders present with us here today.

I am moved to speak on this historic bill—and when I say ‘moved’, I mean quite emotionally moved—a bill which will support the establishment of a new Treaty Authority to oversee future treaty negotiations between the state and Victoria’s First Peoples, a practical, tangible legal framework to make the necessary progress to right the wrongs of the past. But we know that within that there has been a lot of emotion, a lot of tears and a lot of reflection across all of us to get to this point. We know of course that we have needed to move beyond words. Words provide a healing opportunity, provide a reconciliation opportunity, but at the end of the day we have just got to get on with it and make the changes that will make the absolute difference to your people.

I do want to also acknowledge that land was never ceded. I think that is an important statement for me to make in this place. I would like to also quote from Uncle Andrew Gardiner, of course, as one of the First Peoples’ Assembly representing the Wurundjeri Woi Wurrung, the people who not only own this land that I am sitting on but are also the owners of the land on which my electorate is based. He said:

The Treaty Authority Agreement is another historic marker along the process for our people in negotiating their Treaties with the State Government and another step closer for the Assembly in achieving that goal.

It is ambitious and historic, but there is so much more to be done, and we have to acknowledge that. When we stand up here today and make the statements that we all want to make to embrace this as an opportunity, we need to understand that every single day the work starts again, because it is not over until it is over, and it is over when you tell us.

Victoria, of course, is the first and only jurisdiction to action both the treaty and truth elements of the *Uluru Statement from the Heart*. Through this bill and through the Yoorrook Justice Commission—I am sorry; this is not about me—as I said earlier, we have moved beyond words. Action is absolutely what we need to deliver, and I am very pleased that it is this fine Labor government that is actually doing that work. I do want to acknowledge the fine work of the current Minister for Aboriginal Affairs and also of course those two others that predated her and did considerable work before today, and they are the member for Sydenham and Gavin Jennings.

I want to also say that there is one message that I have talked about today with a number of members of the First Peoples’ Assembly. And the comment that I made was essentially that I hope today is everything you want it to be and everything you need it to be. So to that end I want to acknowledge the following members of the assembly, and of course some of them had the opportunity to address this chamber this morning: Uncle Andrew Gardiner, Wurundjeri Woi Wurrung; Aunty Geraldine Atkinson, Bangerang and a Wiradjuri elder; Aunty Muriel Bamblett, here as Yorta Yorta, Dja Dja Wurrung, Taungurung and Boon Wurrung; Rueben Berg, Gunditjmarra; Ngarra Murray, Wamba Wamba, Yorta Yorta, Dja Dja Wurrung, Dhudhuroa and Wiradjuri; Tracey Evans, Gunditjmarra; Kaylene Williamson, Gunai Kurnai; Leanne Miller, Dhulanyagen Ulupna of the Yorta Yorta people; Marcus Stewart, Nira illim bulluk man of the Taungurung nation; Alister Thorpe, Gunai, Yorta Yorta and Gunditjmarra; Dr Carolyn Briggs AM, Boon Wurrung; Esmeralda Bamblett, Bangerang, Wiradjuri and Taungurung; Matthew Burns, Taungurung; Trevor Gallagher, Gunditjmarra; Travis Morgan, Yorta Yorta and Wemba Wemba; Dylan Clarke, Wotjobaluk; Jacinta Chaplin, Wadi Wadi; Jason Kelly, Mutthi Mutthi and Wamba Wamba; Melissa Jones, Latje Latje and Wotjobaluk; Raylene Harradine, Dja Dja Wurrung, Latje Latje and Wotjobaluk; Trent Nelson, Dja Dja Wurrung and Yorta Yorta; Alice Pepper, Yorta Yorta, Mutti Mutti, Arrernte, Gunnai, Gunditjmarra and Djab Wurrung; Peter Hood, Kurnai with connections to Yorta Yorta, Bangerang, Taungurung and Wurundjeri; Troy McDonald, Gunai Kurnai; Aunty Charmaine Clark, Gunditjmarra; Aunty Donna Wright, Gunditjmarra; Jamie Lowe, Gunditjmarra; Jordan Edwards, Gunditjmarra, Arrernte and Wadawurrung; Uncle Michael ‘Mookeye’ Bell, Gunditjmarra; and Sean Fagan, Wadawurrung.

I have said that because you are all the peoples who exist in this great state, and it is an acknowledgement of you and all of you. But I also want to acknowledge the work of Jill Gallagher,



who many here today have acknowledged, the former treaty advancement commissioner, and all of the fine people associated with getting us to this place today.

I am probably finishing at a point that I never thought I would finish at because I have a different set of notes from when I started my comments. But, hey, this is a truly unique situation. It is a great opportunity for us to go far beyond and for each of us to lay a foundation stone for the trust that needs to come out of this process. I think that was the word that was used earlier today in this chamber, I think Marcus may have raised the issue of trust. Trust can often take backward steps when relationships are tested, ideas are tested and disagreements often come out of very trying experiences as we move forward. No doubt there will be many of those conversations and disagreements amongst all of us as we move forward, but ultimately goodwill has to be the lining through which we proceed, and that is what is needed to ultimately drive us all to achieve the outcomes that we need to achieve.

I am absolutely confident that everyone here today will in the future be measured by the need to always demonstrate confidence, trust and goodwill. It is incumbent on all of us to do that. I say that because to a degree it is easy for all of us to come in here and talk. But I know we have only got here because of the hard work—and I hope you do not mind, Acting Speaker, that I am addressing the gallery directly—and the absolutely significant amount of work that you have done to get us here today. Trust is what we will all be measured by and ultimately what we deliver, and the progress has to be linear. There will be false starts, but ultimately it is about getting to where you want to be, and we need to ensure that we come along, learn and get you there.

**Mr HIBBINS** (Pahran) (12:48): I want to begin in speaking on behalf of the Greens to the Treaty Authority and Other Treaty Elements Bill 2022 by acknowledging the traditional owners of the land that this Parliament is on, the Wurundjeri and Woi Wurrung people. I want to pay my respects to their elders past and present, to those who are here today, to all members of the First Peoples' Assembly of Victoria and to all First Nations people who have worked so hard to develop this legislation and progress treaty in Victoria. This always was and always will be Aboriginal land, and I think it is important to state in this chamber that sovereignty has never been ceded, and it is so critical to make sure that that point is made here, particularly in relation to treaty.

The Greens warmly welcome the introduction of this bill. The authority is the centrepiece to the treaty process and is critical to its success. I really want to thank the co-chairs, Aunty Geraldine Atkinson and Marcus Stewart, for your inspiring speeches and wisdom imparted to us today. Treaties are fundamental—fundamental to healing the deep wounds caused to First Nations peoples and communities by the colonisation of this land. The horrors of colonisation cannot be understated: stolen land, massacres, communities taken away from their land and being forced to live on missions, children stolen from families, cultural practices and language forbidden to be practised.

Yet First Nations people of our state and our country live on. With pride and perseverance they have called and are calling for rights and justice. It gives me great pleasure to tell the First Nations people that we hear those calls—loud and clear do we hear those calls—and as a Parliament today we act and as a community we walk together. That is why this bill and treaty are just so important. They are a way to begin to fix the wrongs that have occurred, to address the wrongs. They are an agreement between the government and First Peoples where on equal footing parties negotiate reparations, rights to land and water, rights to self-government and rights to economic opportunities. It is an opportunity to negotiate how the story of this state, its landscapes and its institutions can be revised to reflect the true history of our state and of the land that we are on and not the whitewashed version that has been told for the past few hundred years. Treaty is an opportunity to heal and to create a better future based on mutual respect, on rights and on empowerment of the First Peoples of this land.

It has been welcome to note that in this debate there is agreement across parties, government and opposition. Certainly the Greens are strongly supportive of treaty. We are strong advocates for treaty. There is no stronger advocate within the Greens, I must note, than my former state colleague, now senator, Lidia Thorpe, who has been calling for treaty and justice inside and outside Parliament. It has

been incredible to see in Victoria and across the country the movement of elders, of community leaders, of clans, of First Nations, of young people and of grassroots communities who have fought for decades for rights and self-determination and who have elevated calls for treaty. It has been so amazing to see and it is so incredible to see that we are taking these steps today.

In the bill itself, as outlined in the Advancing the Treaty Process with Aboriginal Victorians Act 2018 and further articulated in the Treaty Authority Agreement established in this bill, the role of the Treaty Authority is to facilitate and oversee treaty negotiations, administer the treaty negotiation framework, assist parties to resolve disputes which may arise in treaty negotiations and carry out research to support and inform treaty negotiations. This is the cornerstone body in the treaty process. The independence of this authority and ensuring that it is empowered to uphold lore as well as Western law and cultural authority is absolutely critical to the treaty process. This will help decolonise this process to the best extent possible in the current circumstances.

The bill establishes the novel legal arrangements of the authority as an unincorporated body with the roles and responsibilities of a body corporate. This will hopefully provide the legal parameters to secure its independence. We strongly welcome that the Treaty Authority's funding is established in legislation, ensuring that there is limited interference from government without the accountability process of Parliament. It is so important that that funding is not beholden to budget cycles.

The bill is somewhat brief. The detail of the Treaty Authority's process for the establishment, structure and accountability measures is contained within the Treaty Authority Agreement made between the state and the First Peoples' Assembly of Victoria. The agreement lays out important processes and tenets for the five authority members to be selected and to operate under. The tenets of upholding self-determination and empowerment of First Peoples, independence and impartiality, accountability, relationship building, facilitation and integrity, as well as the members' cultural knowledge, wisdom, humility, technical competency and experience, are all deeply critical criteria. We support the tenets of this agreement wholeheartedly.

We do have some concerns regarding the implementation of the tenets of the agreement. We have seen in the establishment and operation of other bodies, certainly in the truth and treaty process, that some have been set up in a way that some First Nations peoples do not consider to be fair, equitable and representative. For example, there are many nations that have been excluded from the First Peoples' Assembly for years, and whilst there has been progress made to provide an avenue for representation, there remain significant concerns and barriers to their involvement. There are some nations without the direct secretariat funding needed to take the necessary steps to work through the administrative processes. Some of the funds from the nation-building package for non-registered Aboriginal party nations have not necessarily flowed through to reach these communities who are in desperate need of resources. This really goes to the importance of ensuring that within the act there is fairness and equality for all parties and traditional owners. Put simply, we cannot have a process that undermines the treaty process.

The Treaty Authority must be the circuit-breaker in correcting course and re-establishing a treaty process that acts in accordance with the honourable principles and tenets laid out within the treaty act and within the Treaty Authority Agreement. It is absolutely critical to the success of the authority and to the treaty process for all First Peoples. It must be a body trusted by all nations to uphold the tenets of impartiality and uphold self-determination and empowerment of all peoples. Little is more important to the integrity of the treaty process. The values and the equality for all First Peoples must also be extended to the administration and the self-determination fund which this bill establishes as a responsibility of the Treaty Authority. The fund must be of significant size and be fairly managed if it is to operate in accordance with its legislated obligation in the treaty act to create equal standing between state and parties.

And let me be clear: when we are talking about the state, with all its staffing, legal experts and financial resources, being on equal standing with parties, including nations who do not have those things or

have little of those things, equal standing is a critical legislated obligation agreed to by this government that we expect to be fully met with the self-determination funds, and that means significant funds for First Peoples for equal staffing, skilling, legal advisers and community consultation for all applicants to the treaty negotiation. The distribution of self-determination funds must be impartial, fair and equitable. Now more than ever we need a commitment from everyone involved in this process to right this wrong, to ensure that the Treaty Authority brings the impartiality and the commitment to fairness and self-determination for all traditional owner groups that they have not had so far.

Today I would like to conclude by saying that the Greens will continue to fight for treaty and for this process. We will continue to hold government to account and push them to make sure that there is integrity in this process so that the principles and values and tenets that are legislated are being implemented in the bodies and in the framework. I noted before that all parties in this place are supportive of this bill and of treaty. I note that there will be some voices in this Parliament and outside who are not supporting treaty or who have dismissed it as symbolism. These voices tend to go missing a lot when it comes to things like the funding needed for Aboriginal services, whether it is for health, whether it is for housing, whether it is for legal and justice services or whether it is for building capacity. It is so interesting how the voices that dismiss things like treaty or other measures as symbolism go missing when the dollars are there to be divvied up, so I would not give too much credence to those voices who are opposing this process in Parliament today.

We will continue to fight for an inclusive, fair and just treaty process. I commend the bill to the house. This is such an important step forward for what has been missing in our state and in our country since colonisation and what has been fought for for decades: treaty.

**Sitting suspended 1.00 pm until 2.00 pm.**

**Business interrupted under sessional orders.**

### Questions without notice and ministers statements

#### HEALTH SYSTEM

**Mr GUY** (Bulleen—Leader of the Opposition) (14:01): My question is to the Minister for Health. Jeffrey lives in Berwick and he suffers from hypertrophic cardiomyopathy and as such cannot work, cannot lift things, suffers from severe chest pain and is at risk of suffering a fatal heart attack. On 16 June he was contacted by phone to advise he was having a heart device implanted on 21 June, yesterday; he had been waiting for years. On his way to the hospital, an hour before the procedure, he was told by text, ‘Your procedure has been cancelled. There are no overnight beds available’. Can the minister advise how many other Victorians are in a similar situation as Jeffrey and having life-saving procedures cancelled just hours before, causing more stress and anxiety due to the government’s mismanagement of our health system?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:02): Can I thank the Leader of the Opposition for his question. As is my practice, I will not refer to particular individuals, but of course beyond the principle that all of these decisions are made on the basis of clinical advice, what I will nonetheless refer to is the general position which the Victorian, the Australian and indeed most global health systems are facing themselves at the moment in the midst of the recovery from a global, once-in-100-year pandemic that COVID-19 has delivered to us. In that context what we have seen—as we are seeing this day—for over 100 straight days now is somewhere between 1200 and 1500 healthcare workers every day being furloughed as a result of COVID. Added to that are other workers being off with the flu—we are seeing an astronomically high and early flu season—and indeed a range of other viruses that are circulating amongst the community. Given that our healthcare workforce is disproportionately made up of women, the amount of care leave that is also undertaken at the moment is at record highs. At the same time we are also seeing record demand on that system, all of which comes together in such a way as to bring together, particularly

when it comes to elective surgery—and I do note that the title of ‘elective surgery’ is perhaps not strictly true because of course every surgery is important—this particular set of circumstances.

What we are seeing at the moment is unprecedented demand and unprecedented pressure on our workforce in the context of a global pandemic. So that is why, when it comes to elective surgery in particular, this is a government that has invested \$1.5 billion in delivering a recovery plan not just to deal with this particular issue but to recast how elective surgery is done in a manner in which we will reshape the lessons from this global pandemic in a way that delivers permanent system change to address these kinds of issues. What this government does have in the course of its proud history of investment in this place—and I want to acknowledge the member for Altona for leading us in 2019 to having this—is the highest level of elective surgery investment. That got us to the point we have, and we will return to that post this pandemic.

**Mr GUY** (Bulleen—Leader of the Opposition) (14:05): Jeffrey has appealed for help. He has said:

The longer my treatment keeps being delayed, the more likely I will die soon.

People like Jeffrey cannot wait any longer. After eight years in office, how has it got to this—that people on their way to life-saving surgery are told by text that it is cancelled because there are no beds left, despite government promises that there would be?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:06): Can I thank the Leader of the Opposition for his supplementary question. In regard to the specifics, it is not my practice to refer to specific individual cases, but insofar as this case that the honourable Leader of the Opposition points to suggests that there are wider systems issues, we concede that there are wider systems issues. They are the result of a global pandemic. We apologise to anyone who has had their surgery delayed or deferred. In regard to how these matters are dealt with, a \$1.5 billion investment in better systems, better people and better infrastructure will see the manner in which this particular case and many others like it get the most timely, professional and appropriate care. In regard to the particular circumstances that the Leader of the Opposition points to, should the Leader of the Opposition, with the person’s consent, provide me with that information, I am more than happy to have the clinical basis of that followed up.

*Members interjecting.*

**The SPEAKER:** Order! Just before calling the Premier, if members on both sides of the house wish to speak across the person on their feet—they are not interested in what is being said—they can leave the chamber, and they will be asked to leave the chamber without further warning.

#### MINISTERS STATEMENTS: TAFE FUNDING

**Mr ANDREWS** (Mulgrave—Premier) (14:07): I am very pleased to update the house on the government’s record investment in TAFE, particularly our government’s program of free TAFE positions and how it is making rewarding career pathways accessible to more and more Victorians. More than 100 000 Victorians have signed up—

**A member:** How many?

**Mr ANDREWS:** One hundred thousand Victorians have signed up for a free TAFE place since we introduced that free TAFE system in 2019. That is \$240 million worth of fees that have not had to be paid. That is \$240 million in those Victorians’ pockets that would not otherwise be there—plus of course they are able to enrol in TAFE because we have not smashed it up, we have not destroyed it, we have not gone around closing campuses. I well remember that, with my honourable friend the Deputy Premier, one of the first things we did when we came to office was to go out—

*Members interjecting.*

**Mr ANDREWS:** Laugh all you want—with the boltcutters to take the padlocks off Swinburne out in Lilydale, which had been shamefully closed by this lot opposite. They were not just content to cut

the funding, they smashed TAFE to smithereens. What we have done: we have saved TAFE because we said we would, we made TAFE free because we said we would—and now we are making it better than it has ever been.

*Members interjecting.*

**Mr ANDREWS:** What a shame they were not this loud about TAFE in the cabinet room—what a terrible shame. You lost your voice then, didn't you? You absolutely smashed it to smithereens.

*Members interjecting.*

**Mr ANDREWS:** Laugh all you want, because we will be reminding every Victorian of what you did to TAFE and how it is so much better today.

**The SPEAKER:** The member for Polwarth can leave the chamber for the period of 1 hour.

**Member for Polwarth withdrew from chamber.**

**Mr ANDREWS:** How much better it is today—again, free TAFE, better than it has ever been.

### HEALTH SYSTEM

**Mr GUY (Bulleen—Leader of the Opposition) (14:09):** My question is to the Premier. Last sitting week, on Tuesday, the case of Mark from Bendigo was raised with the Premier in Parliament. Mark was here in the gallery when his concerns were raised, and his details were then passed on to the Premier's office. Mark remains in constant pain awaiting spinal surgery. As of just after 1 o'clock today he had still heard nothing from anyone in government. Why, after more than two weeks, with full details provided to the Premier and Mark sitting here in this chamber, is Mark yet to receive any follow-up from the Premier or his government about his chronic and painful health condition?

**Mr ANDREWS (Mulgrave—Premier) (14:10):** I thank the Leader of the Opposition for his question. I recall the question being asked, and I will make inquiries to my office as to what has occurred there. Over the course of many weeks now, many questions have been asked in relation to individual patients. Some of those individuals have been identified and sufficient information has been provided to my office, the Minister for Health's office or the department. I can assure the honourable Leader of the Opposition that the advice I have, as of yesterday, is that every single patient, where sufficient information has been provided to identify who that person is and what health service is treating them, has been contacted by the Department of Health or the health service or the Minister for Health's office. The Minister for Health confirmed this yesterday in relation to another question that was asked.

On the specifics of this particular person—Mark—I remember the question being asked, and my commitment to the Leader of the Opposition is I will make inquiries at the end of question time and I will furnish him with whatever relevant information I can.

**Mr GUY (Bulleen—Leader of the Opposition) (14:11):** Mark has already waited 621 days for surgery that was meant to be done in 90. He has now waited another 14. As stated, Mark was here in the gallery, here in the chamber, here in the Parliament, where his details were provided in full, on his health condition, to the government.

*Members interjecting.*

**Mr GUY:** They were. With details of this case, this man's painful plight and this man's health details—and the man sitting here in the Parliament—being given to the Premier, what, if anything, has the Premier done to get Mark the surgery he so desperately needs?

**Mr ANDREWS (Mulgrave—Premier) (14:11):** I thank the Leader of the Opposition for his supplementary question. The advice that I have—and there might be some confusion, given that the

first name of this person has been provided and I am not sure but there could be more than one person called Mark—

*Members interjecting.*

**Mr ANDREWS:** Well, the advice I have is in absolute contradiction to what the Leader of the Opposition has just claimed. The advice I have is that we have not been given the surname of this individual, we have not been given sufficient details—

*Members interjecting.*

**Mr ANDREWS:** Well, it might come as some surprise to the Leader of the Opposition, but I reckon there might be more than one person called Mark who is from Bendigo—

*Members interjecting.*

**Mr ANDREWS:** Well, at the end of the day the Leader of the Opposition again and again and again has provided insufficient information, and he has demonstrated again and again that it is not about the patients. If the cases are good enough to raise—

*Members interjecting.*

**The SPEAKER:** Order! The member for Warrandyte and the member for Buninyong are going to leave the chamber for the period of 1 hour.

**Members for Warrandyte and Buninyong withdrew from chamber.**

**Mr ANDREWS:** I simply say if the case is good enough to raise surely it is good enough to provide the information so we can follow up and get the patient the care that they need.

#### MINISTERS STATEMENTS: VICTORIA'S BIG BUILD

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (14:13): I am very pleased to inform the house about the Andrews Labor government's Big Build jobs juggernaut and how we are delivering more jobs, skills and opportunities for Victorians than ever before. Whether it is level crossing removals, the Metro Tunnel or major road projects, these are the projects that our jobs juggernaut is built on. We have 18 000 people working directly on these transformational projects, and we know that for every 100 jobs that you see out on a construction site, men and women in high vis, there are another 200 jobs that are supported in the supply chain right across the state. And because we understand that government has to take a leadership role and have deliberate policy settings in place through its Major Projects Skills Guarantee, more than 5.4 million work hours have been clocked up by young apprentices, trainees and cadets since 2018.

Of course we could not have done this without free TAFE. It is the Andrews Labor government making TAFE courses free that has helped enable the Andrews Labor government's Big Build. Free TAFE courses such as civil construction, plant operations, construction supervision, electrotechnology and many more engineering- and construction-related courses are exactly the courses that are feeding and supporting the Big Build. This is complemented by that fabulous tunnelling centre of excellence at Holmesglen TAFE and the North East Link jobs and skills centre at Watsonia, where 600 jobseekers have already been through the door. These are the free TAFE courses that are supporting our Big Build with jobs that are not just for a week or a month. These are jobs for life, built off the skills and training that you get through our fabulous TAFE network—exactly the sorts of jobs that would be at risk from those opposite who not only want to cut the infrastructure pipeline but we know have cut TAFE before.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Mr D O'BRIEN** (Gippsland South) (14:15): My question is to the Minister for Ambulance Services. A constituent in South Gippsland contacted me this week about his experiences with

Ambulance Victoria. His wife had a fall while volunteering at the local football on Saturday and was in extreme pain. As a football trainer with advanced first-aid qualifications, he was concerned she had broken her hip. After calling 000 and explaining his wife's situation, my constituent was told that an ambulance would not be dispatched until she was triaged. He was dismayed when he was then put through to a recorded message which advised him to hang up and that he would be called back. With his wife screaming in pain, my constituent and some helpers put her on a stretcher, loaded her into the back of a ute and took her to the nearby hospital. Is being taken to hospital in the back of a ute what the government meant by Victorians getting the medical help they need when they need it?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:16): Can I thank the member for Gippsland South for his question. As I understood from the honourable member's question and the details that he provided, it would appear from the question that the matter relates to how ESTA and the 000 service dealt with and triaged—as they have been doing for many, many years now—that call based on the levels of demand that they were facing, knowing that what we have seen over the course of the global pandemic is a doubling of ESTA's calls. I think what the honourable member was asking in his question was how this process is happening at the ESTA end of the process, as opposed to the Ambulance Victoria issues, because the honourable member has asked the Minister for Ambulance Services—me—as opposed to the Minister for Emergency Services, who is the minister responsible for ESTA.

Having said all of that, even though the honourable member has asked the wrong minister, I am more than happy to provide an answer in the context of what I understand to be the position of ESTA through the unbelievably high and increased levels of demand that it has seen over the course of the global pandemic, to the point where the calls it was receiving pre pandemic have been more than doubled. Pre pandemic it had got to the position of referring emergency calls—lights and sirens—to Ambulance Victoria. We had seen an 84.5 per cent rate—the highest ever achieved—of responses from ESTA to Ambulance Victoria. What we have subsequently seen is a global pandemic that has seen more than a doubling of the referrals to ambulance through our friends at ESTA. We have seen ESTA's calls more than double. I am sure this particular call does not reflect this, but I am sure honourable members would be well aware that one in five calls to Ambulance Victoria through ESTA, once they are triaged, are not established as requiring lights and sirens. But in terms of how particular allocations of demand are dealt with, those are through established triage processes. In regard to this particular set of circumstances, I am not personally familiar with them, but should the honourable member provide me with further details, I will certainly work with ESTA to establish what the situation was.

**Mr D O'BRIEN** (Gippsland South) (14:19): Minister, for the record, my constituent specifically asked to remain anonymous but wanted this question raised. Thankfully when a doctor at the local hospital called for an ambulance, it was available, sitting 300 metres away, and was there within minutes to transfer the patient to Latrobe Regional Hospital. My constituent and his wife have nothing but praise for the nurses, doctor and paramedics who assisted them, but they do blame the failure of the system and lack of government support for—

*Members interjecting.*

**The SPEAKER:** Order! If the member for South Barwon, the Leader of The Nationals and the Leader of the House wish to have a conversation over the table, they might want to do so outside. The member for Gippsland South is entitled to ask a supplementary question.

**Mr D O'BRIEN:** My constituent and his wife have nothing but praise for the nurses, doctor and paramedics who assisted them, but they do blame the failure of the system and lack of government support for this experience. When will the government accept that situations like this are unacceptable? Country Victorians should get proper priority, not the second-class attention that this government affords them.

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:20): I certainly welcome the member for Gippsland South's recognition that Ambulance Victoria delivered a first-class service and indeed that Latrobe regional health delivered a first-class service. This would be the same regional health service that your lot privatised—that those opposite flogged off to the private sector. They had the keys thrown back at the taxpayer to say, 'You run it, because we can't turn a buck'. Of course they could not turn a buck, because privatising hospitals means you privatise care and you undermine the very thing that the honourable member for Gippsland South was talking about, being quality care.

**Mr D O'Brien**: On a point of order, Speaker, on the question of debating, my constituents do not want to debate the 1990s; they want an answer about the system now.

**Mr FOLEY**: On the point of order, Speaker, it was not the 1990s, mate, it was this century.

**The SPEAKER**: Order! The member for Gippsland South has asked his question. The minister to come back to answering the question.

**Mr FOLEY**: Thank you, honourable Speaker. I join with the member for Gippsland South in calling out praise for the fantastic Ambulance Victoria services in Gippsland and the wonderful service delivered by Latrobe regional health, a public hospital backed by this government and doubled in its investment and size over the course of this Andrews Labor government.

#### MINISTERS STATEMENTS: SOLAR HOMES PROGRAM

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (14:22): I am absolutely delighted to update the house on the commitment of this government to continue to support the solar industry and ensure that all Victorians are reaping the benefits of reliable, safe, cheap and clean energy through the Solar Homes program. From 1 July this year the course Working Safely in the Solar Industry will be added to the free TAFE list. This is great news, and so far we have almost 4500 solar workers who have completed this training, with the course now being expanded to 12 TAFEs, including seven in regional Victoria. This is all part of our commitment to create 5500 jobs through Solar Victoria.

Let me just share the success of this so far. We know of course that the member for Tarneit will be absolutely pleased to know that the suburbs of Tarneit, Point Cook and Truganina continue to be amongst the top 10 Solar Homes suburbs, as will be the member for Yuroke, with Craigieburn appearing in Solar Victoria's top five locations, with 3800 installations. The members for Cranbourne and Bass will be also pleased to know that their electorates are leading the take-up in the south-east, with Pakenham, Clyde North and Cranbourne East, all of them, sharing 7400 installations. And the members for Lara and South Barwon of course would know that Lara and Torquay are amongst the top 10 in regional Victoria, each with more than 600 applications. Certainly I need to add that the members for Mildura and Shepparton would be absolutely pleased that their cities are solar cities of Victoria, with nearly 2500 installed in those areas. The member from Benambra should not be forgotten in any of this, because we know that Wodonga has got almost 1000 rebates. This side of the house is absolutely committed to ensuring that we have got a trained-up workforce supporting the jobs of the future and clean energy—cheap, affordable, safe—and the Solar Homes program absolutely delivers that.

#### MILDURA BASE PUBLIC HOSPITAL

**Ms CUPPER** (Mildura) (14:24): My question is for the Premier. Premier, your government saved our hospital and our community from a disastrous privatisation experiment that was imposed on us in 1998 and then reimposed on us in 2015. We are very grateful that your government listened and acted, but that disaster carried a long legacy and we need a new hospital. Will your government commit to funding one?



**Mr ANDREWS** (Mulgrave—Premier) (14:24): I thank the member for Mildura for her question, and I thank her for her acknowledgement that back in 1998—and that does seem a long time ago—there was a decision made by a former government, not a government of our political persuasion, to privatise the Mildura hospital to make it for profit, not for patients. We then, as was just indicated, and I am indebted to the member for Mildura because she has reminded us all that in 2015—

**A member** interjected.

**Mr ANDREWS:** Well, there are very few indebted to you lot after having sold the thing off—

*Members interjecting.*

**Mr ANDREWS:** Then we got from over there, somewhere down on the front bench, ‘Oh, in 2015 you were in power’. In the dead of night that wonderful individual in the other place, Mr Davis, decided with no consultation, no community input, being the fount of all knowledge—

*Members interjecting.*

**Mr ANDREWS:** Well, maybe early in the day, maybe late in the day—who knows when he made the decision? But it was not one of his best because he decided to extend the privatisation of the Mildura base hospital, and it was only upon our election that we were able to reverse that.

**Ms Ryan** interjected.

**Mr ANDREWS:** The member for Euroa may have a different view about these things, but that is the history of this matter.

*Members interjecting.*

**Mr ANDREWS:** And I apologise for forgetting the name of your electorate. But that is why you can only undo the damage that some people do when you are in government. That would explain the discrepancy in time. But in any event, having corrected the record, this is a public hospital. We are very proud to have done that. This is a—

*Members interjecting.*

**Mr ANDREWS:** Well, again, some can laugh all they like. And which political party represented the good people of Mildura and Sunraysia prior to the election of the independent member? That would be right, the people who are laughing at Mildura right now. The fact of the matter is this: the member for Mildura is a passionate advocate on behalf of the staff at her public hospital, the patients at her public hospital and the community that that health service serves so well. I am not in a position today to make a commitment to a redeveloped hospital, and the oohs and aahs of those who sold it off—that will not treat any patients. That does not mean very much. That does not mean very much at all. I would point out to the honourable member, as she well knows, there is a master plan process that is underway and the government, in its decisions for the future, will be well informed by that master plan process. It is a public hospital for patients, not for profit, and only because of this Labor government.

**Ms CUPPER** (Mildura) (14:27): If the master plan recommends a new hospital for Mildura, and also in light of the fact that there is a new federal government and perhaps a new federal health minister who might be so inclined to discuss co-contributions, in the event of that opportunity would you commit to funding one?

**Mr ANDREWS** (Mulgrave—Premier) (14:28): Again, I am very grateful to the member for Mildura for pointing out that there is a new federal government that knows where regional Victoria and the rest of Victoria is, which is a wholly good thing. The new Prime Minister on Friday—the new federal government in partnership with all first ministers—decided not to proceed with Mr Morrison’s cutbacks but to extend health funding until the end of the year. That is a wholly good thing for the people of Mildura, Mulgrave, every community across our state and indeed across our nation.

What I can say to the member for Mildura is no-one is questioning the passion and the effectiveness that the member for Mildura brings to her advocacy and brings to her role. There is an alcohol and other drugs facility being built in that community because the member for Mildura raised it. We will be informed by the master plan, and of course we will work with you to lobby the new federal government to make sure that they can be a partner in any improvements for health, particularly in rural and regional Victoria.

**MINISTERS STATEMENTS: BIG HOUSING BUILD**

**Mr WYNNE** (Richmond—Minister for Planning, Minister for Housing) (14:29): I rise today to update the house on the stellar progress of the Andrews Labor government’s \$5.3 billion Big Housing Build as we continue to roll out the largest single investment in social and affordable housing in Australia’s history. I am delighted to announce we have already completed over 1300 homes, with another 5500 underway, a total of 6800.

All over regional Victoria, from Gippsland to Mildura, there are now 1500 homes under construction with an investment value of more than \$500 million. For example, we are delivering—get off your phone, I am going to tell you, member for Ripon—260 homes in the seat of Ripon with a project value of \$80 million. In metropolitan Melbourne, for example, in the Bayside area, the member for Sandringham and the member for Brighton will see—

*Members interjecting.*

**Mr WYNNE:** He loves this.

**Mr Andrews:** He loves public housing.

**Mr WYNNE:** He does. He does love public housing. They will see the construction of 229 homes with a value of \$120 million, which will create over a thousand jobs. In the member for Box Hill’s community we are building 556 homes throughout his area and creating 2000 jobs with an investment of \$365 million. None of this would have been possible except for the fantastic free TAFE initiative that Victoria has to skill up our workforce, whether it is through the certificate IV in plumbing and services or the free certificate in building and construction. We are building secure housing, jobs on site, the supply chain and a magnificent economic stimulus, particularly in regional Victoria.

**ALBURY WODONGA HEALTH**

**Mr TILLEY** (Benambra) (14:31): This should be interesting. My question is to the Minister for Health. Yesterday—

*Members interjecting.*

**Mr TILLEY:** Well, we know what we are going to get out of him, don’t we? This could go any way. But getting to the point. Yesterday—

*Members interjecting.*

**The SPEAKER:** Order! When the house comes to order. Does the member for Benambra have a question?

**Mr TILLEY:** Speaker, I do. My question is to the Minister for Health. Yesterday, in the minister’s own words, the ‘world-class’ Albury Wodonga Health was again forced to restrict who can enter the hospital one day after warning about emergency delays. With nurses, clinicians and health professionals all calling for urgent action, will the minister stop making excuses as to why a new facility has not been delivered and finally admit that the border communities deserve a new hospital that can cope with the area’s population growth?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:33): I thank the member, with his guidance system clearly on autopilot, for his question.

Albury Wodonga Health is a world-class health service, a regional centre for health provision delivered by the Victorian government in partnership with the New South Wales government, and the honourable member in his question touched on a really important point.

Late yesterday Albury Wodonga Health put out advice to its staff and its community pointing to the fact that they had to take certain measures to manage demand. In that advice they pointed out, amongst other things, that they were facing record levels of furloughing as a result of COVID and that they were also facing a number of bed blocks that were preventing them from allowing people to move through the healthcare system. Where did those bed blocks come from, do you think? They come from a former federal government that starved the national disability insurance scheme of appropriate funding and support that had people approved for packages. Over 200 Victorians are sitting in hospital today, including in Albury Wodonga Health, when they should be in their homes getting the care they need. In addition to that, there are about the same number of people who should be cared for in their aged care facilities but who have nowhere to go as a result of the former federal government refusing to implement the recommendations of its own royal commission. When you add all that together in terms of record demand, bed blocks and furloughing of staff—the very issues that the honourable member knows exist in his own health service, a world-class health service that we want to talk up rather than him talking it down—it is a really significant matter.

It is why this government is investing \$12 billion in a pandemic recovery plan, including investment in infrastructure and including a business case, which is making its way through the normal government decision-making processes, as well as more staff—7000 more staff—to be either trained or recruited, including in Albury Wodonga Health, and better systems, including the coming together of different care and clinical plans, particularly in regional health centres that are so important not just to their own communities but the feeder communities and the smaller rural health services that feed into them. So I will not be talking down Albury Wodonga Health. I will be talking up Albury Wodonga Health and all the fantastic services that are delivered by our regional and community health services right across this great state.

**Mr TILLEY** (Benambra) (14:36): My supplementary is: it has now been months since the government was given the master plan for the future of Albury Wodonga Health. Why won't the minister finally release this master plan, which details the requirements for an overdue new hospital for Albury-Wodonga?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:36): Can I thank the member for Benambra for his question. The honourable member is clearly confusing reports. I would refer the honourable member to perhaps the website of Albury Wodonga Health to get an understanding of the difference between a clinical report in terms of the model of care that is sought to be delivered by a health service versus a master plan and its consideration by the Victorian Health Building Authority. This is a government that has invested more in regional and rural health than any other government in the history of this state—certainly when it comes to those opposite, who cut, privatised and closed regional health services. This is a government that invests and will continue to invest in record amounts in our regional and rural health services. I look forward to the great hospital in Albury-Wodonga and that regional health service getting the support that this government will bring through the normal processes.

#### MINISTERS STATEMENTS: RURAL AND REGIONAL TAFE INVESTMENT

**Ms THOMAS** (Macedon—Minister for Agriculture, Minister for Regional Development) (14:37): I rise today to update the house on how rural and regional Victorians are getting the skills and training that they need thanks to our government's free TAFE program. After years of cuts and closures and neglect from those on the other side, our government is delivering the investment and opportunities that rural and regional Victorians deserve. We now have more than 60 free TAFE courses on offer, aligned with key industries that will offer secure future careers, and as a result of this investment we have seen a 22 per cent increase in enrolments in free TAFE across regional Victoria. Some of the

most popular courses include a diploma in nursing, a diploma in community services and a certificate III in early childhood education and care—some of the most needed skills in our rural and regional communities. We understand that our regions need skills in order to progress, and only the Andrews Labor government will deliver them and respond to that need with free TAFE. But that is not all. We are ensuring students have access to state-of-the-art facilities close to home by delivering upgrades to campuses across the state, including the Gordon in Geelong, Bendigo Kangan Institute, GOTAFE in Shepparton, South West TAFE in Warrnambool, SuniTAFE in Mildura, TAFE Gippsland and Wodonga TAFE.

Back in 2014 when I was running for the seat of Macedon there was a sign in my home town of Kyneton and it said ‘Bendigo TAFE this way’. The problem was there was no TAFE because those on the other side closed that campus. At a time when our community needed skills, they cut TAFE delivery in Kyneton. Only the Andrews Labor government will deliver for rural and regional Victoria.

### Constituency questions

#### SOUTH-WEST COAST ELECTORATE

**Ms BRITNELL** (South-West Coast) (14:40): (6426) My constituency question is for the Minister for Roads and Road Safety. Could the minister outline what measures, if any, have been taken to ensure upgrade works on the Princes Highway between Panmure and Allansford have been satisfactorily completed? The upgrades, which include road widening, installation of wire rope barriers and construction of an overtaking lane, have been ongoing for two years, well over time and well over budget, and whilst that is not uncommon for this government, what is more concerning is that the condition of the road surface remains very poor in many areas. So one of two things has happened: the recently upgraded road is already starting to deteriorate or the work has not been completed. This begs the question: after two years, when will it be finished? The poor condition of roads is the main issue raised by constituents in my electorate. Regional Victorians who drive on these roads know how poor they are and how dangerous they are. They want a government prepared to fix them and fix them properly once. Sadly, this government just is not interested in making proper investment in roads.

#### WENDOUREE ELECTORATE

**Ms ADDISON** (Wendouree) (14:41): (6427) My constituency question is for the Minister for Health. Will the minister please advise how the \$6.5 million investment for robot-assisted surgery to be delivered at Grampians Health services’ Ballarat Base Hospital will improve outcomes and reduce recovery times for regional patients? Many local doctors and surgeons, including specialist and general colorectal surgeon Dr Carolyn Vasey, have been calling for the investment in a surgical robot to enable the introduction of a robotics program in Ballarat. I was very pleased to visit the Ballarat Base Hospital recently and see a demonstration of some simulated training exercises with the robot-assisted surgery system and speak to chief medical officer Matthew Hadfield and urologist Rob Forsyth about the benefits not only to patients but to Ballarat’s ability to attract surgeons into the future. I thank the minister for his strong support for Grampians Health service, and I look forward to hearing more about the benefits that robot-assisted surgery will bring to my community.

#### LOWAN ELECTORATE

**Ms KEALY** (Lowan) (14:42): (6428) My question is to the Premier. Businesses in my electorate are facing inevitable closure due to massive increases of gas prices. In some instances they are going from \$12 a gigajoule just a few weeks ago to now being quoted at \$42 a gigajoule. It is simply unfeasible to do business at that rate, and they will be forced to close. The information I seek is: given that the Andrews Labor government has not renegotiated the Wimmera and Colac gas supply tariff order, which would cut gas prices along the pipeline, what has the Premier done to open up supply of gas to the region to break the gas supply monopoly and the retail monopoly so that residents and businesses in Ararat, Colac, Horsham and Stawell can access fair and competitive prices? We know that even in the domestic market people cannot access pay-on-time or e-billing discounts. We need to

make sure the government is either supporting the tariff order or opening up gas supply to our regions so we can have competitive pricing.

#### MORDIALLOC ELECTORATE

**Mr RICHARDSON** (Mordialloc) (14:43): (6429) My constituency question is to the Minister for Solar Homes, and I ask: how many households have taken up the Solar Homes rebates in the Mordialloc electorate? We know we need to take action on climate change, reduce our consumption and emissions and make sure that we are giving households the cost-of-living relief they need, but it is really exciting that we can literally put a power station on top of every single home to support our communities to lower their emissions. There was a lot of excitement with the Andrews Labor government's \$1.3 billion announcement of the Solar Homes program and what this means to transform our communities, to lower emissions, to invest in renewable energies, to invest in skills and the development of those that are installing these great systems and to make sure that we help our families with cost-of-living pressures. Since the time of the announcement there has been a great deal of excitement across all of Victoria, and I am really keen to understand how my constituents—how many households—have taken up the offer of Solar Homes.

#### FERNTREE GULLY ELECTORATE

**Mr WAKELING** (Ferntree Gully) (14:44): (6430) My question is for the Attorney-General. I have heard from many Knox residents over the past 2½ years who have raised concerns with me about the difficulty they have been experiencing and are still experiencing in trying to make contact with the Victorian Registry of Births, Deaths and Marriages. Local residents would like to know why births, deaths and marriages offices are still temporarily closed to the public now but COVID restrictions have been lifted. A local resident, Ms Foster, advises that she has been trying to get help from births, deaths and marriages for the past 3½ weeks, but every time she emails she receives the same generated email response in return. She has even tried the method of contacting them via Facebook to only find comments from many other people absolutely disgusted in the service of this department. Local residents are trying to get important documents for a whole range of reasons, and this is simply not happening. So, Minister, can you please advise what 'temporarily closed' means—is it five days, five months or 2½ years? What can residents do in order to gain access to details from births, deaths and marriages?

#### TARNEIT ELECTORATE

**Ms CONNOLLY** (Tarneit) (14:45): (6431) My question is for the Minister for Early Childhood in the other place. Last week I was completely blown away by our government's announcement of the Best Start, Best Life program. Over the last few years our government has done amazing work in this space, especially with the rollout of three-year-old kinder across the state. We are now building upon that with universal free kinder, a new year of universal pre-prep for four-year-olds and the establishment up to 50 new childcare centres right across our state. In my electorate of Tarneit we have some of the highest proportions of early childhood workers, at least 4 per cent in the Tarneit suburb alone. On top of that, the average family in Tarneit is a 32-year-old couple with two small children. A program like this is tailor-made for this type of family who rely on kinder services. My question to the minister is this: what benefits will this fantastic new program have for families in my community whose children will be going to kinder next year and beyond?

#### SHEPPARTON ELECTORATE

**Ms SHEED** (Shepparton) (14:46): (6432) My constituency question is for the Minister for Health. Healthcare workers in the private health system have shared with me that they felt very left out in that they were not included in the healthcare worker winter retention and surge payments of \$3000 recently announced by the Victorian government. Throughout the pandemic there has been a partnership between the Victorian government and private hospitals to assist public hospitals by taking public patients when necessary, and this has certainly happened in Shepparton between Goulburn Valley

## CONSTITUENCY QUESTIONS

2548

Legislative Assembly

Wednesday, 22 June 2022

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Health and Shepparton Private Hospital. It has also assisted the state government to get through elective surgery backlogs. One medical employee said she often worked late and was called back to make sure public patients received the services they needed in the private system. She did this because she cares about the health of everyone in the community, not whether they are public or private, and feels that it is unfair that the \$3000 was not extended to them. Will the minister consider extending this payment to private sector employees?

### BOX HILL ELECTORATE

**Mr HAMER** (Box Hill) (14:47): (6433) My question is for the Minister for Public Transport. What plans does the government have for improving the Box Hill bus interchange to better meet the needs of Box Hill residents and commuters? The bus interchange at Box Hill Central is one of the busiest in Melbourne. As I have raised in this place before, the current facilities are almost 40 years old and were not designed for the ways that commuters need to connect with or use public transport. The interchange lacks connectivity and has significant accessibility challenges, particularly for those with a disability or families using strollers or prams. There are also commuter car parking challenges and safety issues for pedestrians and cyclists. The Andrews Labor government is getting on and delivering the Suburban Rail Loop east, which begins in Box Hill and is the single largest investment in public transport infrastructure in Victoria's history. The SRL will provide commuters in my electorate with flexible and well-connected transport linkages from the north and the south-east. This project also presents a unique opportunity to reimagine the entire precinct, including the interchange, to improve access and deliver better public transport in Box Hill.

### FOREST HILL ELECTORATE

**Mr ANGUS** (Forest Hill) (14:48): (6434) My constituency question is to the Minister for Education. Minister, how many principals, teachers, teachers aides, tutors, casual relief teachers, administration staff and other staff have been sacked or resigned from the Victorian education system due to either not being vaccinated for COVID-19 or not disclosing their vaccination status? I have been contacted by several residents and numerous other people who have lost their jobs in the education system as a result of the vaccine mandates. I have also met with many people working in the education system who are very concerned at the current staff shortages and the consequent additional pressure they are experiencing. It is now clear to everyone involved that the education system is struggling, with CRTs in huge demand and existing staff being overworked. After the last two extremely difficult years the staff within the education system are continuing to work hard and do their very best under very challenging circumstances. The government could address some of the current pressures in the education system by simply removing all the vaccine mandates, thus allowing sacked staff to return to work.

### YAN YEAN ELECTORATE

**Ms GREEN** (Yan Yean) (14:49): (6435) My constituency question is to the Minister for Education and Minister for Mental Health. I refer to this week's fantastic announcement that the Andrews Labor government will invest \$200 million to expand the successful mental health in primary schools program to every single government and low-fee non-government school across Victoria. The program builds on the successful 100-school pilot project across Victoria in partnership with the Murdoch Children's Research Institute and the University of Melbourne. I want to congratulate Mernda Park Primary, Mernda Primary and Whittlesea Primary for being part of that pilot. I am relieved that rural schools are to be given priority in the further program rollout, which will be welcomed by communities in and around the Yan Yean electorate, many of which still need priority support following the Black Saturday fires. Last Friday I visited one of these great schools in Wandong with Labor's candidate for Yan Yean, Lauren Kathage, and saw firsthand their great work. Can the minister advise when Wandong Primary School can expect to be included in this worthy program?

## Bills

**TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022***Second reading***Debate resumed.**

**Ms KILKENNY** (Carrum) (14:50): What an absolutely historic day today has been for all Victorians. I think in the years ahead we will certainly look back on this day as something truly special and something quite remarkable for not just us present in this place but all Victorians. Today of course is the day that the co-chairs of the First Peoples' Assembly of Victoria, Bangerang and Wiradjuri elder, Geraldine Atkinson, or Aunty Geri, and Nira illim bulluk man of the Taungurung nation, Marcus Stewart, each made a really historic address to us here in the Legislative Assembly in both English and their Aboriginal language. Of course they told us what the treaty process means to them, to their families and to Victorian Aboriginal communities, and theirs were really powerful words on why treaty is so important. I think that reflects also just why it is so important that we heed their words.

We heard in particular why we must find a new way of doing things here in Victoria, obviously no longer relying on a colonial system, a combative system and an adversarial system. They have told us that we need to be courageous and brave and bold; to find a new way of doing things here in Victoria, and to embrace a new way of open communication, of dialogue, of integrity, of honesty and importantly of trust as well. I really want to acknowledge the powerful words spoken in this place today—the compelling message—and the unequivocal call for unanimous support from all members in this place for the path that is before us. I think that is a really, really important message. As leaders in this place we must show leadership by now listening. It is our turn to listen because now our First Peoples are speaking, and we hear you.

I want to acknowledge the hurt, the pain and the trauma caused to so many Aboriginal Victorians over so many years, but I also want to acknowledge their pride. I think this is something each and every single one of us should really reflect on—pride that has endured stolen land, stolen language, stolen culture and of course stolen lives; a pride that has really endured everything that has been done by this state and this nation to effectively try to silence our First Peoples—to eradicate them, to wipe them out, to eliminate, to destroy and to make invisible. These are our First Peoples, and this is to our collective shame. I ask anyone to show me any people in the world who have shown this much strength, this much resilience and this much fortitude. I am just so proud and so humbled to be standing here today and to have witnessed history in this place, and I am really proud to be taking this journey and being shown and taught by our First Peoples, teachers of the oldest continuing living culture in the world. I want to thank each and every member of the First Peoples' Assembly for showing us and effectively teaching us the way.

I wish to acknowledge the Wurundjeri people as the traditional owners of the land upon which this Parliament stands, and I pay my respects to them, their elders past and present, and I extend that respect to all First Peoples who have been present here today with us in Parliament. I also want to acknowledge the traditional owners of the land where I live and the land where my electorate of Carrum is, and that is the Bunurong people, and I pay my deepest respects to them and their elders past, present and future. They have taught us what to do. They have shown us what needs to happen, and that is as it should be, and that is this: that better outcomes for Aboriginal Victorians, for our First Peoples, depend on those peoples being able to make decisions that impact their lives, that impact them, their communities, their culture, their lore and their country. This entire process is about self-determination and making sure that we have a system in place that empowers Aboriginal Victorians to make their own decisions about the way they live their lives. This is about a voice for First Peoples. It is for treaty but not just for treaty. This is a voice for the future of First Peoples for years to come, and the bill before us is a really important part of this.

The bill will support the establishment and ongoing operation of the Treaty Authority, and that is as required by the Advancing the Treaty Process with Aboriginal Victorians Act 2018. The Treaty Authority, as we know, was established by agreement, an agreement which was legally executed by the state and the First Peoples' Assembly on Monday, 6 June 2022, and exchanged in a ceremony in Lorne on Friday, 10 June 2022.

The bill confers on the Treaty Authority the powers and legal capacity for it to operate effectively and perform its functions as an independent body to oversee treaty negotiations between First Peoples and the state of Victoria. It will be made up entirely of First Peoples members and be called upon to observe and uphold Aboriginal lore and law and the cultural authority of First Peoples in the treaty process. Importantly it will be all led by Aboriginal voices and Aboriginal leaders. The bill ensures secure and ongoing funding, which is really important because it then becomes independent of the government's annual budget process. But I think most importantly it is establishing the Treaty Authority as something truly independent, so it will not report to a minister, nor will it be subject to the direction or control of a minister or the government. It cannot be.

As Aunty Geri said this morning, it is a unique model because it has to be. We are embarking on what is really unique nation-leading work, and there is no precedent for this. But what we do know for sure is this: treaty is absolutely the right thing to do. Treaty will change our state forever and, I believe, our nation too. Treaty will change forever the way we view and understand our identity and our history but also our future. I think, really importantly, treaty will give back what was never ours to take in the first place, and that is of course that this land is Aboriginal land and always was and always will be.

I would like to acknowledge all members of the First Peoples' Assembly for their incredible work in getting us to where we are today. I also wish to acknowledge the work of the former Victorian treaty advancement commissioner, Jill Gallagher AO, and the Aboriginal Treaty Working Group, who worked with traditional owners, elders and young people to establish the democratically elected Aboriginal representative body.

I want to read from the act that we introduced in 2018. It was the Advancing the Treaty Process with Aboriginal Victorians Act 2018. That was a significant day in itself. I think it is worth taking a look at that act, which really sets out this broader framework which we are now following. This bill is sort of the second stage of that. The preamble to that act reads as follows:

The injustices of the past cannot be undone. The State is pursuing treaty because it is the right thing to do. Victoria needs a treaty or treaties that are reciprocal, and that through truth and justice provide far reaching benefits for Aboriginal Victorians. For traditional owners, Aboriginal children, elders, and stolen people; for a society that all Victorians can all be proud of; treaty will be for all Aboriginal Victorians. In the spirit of reconciliation, treaty will be for all Victorians.

I think today, with the bill that is before the house and the call for unanimous support for this bill, we will send a really powerful, compelling message to all Victorians that now is the time for treaty. Now is the time for true leadership in showing that it is for us as parliamentarians to listen to our Aboriginal Victorians, who have shown us what the path now needs to look like and what path we now need to follow. We owe it to them to show that leadership and to be united in supporting this bill through this place this week, and I absolutely commend the bill.

**Mr McCURDY** (Ovens Valley) (15:00): I am delighted to rise and make a contribution on this Treaty Authority and Other Treaty Elements Bill 2022. I too want to acknowledge the traditional owners of the land on which we are today and certainly the traditional owners throughout the Ovens Valley and throughout all of Victoria. Before I start my contribution I would like to acknowledge Aunty Geri and Marcus Stewart and the way they conducted themselves this morning. It was just a wonderful ceremony in this place. I know Aunty Geri. I have known her for some time. She was very nervous during the occasion, and I thought she was exceptional in the way she carried out her speech today.

Without doubt this bill is a significant step forward, and we should be able to navigate our way to a more inclusive and a more encompassing and hopefully a shared vision for all Victorians. This bill



recognises the establishment of the Treaty Authority under the treaty agreement, but this time it facilitates its operations by giving legal force to its actions. It will also make minor amendments to the Advancing the Treaty Process with Aboriginal Victorians Act 2018, which in itself supports the treaty negotiation framework and self-determination fund. That will assist in the establishment of those elements by agreement between the state and Aboriginal representatives.

The treaty process to date has been three distinct processes. I was privileged to have Aunty Geraldine Atkinson visit my office back in March this year, and we chatted for a good hour, discussing parts of this legislation. She was going through dotting the i's and crossing the t's but, more importantly, what it meant to the Aboriginal people going forward. The Bangerang people have a proud history in the Ovens Valley electorate, and Aunty Geri, in meeting with me, expressed in no uncertain terms her desire to ensure that future generations of Aboriginal people have the same opportunities as the broader communities in towns like Wangaratta, Myrtleford and Yarrawonga in my patch. Aunty Geri was really genuine in her desire to have a solid pathway forward—a pathway that will bring our communities together. As a co-chair of the First Peoples' Assembly, her voice is significant. It is respected and it is a very positive voice.

There are three phases of treaty: firstly, establishment of the Aboriginal Treaty Working Group, which included the Victorian treaty advancement commissioner and an Aboriginal body, the First Peoples' Assembly. The second phase is negotiating with the First Peoples' Assembly on the architecture of the substantive treaty process, which includes the establishment of a Treaty Authority and a treaty negotiation framework. The third phase will be the substantive treaty negotiations between the state and Aboriginal Victorians. It has been a long road to get to this point, but I am delighted that we are here today. In this Parliament, the people of Victoria's voice established a working group back in 2016, and the working group designed a process, a pathway, and the Victorian treaty advancement commissioner, Jill Gallagher, began her important role. I note she was in the gallery earlier today as well.

As we can see, significant steps have now been made. Although Aunty Geri represents the people of the north-east of Victoria, I cast my mind back a few years to when the late Uncle Wally Cooper represented the people of north-east Victoria. You could not find a more inclusive, a more friendly and a more welcoming man than Uncle Wally, a man who before his passing showed me and many others that this is a shared journey and there is a united way forward. With Uncle Freddie Dowling and the late Uncle Sandy Atkinson the Bullawah Cultural Trail was born in Wangaratta, and it was thanks to those elders, who helped us go forward.

I note the member for East Gippsland, who has just left the chamber, was with me when the Bullawah Cultural Trail was first established. He was the Minister for Aboriginal Affairs at the time. On the Bullawah Cultural Trail the cornerstone is the Marmungun Rock, which precisely incorporates the handprints of the elders of the Indigenous community in our region in the north-east of Victoria. Each year the handprint of the Wangaratta Citizen of the Year gets etched onto that stone, the Marmungun Rock. It was due to be done, I think, about three or four weeks ago, but the inclement weather changed that, so it will be coming up again in the near future. Again, it is really inclusive, having our Aboriginal community elders and our citizens of the year both having their handprints etched onto the Marmungun Rock. It symbolises the coming together and the significant respect the community members have for each other, both the Aboriginal and non-Aboriginal communities. Sadly, as I say, this year's event was postponed, but I know that both John and Jennefer Houghton, the Rural City of Wangaratta Citizens of the Year, will have their hands etched onto this stone very, very soon.

I have digressed from the bill. I still want to mention the Treaty Authority under part 4 of the Advancing the Treaty Process with Aboriginal Victorians Act 2018. The Treaty Authority established by the agreement between the First Peoples' Assembly and the state of Victoria is a necessary element of the treaty process. With the bill finally introduced on 7 June this year, it is clear the design of this Treaty Authority has been agreed to by the First Peoples' Assembly and the state, and that is a significant step to going forward. Future steps in the treaty process, particularly part 5 of the act, require a treaty negotiation framework, and that is another significant step. I have no doubt this will

be achieved sometime this year. Then the substantive negotiations can begin. It will be a delight when we get to that phase. This process, as long and as arduous as it has been, sets a framework so that we can now have confidence that we will have success going forward.

The Liberals and Nationals have previously called for treaty to be dealt with by the federal government—we know that—rather than the Victorian and other state governments. Regardless of this, this bill follows on from the commitment of all of us to support the process and advance this treaty process. I know back in Wangaratta people like Uncle Dozer and Uncle Chris Thorne will also see the massive benefits that treaty will deliver.

Our Indigenous culture has a proud history, and it is a good story to tell. We are all very proud of the way we are moving forward together and moving together as one and looking for solutions into the future. I am confident that this process—as I say, it has been a while in the making—will be a significant step forward. I certainly congratulate the co-chairs of the First Peoples' Assembly, Aunty Geri and Marcus Stewart, and I wish them all the best going forward.

The Nationals have been supportive of this process. We know how important it is to get a result that will last, not a result that will just turn into a talkfest. It has to turn into something else. We are confident that this will end in a result that will be beneficial to the Indigenous people and that we can all move forward together. We certainly want to see that happen sooner rather than later. I think co-chair Marcus Stewart said it best when he said this is set up by First Nations people for First Nations people. I think that is very significant along the way. It is no good having everybody else telling our First Nations people what they should do. In fact quite often I get people in my office telling me what First Nations people need, and they do not necessarily know. You need to talk to the First Nations people themselves and find out what their needs and their desires are. If we really want to succeed, this is the correct model going forward.

I have visited remote Aboriginal communities throughout Australia, and I have seen their struggles and I feel the pain. I cannot attempt to understand their plight. But I hope that this process will progress quickly and that we can all walk this land together as one, because it is about time we did. I am absolutely delighted that we have got to this point today.

**Ms THOMAS** (Macedon—Minister for Agriculture, Minister for Regional Development) (15:09): I would like to begin by acknowledging the traditional owners of the land on which we are gathered, the Wurundjeri Woi Wurrung people, and I pay my respects to elders past and present, and to all elders and Aboriginal people who are here today for this historic debate.

I want also to acknowledge First Peoples' Assembly co-chairs Aunty Geraldine Atkinson and Marcus Stewart, and also Jill Gallagher AO for her incredible work as Victorian treaty commissioner. I also want to acknowledge the traditional owners of the land of my electorate of Macedon, the Wurundjeri Woi Wurrung, the Jaara and the Taungurung peoples. I feel extraordinarily privileged as a non-Aboriginal person living on Taungurung country to be an elected representative in this place at this time. What an extraordinary time it is, with the First Nations Assembly, the establishment of the Yoorrook Justice Commission and now this bill before the house to establish a Treaty Authority—a First Nations designed and led organisation to oversee treaty negotiations. I want everyone in our community to be in no doubt that our government is committed to truth and justice, to righting the wrongs and to self-determination. As has been said many times already, Aboriginal people must lead this work. Aboriginal people must be in charge of their own futures. In order to do this we must commit our hearts and our heads, and we must do something that politicians and people in power are never much good at: we need to be humble. We need to talk less and listen more, and we need to understand how the history and institutions passed down to us are deeply rooted in colonialism. And we must do something even more radical for politicians like ourselves, and that is cede power to First Nations people.

I want to use this opportunity today to outline some of the areas in which our government is seeking to put into action our commitment to First Nations people. I want to talk first of Hanging Rock, a place

that holds pride of place in my electorate of Macedon. In many ways it is a place that represents the huge and necessary cultural shift we are undergoing in our state. For very many years Hanging Rock has been famous as the site where imaginary white girls in white dresses went missing. The long history and connection of traditional owners has been erased from the story of Hanging Rock. I am proud that our government in partnership with traditional owners and the Macedon Ranges Shire Council are now working together to put back into the story of Hanging Rock the living culture of the traditional owners. And I am proud that the strategic plan and master plan that have been developed in partnership with traditional owners now see a place for songline trails to be developed in the Hanging Rock precinct. The rich cultural significance of Hanging Rock is what makes it so special and so important to the area, and it is crucial that we as a government and that local government and our community continue to work with traditional owners of the land to realise the potential of that very important site and to celebrate the living culture of traditional owners on that site.

In my role as a minister I have had the great privilege to travel across our state to visit the different lands of our First Nations and to meet with many traditional owners. I am particularly grateful to have been able to visit the Budj Bim Cultural Landscape on a number of occasions, each time learning something new. To me it was so important, as Minister for Agriculture, to acknowledge Budj Bim's place in our state's aquaculture sector, and I noted on my first visit, 'Here is the home of aquaculture'. I want to say thank you to the Gunditjmara people for their generosity in sharing this extraordinary place with all of us here in Victoria. But it is not just for Victorians either, because I know—and I hope to be able to stand with you in pride—that Budj Bim will be an incredible destination that will be visited by people from all around the world wanting to see the ingenuity of traditional owners in action. My most recent visit was for the opening of the Tae Rak Aquaculture Centre, and it is mind-blowingly beautiful. If you have not been there, then I must encourage all Victorians to travel to Budj Bim to visit Tae Rak and to be warmly welcomed by the traditional owners of that land.

I also wanted to talk about the work that we are doing on our First Nations native foods and botanicals strategy. As Minister for Agriculture, once again I appreciate the opportunity to be able to work with and beside traditional owners in the development of this strategy. Indeed I should point out that the strategy has been developed by traditional owners and that the government will work with traditional owners to implement this strategy. What we know here and what we have seen is that there are many in our First Nations community who see the opportunity to use their knowledge of country and of the foods that have been there for thousands of years to cultivate those foods and re-establish farming practice on country. It is rather galling to see that, for instance, native crops like macadamia nuts have been commercialised with zero benefit being delivered to First Nations people.

I also want to acknowledge the work that was done prior to this strategy—and you will have to excuse my pronunciation—on Djakitjuk Djanga, which is a caring for country strategy. Thirteen grants, through this program, have been awarded, and some of those I would like to just talk about briefly. Addington Wildflowers have been supported to develop a wattleseed and pepper berry crop as part of their business, as have Black Duck Foods to extend native crop production trials of native grasses and tubers and Ripannleigh farm to enable the undertaking of crop trials for bush tomatoes. I do look forward to working with traditional owners as we seek to grow a native foods and botanicals industry in this state.

Finally, I want to talk a little bit about an issue that is a little contentious in my own electorate of Macedon at the moment. Treaty is of course not just a body of work for Aboriginal Victorians. For the spirit and the outcomes of this process to be meaningful, non-Aboriginal Victorians such as me are going to need to respect the cultural rights, practices and expertise our First Nations community contain in multitudes, so I want to talk a little bit about the Wombat forest. It is an accepted fact that the First Nations people have actively managed what is now the Victorian and Australian landscape for hundreds and thousands of years. What non-First Nations people may view as wilderness is likely the effect of carefully managed burns and other land uses that only stopped with invasion. The colonial history of this nation is only a blip in the thousands of years of history and story of this land called

Victoria in this nation called Australia. What we are seeing is First Nations people reclaiming their culture of landscape management. As Rodney Carter, CEO of Djaara, has said in relation to what is a groundbreaking agreement between Djaara and VicForests:

The site of trees that have stood for generations, now lying on the forest floor, is distressing for many in the community. On this scale, it is unnatural and it is deeply upsetting. It is also a fire risk that places the health of the whole forest in danger. This must be managed quickly and with sensitivity to the broader forest environment.

Dja Dja Wurrung People have managed these forests for tens of thousands of years. We have inherited the responsibility to care and the knowledge of how to care for this Country and return it to health. Making it safe is the first step in this intergenerational process of healing.

I want Rodney and the Dja Dja Wurrung people to know that they have my full support. This is self-determination in action, but it is fair to say this is a process that has challenged the thinking of many people, including those who would see themselves as committed supporters of self-determination. As I said, treaty requires humility, and it requires people who have always had power, knowledge and information to understand that their knowledge and power needs to be ceded to the First Nations people. (*Time expired*)

**Ms SHEED** (Shepparton) (15:19): I rise to make a contribution on the Treaty Authority and Other Treaty Elements Bill 2022. It is the preamble to this bill which sets out so clearly the objective and wider intent of this piece of legislation, and I quote from it as follows:

By this Act, Aboriginal Victorians and the State take another step on the pathway towards treaty by making provision in relation to the Treaty Authority. The Treaty Authority is a necessary element in advancing the treaty process and has the functions given by section 28 of the **Advancing the Treaty Process with Aboriginal Victorians Act 2018**. To perform these functions, the Treaty Authority must be, and must be perceived to be, independent from and free of interference by any party to the treaty process. To secure this independence, the Treaty Authority is established by the Treaty Authority Agreement made under Part 4 of the **Advancing the Treaty Process with Aboriginal Victorians Act 2018**.

It has been a very long, hard journey for the Aboriginal people of Australia to achieve recognition, land rights, native title and now a process towards treaty making. This journey has been hard fought and filled with disappointment along the way, but communities here in Victoria have never given up hope, and they have continued to work hard to get to this point today where we are debating a very important bill that is part of that process.

Many of the major steps forward have occurred during my lifetime. Everyone will be aware of the 1967 referendum, which was successful in effectively transferring responsibility for many aspects of Aboriginal affairs to the commonwealth government and acknowledging the citizenship of Aboriginal people in a formal sense. That did not come easy. That was after years and years of demonstrations, of activism and of leadership in those early years that many of us will remember, and there are many famous names from that time.

In the 1970s as a young law graduate I went to Darwin to work with the then commonwealth Attorney-General's Department and the Northern Territory Department of Law. This was a time of significant change, because the Aboriginal Land Rights (Northern Territory) Act 1976 had just been passed by the federal Parliament. This was the first piece of federal legislation that provided the basis upon which Aboriginal people in the Northern Territory could claim rights to land based on traditional occupation. The outcome of a successful land rights claim under that legislation usually meant the transfer of freehold property or a perpetual lease title to the Indigenous people who were making that claim. I learned a great deal during those years about the traditional lores, practices and land ownership of people in the Northern Territory during that time and particularly during the Warlpiri land claim, which was over an area near Alice Springs and included the Tanami Desert.

We will all remember the Mabo case, which made its way through the courts in the 1980s. It challenged two perspectives of the Australian legal system: (1) that Aboriginal and Torres Strait Islander peoples had no concept of land ownership before colonisation, and (2) that British sovereignty

over Australia surrendered the ownership of all land to the Crown and abolished any existing rights that existed in land. This case was so significant to the development of native title law as it recognised the land rights of the Meriam people, traditional owners of the Murray Islands in the Torres Strait. It was on 3 June 1992 that the Australian High Court overturned almost 200 years of law in this landmark case. Just this year Aboriginal Australians are celebrating the 30th anniversary of this land rights case and the developments that have taken place since then. This case formed the basis for the passage of the Native Title Act in 1993 in the federal Parliament.

Many native title cases have followed over the years throughout that ensuing time, and some have even gone to the High Court—the Yorta Yorta case, the Witt case. There are many, and many of them were across northern Australia. The Yorta Yorta case was the first of the native title claims to be made under the Native Title Act on mainland Australia. The lands of the Yorta Yorta and Bangerang people and the many other nations that come within the fold of that title are located in north-central Victoria between the Goulburn River and the Murray River. This was a case where the Yorta Yorta people sought exclusive possession and ownership of the land and waters within the boundaries of the land that they claimed. It was a claim made in one of the earliest and most highly settled areas of Australia and was ultimately unsuccessful, dismissed by the High Court in 2002 after many years of hearings. I was present throughout much of that case, which extended over many weeks, months and ultimately years. In the early months of those hearings we spent a great deal of time on the banks of the Goulburn River, the Murray River, Cummeragunja over towards Wangaratta—right across country—with the Federal Court setting up in those places every day and hearing from many elders of people who are no doubt ancestors of many of you here today.

It was an extraordinary process to gather so much knowledge and evidence from the people who were the elders then. It is an absolute treasure trove of information that the Yorta Yorta and all those other groups and nations who form part of the Yorta Yorta should have access to through court files, because it really goes to that issue of connection and identity. Sometimes, as the years move on, people forget the treasures that exist in terms of information and knowledge so people can trace back and connect to who their families were in situations where they may have become disconnected in many ways. I think we all acknowledge here that that connection to culture and land is just so incredibly important. The test of native title was just so unrealistic in so many ways, and native title has really not been the answer that people might have thought it would be when that legislation was passed back in 1993. Many of the claims that followed had some outcomes, but they certainly did not deliver in the way Aboriginal people across Australia had hoped that it would.

In 2010 Victoria passed the Victorian Traditional Owner Settlement Act 2010. Other states have passed similar legislation. It is a poor relation to native title, but it nevertheless exists here in Victoria, and it has provided the opportunity and pathway for traditional owners to make claims to land and get some recognition. In my electorate we have the Barmah National Park. The Yorta Yorta have an agreement with the government that cedes the management of that national park to the Yorta Yorta people, and the government have generously funded many steps along the way to enable that to become a very significant part of the process. The journey for land recognition has been a very long one, and right across Victoria I know of much of the pain that has gone into many cases. I have been on the periphery of the Gunditjmara case, the Gunaikurnai case and many others that have gone on throughout Victoria.

I think it is just so important that we are here today talking about treaty, about walking side by side with the Aboriginal people of our community, because it is really saying we acknowledge that this journey has been so hard and so painful, and that so many people have been lost in so many ways along the way. To all of you who are sitting here today, the leadership you have shown is extraordinary, and I just encourage you to stay strong and keep doing it because working towards treaty is the next step. I have sort of outlined the many steps that have been there along the way, and this is the next step. Let us hope that in some ways this is a light at the end of the tunnel. Let us hope that agreements can be reached. Let us hope that on a national level there will be the leadership that is required to make

the acknowledgements, to look at the *Uluru Statement from the Heart*, to listen to Aboriginal people's voices and to let them have a significant say in the running of the whole country but particularly in relation to their own self-determination. It is a journey. It is a hard one, but it is about time, and I certainly commend this bill to the house as part of that very important journey.

**Ms SETTLE** (Buninyong) (15:29): I rise to speak on the Treaty Authority and Other Treaty Elements Bill 2022. I cannot think of another bill that has come before this house in my time that has had quite such importance not only for Victoria but for all of Australia. I would like to acknowledge the Wurundjeri people as the traditional owners of the land that Parliament is built on. I want to acknowledge that this land was stolen and never ceded.

I live on the land of the Wadawurrung people, and I want to acknowledge their extraordinary custodianship of our beautiful home. I pay my respects to their elders past, present and emerging. I say those words often in my daily business, and when I say those words I like to think about who I am referring to. When I think of past leaders, there is Mullawallah, who was, sadly, the last Wadawurrung leader in the gold rush period in Ballarat. Our present leaders are so strong and so capable. I think of the Gilson family, who welcome us to country; Karen Heap and Jon Kanoa at the Ballarat and District Aboriginal Co-operative; Nikki Foy, who is now at the Victorian Aboriginal Community Controlled Health Organisation, but who led the Ballarat council in acknowledging our First People; and of course, incredibly importantly, our emerging leaders, and they give me great hope. They are young and strong Indigenous voices who will lead into the future—people like Rachel Muir, Macaylah Johnson and Jaya Foy. When I listen to a welcome to country I am forever struck by the generosity of our First People—that they continue to welcome us to their country after all that has gone on before, and often sharing a little piece of their history, another story.

The Indigenous community in my area have contributed so much to our community, from sharing their stories to the extraordinary artistic contribution of people like Aunty Marlene Gilson. Aunty Marlene's artworks tell the stories of Aboriginal myths and the goldfields and have been displayed on the Sydney Opera House. She is a direct descendent of Mullawallah. The name 'Wadawurrung' is a recognised tribe, which consisted of 25 clans that form part of the Kulin nation. The Wadawurrung people have lived in my region for more than 25 000 years. The traditional boundaries of the Wadawurrung span the coastline from the Werribee River to the Lorne peninsula and inland north-westerly towards Ballarat. The district that I represent is named Buninyong, and the Wadawurrung gave it that name. The Buninyong means 'man lying down with bent knee', and it describes the mountain that stands tall within my district. Their Dreamtime has shaped our landscape, and I look at the beautiful Lal Lal forms and listen to the Dreamtime stories of Bunjil the eagle.

But today we are here on Wurundjeri country, and today we make history. The Treaty Authority and Other Treaty Elements Bill 2022 will support the establishment of a new Treaty Authority to oversee future negotiations between the state and Victoria's First People. The creation of the Treaty Authority is a key part of the architecture that will enable treaty making between First Peoples and the state by acting as an independent umpire, grounded in Aboriginal culture and lore. The Treaty Authority is the first of its kind in Australia and is based on a model put forward by the First Peoples' Assembly. This is an important step towards true reconciliation, towards acknowledging our past and then to building our future. As Aunty Geraldine said today:

There is no escaping the harsh reality that Aboriginal people have suffered immensely at the hands of the Victorian state.

We were driven from our lands, murdered, herded onto reserves, torn apart from our families. We were unfairly targeted and discriminated against for generations ...

But you know what? We ...survived. We survived the concerted attempts to eradicate us and our culture ...Indeed all too often these are still the sources of ongoing injustices. That needs to change, and treaty is the way we can change it.

I would like to acknowledge that our First People are disproportionately reflected in statistics of harm. As is contained in the *Uluru Statement From the Heart*:

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

Representing the Wadawurrung as a reserved seat holder on the assembly is Sean Fagan, and he said:

... I am sick and tired of fighting and crying and sick and tired of seeing my family cry and all the struggle ... It is time we can move forward, and it is time for change.

...

There's still a lot to be done, we've only just started really, but we're laying the foundations for a new way of doing things so hopefully there won't be the heartache of the past for our people ...

...

It's a heavy workload, but we owe it to our ancestors and Elders, who have struggled for so long, and for our children and their children, to make this opportunity work ...

Self-determination is the only way to rectify these terrible disparities. As Marcus said in his historic speech this morning from the desk, 'treaty is not merely symbolic', as some might say. Victoria is the first and only jurisdiction to action both the treaty and the truth elements of the *Uluru Statement from the Heart*. Treaty is unfinished business, and it is an opportunity for us to come to terms with our past and work together for a shared future.

The formation of the First Peoples' Assembly is an act of self-determination. It is democratic and reflects the First Peoples' cultures and traditions. It is a hybrid model of reserved seating for formally recognised traditional owner groups and open seats appointed through general election. At lunch today I was honoured to meet Jordan Edwards, a young Wadawurrung man, and he told me he was elected to the assembly at just 20 years old. I really look forward to watching him as an emerging leader. The assembly has two extraordinary elected co-chairs in Marcus Stewart and Aunty Geraldine Atkinson, and their addresses today were extraordinary. Aunty Geraldine said to Parliament today that treaty requires us to do things differently, and the authority is a new structure which will allow treaty to be renegotiated on a truly equal footing between the state and the First Peoples' Assembly.

So many people have contributed to this long journey of reconciliation, and it has been a long and hard road. I find it extraordinary that within my lifetime Indigenous people got the vote. It is extraordinary that just 50 years ago you were not recognised, and I apologise. It has taken countless brave men and women to bring us to this point, from activists like Vincent Lingiari, who in 1975 took back the traditional land that was the Wave Hill cattle station, to Edward Mabo, who righted the terrible wrong of terra nullius, and of course the 2017 *Uluru Statement from the Heart*, which made it clear that the only way to achieve true reconciliation was through self-determination. From the statement:

When we have power over our destiny our children will flourish.

And we stand together now as history is made with this bill, establishing an authority that is outside of government to mediate and to achieve that treaty. I would like to acknowledge the work of the former Victorian treaty advancement commissioner, Jill Gallagher AO, and the Aboriginal Treaty Working Group. Very briefly I also want to touch on the fact that there can be no treaty without truth telling, and we must acknowledge the terrible history that colonialism imposed on our people. I want to acknowledge a particularly beautiful soul in my community, Murray Harrison. Murray is a member of the stolen generation. He was taken from his family at the age of 10 in East Gippsland, but Murray is one of the most gentle souls you will ever meet. He is extraordinarily generous in continuing to teach us and to explain to us the terrible, terrible harms that were committed under the Victorian government, and I thank Murray. I thank Murray for his gentle rebukes and his continuing to tell us the stories.

The Yoorrook Justice Commission is the nation's first truth-telling process, and I hope that it will bring us a long way in being able to create treaty. Today we were asked to walk beside our First People as we work towards treaty. I know it is going to be a long process and through truth telling there will be much pain for everybody, but I am incredibly proud to walk beside our First People as they determine and they shape their future.

This bill is a historic bill. I am incredibly, incredibly proud to be part of a government that has brought the first treaty in Australia, but more than that so incredibly thankful to the commitment of those on the assembly. You know that it is going to be a long and difficult process, and for the commitment that you have made to take us all there I thank you from my heart.

**Mr T SMITH (Kew) (15:39):** I rise to oppose the Treaty Authority and Other Treaty Elements Bill 2022, and I do so for a number of reasons. I do so because I do not believe that a government, particularly a state government, can enter into treaties with its own citizens. I find the statement ‘Always was, always will be, Aboriginal land’ personally offensive. This land belongs to all Australians, black and white alike, and divisive tokenism like this treaty further perpetuates the undermining of Australia’s unity. I find the phrase ‘Invasion Day’ personally offensive. Victoria, or as it was called then, the Port Phillip District of New South Wales, was not settled by an order of the imperial government. What became Victoria was settled by Australian-born people who had come here to better themselves and their families.

Let us be quite clear: multiple atrocities—massacres—were committed in what was then known as the Port Phillip District of the Colony of New South Wales by individual settlers on the frontiers. The British Parliament was already becoming aware of the criminal activity on the frontiers of New South Wales by European settlers. In 1835 the Parliamentary Select Committee on Aboriginal Tribes of the UK Parliament was set up with terms of reference to:

... consider what Measures ought to be adopted with regard to the NATIVE INHABITANTS of Countries where BRITISH SETTLEMENTS are made ... in order to secure to them the due observance of Justice and the protection of their Rights ...

It was clearly impossible to police the European settlements of Portland and Melbourne from Sydney in the 1830s. Indeed in 1839, responding to a recommendation in the final report of the UK Parliament’s Aborigines select committee, George Robinson was appointed Chief Protector of Aborigines in the Port Phillip District. Did this result in a policy of reserves, dispossession and paternalism? Yes, but we cannot judge the policies of the 1830s, however well meaning, with the reality of the disastrous impact they had on Indigenous Australians with the benefit we now have of 180 years of hindsight. But it remains a historical fact that when Governor Arthur Phillip opened his orders of 25 April 1787, they were quite clear:

You are to endeavour by every possible means to open an Intercourse with the—  
Aborigines—

... and to conciliate their affections, enjoining all Our Subjects to live in amity and kindness with them. And if any of Our Subjects shall wantonly destroy them, or give them any unnecessary Interruption in the exercise of their several occupations. It is our Will and Pleasure that you do cause such offenders to be brought to punishment according to the degree of the Offence.

As Keith Windschuttle wrote:

Soon after British Secretary for Home Affairs, Lord Sydney, appointed him governor of New South Wales in September 1786, Arthur Phillip drew up a detailed memorandum of his plans for the proposed new colony. ... he wrote:

*The laws of this country [England] will, of course, be introduced in [New] South Wales, and there is one that I would wish to take place from the moment his Majesty’s forces take possession of the country: That there can be no slavery in a free land, and consequently no slaves.*

Phillip also wrote:

*Any Man who takes the life of a Native, will be put on his Trial the same as if he had kill’d one of the Garrison. This appears to me not only just but good policy.*

At about the same time more and more Europeans were settling in the Port Phillip District, a shocking massacre of Aboriginal Australians occurred at Myall Creek in 1838. In the first trial attempting to bring the murderous settlers to justice Chief Justice Dowling told the all-white jury the law made no



distinction in the race of the people who had been murdered. Subsequently seven white settlers were found guilty of murder and were hanged.

I make mention of these historical facts and ask this question: should the people of Victoria, through their government's proposed treaty, be held responsible for the crimes of individuals 190 years ago given that at least, according to last census, 49.1 per cent of Victorians were either born overseas or have a parent who was born overseas? On a day like this, if I could paraphrase that great man Nelson Mandela, Australia belongs to all who live in it, black and white alike, and it is fundamentally illiberal to treat any racial group within our society any differently to any other. I am opposed to a treaty because you cannot enter into a treaty with your own fellow citizens.

The path to full citizenship for Aboriginal Australians was long and torturous, but my country, our country, Australia, is, as Tony Abbott rightly described it—and it is a matter of undisputed historical fact—a country with Indigenous heritage, a British foundation and a multicultural character. This country is one of the world's oldest continuous democracies, which shamefully excluded Indigenous people to begin with but now has more Indigenous MPs in its national Parliament than the proportion of Indigenous people in the Australian population, and for that I think we should all be very, very proud. As the universally respected newly elected Indigenous senator Jacinta Price told me yesterday, this treaty is divisive and will do nothing to stop, for example, the shamefully high levels of youth suicide in Victoria amongst Indigenous communities and will do nothing to close the gap in educational outcomes, health outcomes or the disproportionate number of Aboriginal Australians in the criminal justice system.

I want to say this today because no-one else has. I am proud of my country. I am proud of what we as Australians have achieved together. Australia is not without fault—no country is—but we must strive to build a more united, stronger and more prosperous Australia in the years ahead and teach our children that this country of ours has been a force for good in the world for over a century, that this country of ours is more good than bad and that there is much, much more that unites us than divides us, both black and white alike, as citizens of this great commonwealth of ours. Paying reparations to one group of citizens based on their racial background sets up a profoundly concerning precedent. It is something that I cannot support, and I know a great many Victorians do not support it either.

**Ms THEOPHANOUS** (Northcote) (15:47): I would like to begin by acknowledging the First People of our state and in particular the Wurundjeri people of the Kulin nation, on which Parliament sits and on which the electorate that I represent sits. I pay my respects to their elders past, present and emerging. I acknowledge the leaders representing the First Peoples' Assembly of Victoria, who have honoured us in being here today, as well as all First Nations people who have come today. I would also like to take the opportunity to acknowledge and honour the local Aboriginal communities in the inner northern region and their strong leadership as well as their critical advocacy over many years to embed First Nations principles and interests into our state.

The inner north, including the electorate of Northcote, has a deep connection with First Nations leadership and advocacy—leaders like William Cooper, Uncle Doug Nicholls, Aunty Marge Tucker, Uncle Bill Onus, Aunty Elizabeth Morgan and Lady Gladys Nicholls. These giants and this history are literally painted in our streetscapes, built into our place names and embedded in the legacy of our local Aboriginal controlled and managed organisations, who continue to support our First Nations communities today—organisations locally like the Aborigines Advancement League, the Victorian Aboriginal Health Service, the Victorian Aboriginal Community Services Association, the Victorian Aboriginal Child Care Agency, the Victorian Aboriginal Legal Service, Yappera Children's Service, Clothing the Gaps, Elizabeth Morgan House and Lady Gladys Nicholls Hostel—organisations deeply, deeply embedded in the inner north, of which we are very proud. In Thornbury, at the home of the Fitzroy Stars Football and Netball Club, we will soon see Australia's first dedicated Aboriginal women and girls' sport and wellness centre. This will be a safe and welcoming space created to support the health, wellbeing and empowerment of First Nations women.

I know that as I rise today to speak in support of the Victorian Treaty Authority and Other Treaty Elements Bill 2022 my wonderful, diverse community stand with me. They stand with me in reflecting on and acknowledging the truth of our state's past—the truth of the injustices, the violence, the trauma and the pain that colonialism has wrought on generations of Aboriginal people—and they stand with me in honouring the momentous milestone we have reached today, because this is a momentous occasion. In 2017 our First Nations communities came together in the shadow of Uluru to speak with one voice, and we were offered an invitation to walk together for a better future. Here in Victoria we listened, we took action, and we did it in partnership with the Victorian Aboriginal community. Victoria is now the first and only jurisdiction in Australia to action both the treaty and truth elements of the Uluru statement. The actions that we have taken together will create a legacy and a precedent that will help shape treaty negotiations across the country. But what makes our treaty process unique is not just that we are doing things first but that we are doing things differently. We know that treaty is unfinished business. It is an opportunity to come to terms with our past and work together for a shared future.

Yet to move forward in trust and truth and partnership we need new institutions and new ways of doing things. Our Western structures are just not fit for purpose in putting self-determination and the oldest continuous culture, traditions and stories at the heart of a treaty process. That is why this bill is so important. The Treaty Authority established by this bill is the first of its kind in Australia, and it is based on a model created for and by First Nations Victorians through the First Peoples' Assembly. We heard in this house from co-chairs Marcus Stewart and Aunty Geri Atkinson about exactly why this authority, created in this way, matters. We heard Aunty Geri say:

Our community knows what is best for our community. It is essential that First Peoples lead this journey—essential because it is both the morally right approach and the most effective approach in achieving the best results.

This is self-determination in action. It is an acknowledgement that treaty must be done on First Nations terms. The Treaty Authority is innovative, it is legally novel and it is designed to most effectively and fairly oversee negotiations in Victoria's context. When established it will be a truly independent umpire to oversee negotiations between the government and Aboriginal Victorians. It will sit outside of our usual government structures—it will not report to a minister—and it will be founded in the understanding that a path forward and the building blocks of treaty must uphold Aboriginal lore, law and cultural authority. The Treaty Authority reflects this government's willingness to come to the treaty process with open minds and open hearts, to walk side by side into a shared and profoundly changed future. It is a future that must go beyond the beams of light that Marcus referenced in his speech. Beams of light are not enough to dispel the shadow of colonialism and colonisation.

Treaty is an opportunity to forever change how we understand our identity, our history and our future. It should not be feared. It should not be undermined. Treaty is about our First Peoples having the structures, freedom and power to make decisions for their own communities, their culture and their country. This is empowering for every one of us. It is empowering for our state, but most importantly it is empowering for Aboriginal Victorians. We have so much to learn from our First Nations brothers and sisters, so much to reflect on, so much to celebrate and so much to build together. Treaty is more than an agreement; treaty is a coming together, a healing and an invitation to work together on a new way of doing things, a way that gives recognition to the part Aboriginal people play in our history and in our future.

She is not with us here today, but I do want to read out the words of Aunty Esme Bamblett, who represents the Metropolitan Region in the First Peoples' Assembly and who I have had the honour of becoming close friends with over the years. In her words:

I believe in Treaty because it goes somewhere towards returning to the rightful owners of Country the rights that have been denied us since colonisation ...

My ancestors would be so pleased that we finally have recognition of our rights as Traditional Owners and I want to do as much as I can to make the most of this opportunity.

...

This is a time when our culture can be given the recognition it deserves in this State.

...

We want to maintain our culture, strengthen the identity of our children, raise the profile of our culture, and ensure that we have a say over our countries.

She also said:

The Treaty will reinforce our status as Traditional Owners of our Country, it will give us a voice at the table and resources for us to assist our community members in need of support to reach their destiny ...

Every Victorian should be proud of the progress we have made towards treaty, truth, justice and self-determination for Aboriginal Victorians.

While I am relieved to see that this bill will be met with bipartisan support today, I remain wary in the knowledge that this has not always been the case. We have heard loud and clear in this chamber what the First Peoples' Assembly of Victoria have to say about the creation of a treaty authority. There is no excuse for not listening—no excuse. Now is the time for unity, now is the time to listen, now is the time to act.

Of course alongside the treaty process the Victorian Labor government and the assembly have worked in partnership to develop the Yoorrook Justice Commission. This is Australia's first truth-telling process into systemic injustices experienced by Aboriginal people since colonisation. I mention this because there can be no treaty without truth telling, without acknowledging ongoing experiences of racism, discrimination, systemic barriers to opportunity and harm First Nations Victorians continue to face. We must acknowledge this truth and reaffirm our commitment to do better. We must continue to take real action—actions like our stolen generations reparations package, better support for Aboriginal health and wellbeing and stronger investments in Victoria's world-class cultural heritage protections and First Nations infrastructure, education, workforce development and youth justice.

Every Victorian should be proud of the progress we have made towards treaty. Together we are making real change, delivering a better future in which we walk side by side in trust, in truth and in respect. I want to acknowledge the work over many years of both the current and former ministers for Aboriginal affairs; every member of the First Peoples' Assembly of Victoria, including its co-chairs; Jill Gallagher for her work as the treaty advancement commissioner; and all the advocates and allies who have used their voices and their actions to elevate this cause and get us to where we are today. This is a historic day in our Parliament. I am honoured to commend this bill to the house.

**Mr SOUTHWICK** (Caulfield) (15:57): There are some things that are above politics, and this important bill that is before us today is one of those. I want to put on record firstly the support that the Liberals and Nationals have for what is a very important bill and a history-making occasion—the fact that we saw our First Nations people come before the house today, our co-chairs Aunty Geraldine and Marcus Stewart and the committee, and make history and start that very important conversation of being able to right the wrongs of the past.

There were a number of things from today that resonated very strongly with me, particularly when Aunty Geraldine mentioned about being on the right side of history. What we will do today will affect generations to come. We talk a lot about the wrongs of the past. We have had also a history-making time talking about a ban on the evil swastika, which I will talk about in correlation, particularly where we had a situation with William Cooper, who actually led the charge, going effectively to the German consulate at the time of the First World War to protest against that evil. There is a huge synergy between the Jewish community and the Aboriginal community, a strong sharing of knowledge, of compassion, of injustice and, certainly in my community and certainly with a number of my leaders, of working together to right those wrongs of the past.

This is really important, what we are doing today, but it needs to be more than talk; it needs to be action. It should be all about working together and not dividing one another. As the Leader of The

Nationals and Shadow Minister for Aboriginal Affairs said today, this is not about fighting one another but it should be about working together. That is why I am proud that the Liberal-Nationals are standing together with the government and supporting this very important bill, because we should, because it is right and because we need to do whatever we can to right those wrongs of the past and ensure that our First Nations people are supported and encouraged.

### **Business interrupted under sessional orders.**

#### **Matters of public importance**

#### **GAMBLING HARM**

**The SPEAKER (16:01):** I have accepted a statement from the member for Morwell proposing the following matter of public importance for discussion:

That this house notes the linkages between gambling harm and poor mental health and the subsequent devastating impacts upon many Victorian individuals and families, and calls upon the state government to consider the following initiatives to help prevent and better support those experiencing gambling harm:

- (1) appropriate data collection by the Coroners Court of Victoria to understand the number of suicides occurring as a result of gambling-related issues;
- (2) advocacy to the federal government to provide for better regulation and oversight of online gambling companies, given there are few checks and balances with respect to a person having experienced gambling harm being able to open new online betting accounts;
- (3) encouraging the federal government to abolish or at least reduce the high volume of betting and sports betting advertisements that saturate our televisions, media and social media outlets, noting there are limits and/or bans on the advertising of the selling of alcohol and cigarettes, yet despite the significant harm of excessive gambling, there are few constraints to gambling advertising; and
- (4) introducing a Magistrates Court gambling intervention program, similar to that which operates in South Australia, where a therapeutic approach is applied for offenders who have committed low level criminal offences, and upholding the same application that occurs in Victoria's Drug Courts for those with drug and/or alcohol dependencies.

Just before calling the member, the matter of public importance for discussion today countenances some serious issues that may affect people. I understand the parliamentary broadcast service will publish the number for Lifeline on the broadcast, and I also remind members and staff listening to this debate of the services of our employee assistance program, Converge, 1300 687 327.

**Mr NORTHE (Morwell) (16:03):** Thank you, Speaker, for the opportunity to participate in the matter of public importance (MPI) debate today and for allowing me to set the topic for debate. I apologise for the morbid topic that we are discussing today, but it is an important one. The facts are clear that people are losing their lives to gambling harm, and this is a blight we need to fix. In my contribution I want to explore what many of the pressing issues are whilst offering some initiatives that I believe can prevent or minimise gambling harm in this state. There are two documents I want to reference, and they are the Victorian Responsible Gambling Foundation (VRGF) submission to the Royal Commission into Victoria's Mental Health System, along with the recent report undertaken jointly by Financial Counselling Australia (FCA) and Suicide Prevention Australia (SPA) titled *Gambling and Suicide Prevention: A Roadmap for Change*. I truly hope that members and those interested in these subjects will take the time to read and consider both of those compelling documents.

First I want to read some extracts from the opening remarks of the VRGF submission to the mental health royal commission, which outline the linkages between mental health and gambling harm. It says the following:

There are strong associations between problem gambling and mental health conditions:

- 39 per cent of Victorians with a gambling problem have a diagnosed mental illness
- up to 30 per cent of people who both gamble and seek treatment for a mental illness are problem gamblers
- problem gamblers are over-represented in primary care, alcohol and other drug (AOD) settings, and in mental health services

- gambling is estimated to account for 22 per cent of the Victorian mental health sector's total costs, half of which is attributable to problem gamblers ...

Importantly, the VRGF then go on to say that despite this significant evidence, gambling harm is largely unrecognised as a public health issue and is under-recognised as a major challenge for the mental health service system. Gambling harm is not mentioned in the government's public health, mental health or suicide prevention plans, nor is it included in the royal commission's terms of reference. So I would say, when you assess those particular comments, we seem to talk the talk in saying that gambling harm, alcohol and drugs we treat as a health problem, but we are not walking the walk when it comes to actually taking action, and they are the points I want to raise today.

From my own perspective, I want to say that not all people who have an affliction with alcohol, drugs and gambling issues are bad, awful, terrible people. Do they display bad behaviours? Do they make poor choices and bad judgements? Do they hurt people? The answer is yes; that cannot be denied. The shame, guilt and humiliation from your actions live with you every day, and you cannot say sorry enough. However, there is a high incidence of mental health issues attached to one's gambling addiction, as the VRGF and other experts note. I know some will say, 'Oh, you're just playing the mental health card or the victim card', but my response to that is: well, if that is your view, that is fine, but I would also say it is obvious you have had no lived experience in this space, and you should be thankful for that. However, we are also very quick to judge people by saying that those with drug and alcohol and gambling dependencies do not care what they do, do not care who they hurt and have no self-control. And because of the person's actions, that is a reasonable conclusion, but before judging someone, whether that be a family member or someone they do not know, I would like to think that people would ask of themselves what I believe to be a very, very important question, and that is: do you think the people with mental health issues and gambling, drug or alcohol dependencies actually want to deliberately and intentionally hurt themselves, deliberately and intentionally hurt their family, deliberately and intentionally hurt their loved ones, deliberately and intentionally hurt their colleagues or deliberately and intentionally hurt their friends? Do you really think that is what they want? Do you really think that is what I wanted to do? Think about it. Why would I deliberately and intentionally want to ruin my life, ruin my career, ruin my reputation, impose so much pain upon my family, cause grief to my friends, cause pain to my staff and cause grief to my colleagues? I ask you: for what purpose? There is no purpose for someone doing that. There are no winners. There is no positivity.

So you then have to ask, if you deem that this person does not want to do that, why would a seemingly good and intelligent person undertake such destructive behaviours and activities? There are only two answers that I can think of: (1) the person is just plain bad, evil, or (2) the person is unwell, and evidence says the vast majority of cases uphold the second answer as being correct. Again, read the VRGF and FCA-SPA reports that uphold that. My comments do not seek to make me the victim because that is not the case. It is family, friends, employers, colleagues and others who are the victims, and people do have to bear the consequences of their actions. But when it comes to government plans and objectives for health, mental health, suicide prevention and the judicial system, gambling harm and associated mental health issues do not seem to be the priority, as they should be. Read recommendation 1 of the VRGF submission as a case in point.

One of the awful outcomes of poor mental health and gambling harm is suicide, and whilst I know I should not reflect on persons in the gallery, it is coincidental that whilst making this speech today, Michelle Possingham, the CEO of Lifeline Gippsland, is here. Michelle is a superhero to me, personally. She and her organisation have assisted so many people in crisis. The terms of reference in my MPI today say that we should be doing more to understand the rate of suicide with respect to gambling-related issues, because, number one, you cannot necessarily fix a problem unless you understand the extent of the problem. In the FCA-SPA reports, they have made 10 recommendations. Their number one recommendation is that police and coroners consciously look for problematic gambling as a contributing factor in investigations of an unexplained death. They also say that all states and territories need to establish suicide death registers and report on gambling-related suicides. Recommendation 5 goes even further by talking about the fact that there should be a national gambling

suicide prevention plan, which we do not have at the moment. From a Victorian perspective, there was a study done in around 2012–13, I understand, where the coroner was asked to do some work and found that there were 128 gambling-related deaths between 2000 and 2012, with men accounting for 84 per cent of that particular figure.

Whilst the FCA-SPA report talks about Judge John Cain talking about 20 gambling-related suicides a year in Victoria, I have not been able to ascertain the accuracy of that or a report that goes to the heart of that. Probably I am underestimating it, but we are talking about at least 20 deaths a year in Victoria alone from gambling-related suicide. I would take this further and say that I think we also need to gain an understanding of the number of self-harm incidents. I am sorry to say that once a suicide has happened it is too late. Let us understand why people are self-harming. If it is related to gambling, then at least we can intervene and do something about it, so I would take that a step further. We should not accept the rates of suicide. One is too many, but if we are talking about 20 suicides or more per year in Victoria, then it is way too many.

The second point I have mentioned there is about online gambling companies. I know that pokies get a lot of attention when it comes to problem gambling, but particularly with the COVID situation there has been an exponential growth in online gaming. I ask: who is overseeing these online companies? Whilst people will say there is an opportunity to self-exclude, yes, that is one option and there is a national register so you can do that. But a lot of gamblers do not do that. Sometimes they are so unwell that they cannot even see they have got a problem, and they can bunny hop from one account to another. Big Brother, I believe, should be overseeing this somewhere along the line and saying that if I close an account, then I cannot open up another account. There should be a warning; red flags should come up. Maybe people should have a cooling-off period of perhaps 14 days before they can open another online account. It is just too easy for people to lose money, and there is no oversight or scrutiny of people in those situations. The VRGF report, again in recommendation 5, goes further and talks about how third-party-initiated exclusions might happen when somebody is very unwell.

The third point I have raised is something that I am sure all members have probably received complaints about, and that is the saturation of gambling advertising, particularly on our television screens. I understand that it is a federal government issue, and I have spoken to the minister here a few times. But hopefully we can make some inroads with the federal government at the moment to do something about it. I will raise two points: the first is we accept that there is harm with the excessive consumption of alcohol and smoking cigarettes, yet there are bans and limitations on advertising for those. We say that we accept that gambling is harmful to some people, yet basically in advertising you can pretty much do what you like. We either say we are going to get serious about this or not, because people are dying. That is the reality of the situation. The other thing I would say is one has to assume that the only reason betting companies are advertising to the extent that they are is the fact that punters are losing money. They are profitable and punters are losing money, so curtail it. Hopefully the federal government will look at that, with some advocacy from the state government.

The fourth measure or initiative that I have put on there is something a bit unique, but I had an intern, Georgina Stephens, do a report for me on gambling programs that might exist in the courts. Victoria has a very good Drug Courts system, where we recognise the fact that people who have committed low-level offences and have been impacted by drugs and alcohol can go to a Drug Court and be assessed in a therapeutic way rather than a punitive way. Why doesn't it happen for gambling? I know people will probably say that there is the assessment and referral court system and there is the court integrated services program system—and some members of the government might even talk about that—but I do not believe they go far enough.

I was talking to some poor lady recently who was incarcerated. Yes, she did the wrong thing, but you compare her situation, where she committed a non-violent crime and was sentenced to a significant sentence, with one on the other hand—she was telling me about it, and I read about it in an article—where somebody had killed two people and permanently maimed a child in a car accident and did not go to jail. I mean, where are the consistencies? I just do not understand. There has got to be a fairer and

more just system that gives regard to people who have mental health/gambling problems. That was upheld by a local Gambler's Help counsellor who wrote to me a little while ago when I was talking about the concept of a gambling intervention program in our courts system. I will quote what she said. She said:

Mr Northe, I have lived and worked in the community sector in the Gippsland region for many years ... after reading your thoughts regarding mental health and addictions you have given me insight into your world and reminded me not to judge others. I am currently working as a financial counsellor with the gamblers help program ... I wish to thank you for your highlighting of the issues many Gippslanders face with Mental health and addictions. Due to the stigma of gambling it is difficult for us to get people to discuss the problems they face and what the social reactions are. There are many people in our community that suffer due to this issue, with every gambler there are 7 to 10 people affect. I agree that there needs to be done more the court system around gambling as I see it first hand. What is also needed are lawyers that are educated in gambling addiction ... Most lawyers are judgmental and do not understand the addiction of gambling. Clients often do not have a chance and end up with hefty penalties.

That says it all from somebody who has worked in the field for a long time. I thank the house for their indulgence, and obviously it is an issue I am very passionate about. I thank all of you who will contribute to this debate, and hopefully collectively we can make a positive difference to Victorians suffering from these heinous issues.

**Mr DIMOPOULOS (Oakleigh) (16:18):** I just want to start by acknowledging the contribution by the member for Morwell—difficult to hear, extraordinarily courageous, just incredible. Public debate is moved forward by being vulnerable and sharing personal experiences, as difficult as they are and despite the kind of anchored view that the public may have. The fact that you owned it, member for Morwell, was just extraordinarily powerful. I also wanted to commend the member for the matter of public importance (MPI) in the first place, but that contribution was extraordinary. It gives an absolute insight into—not that I ever thought this—the fact that gambling addiction is an addiction, is an illness. It is not an evil inherent in the person. You can see that very clearly from the member for Morwell. To claim that perhaps, as people have in the past, it is a problem with the person really is an abrogation of any responsibility for society, the government or people to fix the problems that bring about gaming addiction. It is easy to personalise, and we abrogate any responsibility.

Last year during the debate on the Casino and Gambling Legislation Amendment Bill 2021, the member for Morwell noted there is an undeniable link between poor mental health and addiction. He further said that one thing that all people who are impacted by gambling have in common is the crippling impact of shame, humiliation and regret. Due to the shame, gamblers become increasingly isolated and vulnerable. There are similar comments that the member made today. I have got to say it was very, very powerful and very much speaks to—and this is not political—our government's commitment to mental health, and in large part the opposition's support of it.

In the isolation, addiction entrenches itself because of the shame, because of the stigma, because you cannot share it, and not sharing it means you cannot get the help. And there is help. From what we know, gambling itself can often be a behavioural manifestation of underlying anxiety disorders and a range of other disorders. I cannot speak from personal experience, but a lot of the references from the member for Morwell were when he was recounting conversations, saying to someone, 'Have you had lived experience? Have you?'. If you have not had lived experience, really, there is an invitation just to perhaps shut up and listen to those who have. We need to break the link where people seek relief from what compounds their suffering. It is a vicious circle. We need to break the link where people seek relief from what compounds their behaviour. We began part of that journey through, as I said, the Royal Commission into Victoria's Mental Health System, which might just be the most extensive one in Victoria's history.

I just wanted to recount some of that to the chamber. I could not possibly speak for the member for Morwell, but when you create a public licence for a conversation—whether it be about mental health or about coming out of the closet as a gay man or woman or trans, whether it be about equality or whether it be about family violence where you empower women and some men, but predominantly

women, to come out and seek help—the very conversation is so impactful. We saw that today with the First Nations people here. The very conversation emboldens us and creates permission and a licence. I often say that one of the few benefits of the awful two-year pandemic was we would start business meetings—not just me, but colleagues in this chamber and our partners—with ‘How are you going? How are you feeling?’. There was permission to ask people how they were because it was a tough time for all of us. I could never remember meetings starting like that, ever. Meetings would start with, on Monday, ‘How was your weekend?’, and it was all like, ‘Yeah, we’re all fantastic. We’re all great’. There was never room for vulnerability, never room for people to share a very deeply personal experience of how they faced unprecedented anxiety and stress, as in the pandemic.

Similarly, when we talk about mental health, whether it comes from the factors that the member for Morwell shared with us today or from other factors—from trauma, from a whole range of other factors—we have the permission and we need to keep creating the permission and licence because that is not symbolic, it actually is practical. That is when people seek the help and have a chance of getting it—we have talked about waiting lists and a whole range of those things that we are investing in, but getting the help and actually then getting on with their lives, and the people that love them getting on with their lives. It is extraordinary bravery, and I am just going to say it: coming from regional Victoria, being a male, I think it is amazing that you have the strength and the courage to share what thousands of people are experiencing, thousands of people who do not have the same voice as you do. I am sorry—through the Chair—as the member for Morwell does in this chamber.

Back to the royal commission into mental health, which is a really important part of the ecosystem of recovery and help that the member for Morwell and the MPI speak to in terms of gaming—and the Premier has often said this—the biggest focus of the royal commission as a theme is early intervention and prevention. Again, as he said and as others have said—the Minister for Mental Health—mental illness does not begin in the acute setting at the Alfred or the Thomas Embling or the Monash hospital. It does not begin in a hospital. Mental illness begins in the community, whether it be in regional Victoria, whether it be in a gaming venue—that is an expression of it, sorry, the gaming venue—whether it be in the family or whether it be in a sports club. That is where it begins, so we need to get in early and treat it at that point. We could never build enough hospital beds, we could never build enough acute beds, nor could we have enough staff at the more expensive end, let us call it that, of the service system—psychiatrists and doctors and allied health professionals and psychiatric nurses and a bunch of other people who do an amazing job. We could never have enough of them.

But the more important point to prevention and early detection is even if we had enough beds, even if we had enough professionals, you will have effectively waited through years of suffering and pain to respond and help someone to fix their life. That is a waste of human talent. I have talked about my cousin. It is devastating for the person who is going through the system, and everybody who loves that person is going through it to some extent with them. Why wait until that point? Why not intervene earlier? That is one of the biggest ambitions of the royal commission, and where that lands in a sense—a policy sense, a legislative sense but also an investment sense—is in multiple ways, but I will just mention a couple.

One is the 60 adult centres we are going to build around Victoria. They are not 60 psych wards; they are 60 community centres which are at the lower end of acuity, the lower to moderate acuity end, which speaks exactly to the early intervention and prevention space. That aspiration for early detection and prevention lands in what we call the social prescribing model. The royal commission talked about, and this is just an example of it, how someone might present at one of these settings and the non-clinical setting will diagnose—sorry to use clinical language—that that person may benefit from being part of a men’s shed, being part of a cricket club or being part of some other community organisation. It does not all have to end up with white coats and psychiatrists and acute settings. That is the entire premise of this.

The other part of where it lands is literally the royal commission recommended that, like we have had for decades an office funded by the tobacco levy, the Victorian Health Promotion Foundation, we need



a similar model for the mental health public policy space. We need a champion for mental health promotion in the public service, in the administration of government. That again speaks to early detection and prevention, as do a bunch of other things, including the collaborative centre, where we are partnering with a research agency and a clinical service. We passed the legislation in this Parliament for the collaborative centre. It is effectively the future success of the mental health system, because it is the organisation that will make future discoveries of what works, not just literally in medicine but also in methodologies of how you treat someone, methodologies of how you get in at the prevention end and at the early detection end.

There are many, many aspects to the work of the royal commission and the work of our government in implementing the recommendations that speak to a system which prevents people getting ill in the first place—and I do not mean to use that language in any way other than factually—for people to be helped early, whether they present in terms of problem gamblers or whether they present in terms of any other kind of setting where we know there is an underlying issue with which we could assist that person, that Victorian.

Then you move on to the system that treats perhaps the most unwell. The royal commission talked about significant investment in beds and significant investment in alcohol and drug supports and services, including establishing a centre of excellence. We have chosen that centre of excellence, and it is run by Dan Lubman. He is a professor and he is incredible in this space, in alcohol and other drugs, and he is based at Eastern Health. There is an entire range of commitments we have made and are investing in in relation to that aspect of the mental health system. There has been close to \$4.5 billion in terms of investment, about \$840 million made at the point of the interim recommendations of the royal commission and then an additional \$3.6 billion made when the full report landed on the minister's and the government's desk.

We know why we are doing this. The very powerful contribution by the member for Morwell was one of thousands of stories, but we heard many, many stories through the royal commission's submission process. When I say this it sounds perfunctory, but think about, frankly, how disengaged traditionally the Victorian public generally have been from engaging in public policy conversations which require them to write submissions and do those things. We have got 6.5 million Victorians; we might get 100 submissions on some policy paper, whether it be something on wild brumbies or whether it be something about social policy. This inquiry received 15 000 or more submissions verbally or in writing—more submissions than any public inquiry in Victoria's 160-year history. That is how much pain and suffering—and decades of pain and suffering—people in this state have endured from all governments effectively, maybe not by words but by actions, saying, 'If you're unwell, that's your problem—there's something about you'. No, it is not. No-one is born unwell. No-one is born addicted to gambling.

This is an acceptance that we have a responsibility and we have the power to make reform and change the life experience of thousands and thousands of Victorians both now and into the future—in fact statistically it is actually millions, not just thousands, in terms of how many people will suffer an episode of mental illness in their lifetime. That is a commitment. That is a promise, and it is an incredible promise when you think about the pain and suffering and the avoidance of that pain and suffering and when you think about the economic costs. The previous federal government, to their credit, did commission the Productivity Commission's report, which talks about the economic cost of mental ill health of \$60 billion to \$70 billion for Australia. I think it is about \$12 billion for Victoria. So if we invest \$1 billion a year, which is about where we might end up—\$900 million a year—we would still be about \$11 billion ahead just on financial and economic terms, let alone what cannot be quantified: the pain and suffering we will have helped avoid for those people who are directly impacted by mental illness but also those who love them.

That is why this is such an important area for our government. That is why I am extraordinarily proud to work with the Deputy Premier as his Parliamentary Secretary for Mental Health. That is why this

MPI is important, from our perspective, in a mental health frame. I applaud the member for Morwell both for putting it up and also for his honest and powerful contribution.

**Ms KEALY** (Lowan) (16:33): I would like to just open by supporting your comments, Speaker, around promoting the Lifeline hotline, but I think given the topic and relationship to gambling it would also be prudent to mention the national gambling helpline, which is 1800 858 858.

Firstly, I would like to acknowledge the member for Morwell, who has very openly shared his experiences and some of the personal challenges that he has faced through gambling and mental health issues. I think that it is very courageous to do that in any role, but particularly to have the courage to raise it in this place, with the scrutiny that we all get, is something that he should be very proud of, and I trust that that will assist him in his process in dealing with those issues going forward. Thank you very, very much, and thank you for raising the matter of public importance (MPI), because it does bring to Victorian debate one of the key issues that seems to be overlooked time and time again, and that is that relationship between problem gambling and mental health issues and the further harms that can take place in the wider community when those issues are not dealt with in an appropriate way.

I go back to the submission to the Royal Commission into Victoria's Mental Health System from the Victorian Responsible Gambling Foundation, which was referenced by the member for Morwell, that:

Problem gambling is not mentioned in the *Victorian Public Health and Wellbeing Plan 2015–2019*, the government's mental health plan or its suicide prevention plan, or the Royal Commission's terms of reference.

I note further that it was not mentioned in the interim or the final report of the royal commission into mental health. I know that people who work within the mental health sector certainly understand this relationship. I do hope that this government does. And if the Liberals and Nationals are fortunate to be elected to form government in November, I know I certainly will be promoting and making sure—front and centre—that this is no longer overlooked and that we address this intrinsic relationship between gambling and mental health problems and try and provide the supports and other mechanisms we can to minimise the risk of harm to individuals, their friends and family, and their colleagues in the workplace.

Unfortunately over the COVID-19 lockdowns and restrictions we saw an enormous escalation of use of gambling as an outlet for individuals to regain some of their control. I note a report which was released early in the COVID-19 pandemic which was undertaken by the Australian Gambling Research Centre. It is entitled *Gambling in Australia during COVID-19*, and it was released back in October of 2020—as I said, very early in the rollout of lockdowns and restrictions. They found at that time:

Almost 1 in 3 survey participants signed up for a new online betting account during COVID-19, and 1 in 20 started gambling online.

Even with limited access to venues, overall, participants gambled more often during COVID-19. The proportion who gambled 4 or more times a week increased from 23% to 32%.

Horse racing, sports betting, greyhound racing and lotto were the main products that participants gambled on before and during COVID-19.

Of concern, 79% of participants were classified as being at risk of, or already experiencing, gambling-related harm.

This mostly impacted young men, from 18 to 34 years. They were:

... the sub-population most likely to sign up for new online accounts, to increase their frequency and monthly spending on gambling (from \$687 to \$1,075), and to be at risk of gambling-related harm.

We also know that over the pandemic we had a spike of suicides, and this is something that was hidden for some period of time before the coroner was able to finalise all cases. But now we look at the suicide rate in Victoria and it is absolutely horrific to see that in 2020, during the peak of the lockdowns and restrictions in Victoria, Victoria had its highest ever rate of suicide, with 712 Victorians taking their own lives. We have seen similar trends unfortunately through 2021. That year still has not been finalised for those investigations as yet. As has been pointed out by the member for Morwell, we do

not know how many of those suicides were related to gambling-related harms and the desperation of not being able to find the support people needed when they needed it.

We do know, however, that the coroner has identified that 10 per cent of all suicides over the pandemic period of lockdowns and restrictions could be directly related and linked to what he calls COVID-related stressors, whether that was isolation from friends and family, an inability to go to work and then those linked pressures around not having an income, the overall fear of getting COVID or those other pressures that people may have had in their lives that were delivered through not just COVID but also particularly the lockdowns and restrictions. These have had a massive impact on the lives of Victorians in a very literal way, and nothing can be said to comfort the loved ones who have lost somebody that they love during those times—at any time, but particularly during the pandemic.

One of the biggest challenges that we have got in Victoria is that while we have a commitment to the royal commission—and the Liberal and Nationals have committed to all recommendations of the Royal Commission into Victoria's Mental Health System. I want to make that very, very clear, because I think that there are many who are making a point that we are not going to do that. This is simply not the case, and it is more reflective of the individuals who are saying that and trying to gain political points by trying to threaten something and scare a community who desperately want to see a reformed mental health system. I wish to speak to anybody who has heard that story and say that the Liberals and Nationals will not seek to undermine the royal commission's recommendations. We will seek to implement every single recommendation, but more to the point, we want to achieve the overall outcome and strategy so that any Victorian when they need mental health support can access it and put in place mechanisms to make sure that we minimise the chance of people turning up to an emergency department in an ambulance or in a police car and then waiting for more than 24 hours before they can get help. To be in an emergency department for days when you are in a mental health crisis is completely unacceptable, and it is something where the Liberals and The Nationals have an absolute commitment that if we are elected at the end of November, we will definitively make sure we fix Victoria's mental health system, because it cannot continue any longer.

Unfortunately the workforce challenges have been overlooked for a very, very long time by the Andrews Labor government. I go back to 2015 and *Victoria's 10-Year Mental Health Plan*, where there is reference to a mental health workforce strategy. At that time there was a review of the mental health workforce and inquiry, and they actually quoted a result of those investigations that took place:

We heard that better outcomes will require ongoing development of an appropriately qualified and skilled workforce, including growing the peer workforce.

This was something in the government's own report, in their own 10-year mental health plan that was established way back in 2015. Unfortunately they did not take action then, and even when the Victorian Auditor-General's Office did an investigation into mental health access, again there were flags that they did not have any measures or targets around the workforce strategy. Still there are not enough workers today to be able to fill the thousands of roles that lie vacant in Victoria's mental health system. Today there are over 6000 vacancies in the mental health sector in Victoria. If we go back to some of those earlier reports we can see that there were 5000 jobs in the mental health workforce. Earlier this week in his media release the Minister for Mental Health talked up the fact that there are an additional 2500 mental health jobs in Victoria. While it is great to have more jobs, it is great to see an investment in bricks and mortar and it is great to see an investment in governance, it simply will not deliver better mental health outcomes for Victorians if there is not the workforce to support that. You cannot get counselling support services from a brick. You get counselling support services from workforce, and those workers are absolutely fatigued.

In my closing remarks I would like to just make an acknowledgement of the thousands of mental health workers right across Victoria who have been working their tails off to keep up with demand. They are working additional shifts. They are tired. They have had so much demand and pressure put on them over the past two years over the lockdowns and restrictions. They just want to see a light at the end of the tunnel. I am hearing overwhelmingly from the sector they cannot see that light at the

end of the tunnel. There are immediate reforms the government can put in place today that would unlock 2000 counsellors to work in Victorian schools under the mental health practitioners in schools program. We can fund provisional psychologists to be able to provide supervised support to individuals. It is another 2000 workers in the system. These are simple solutions the Liberal-Nationals support, but most of all we support implementing all recommendations of the Royal Commission into Victoria's Mental Health System.

**Ms EDWARDS** (Bendigo West) (16:43): I am very pleased to rise today to speak on the matter of public importance (MPI) that has been brought to the house by the member for Morwell. I thank him for very courageously bringing this important matter to the house. I think it is something that all of us as members of this place should endeavour to address and indeed improve, and of course that is mental health and gambling harm. I acknowledge how challenging it obviously was for the member for Morwell to talk about this, but it is really important that there is an opportunity for the Parliament of Victoria to talk about issues that are often not discussed openly or publicly and that those with lived experience should be acknowledged and their words taken into consideration. As the member for Morwell rightfully stated, the stigma that is attached to both gambling addiction and mental health is still very prevalent. It still exists, sadly even in this place. It is an issue that many people struggle with every single day, and it would be incumbent upon this house to occasionally have some bipartisan support around matters such as mental health outcomes, mental health support and gambling addiction.

It is of course no surprise to anyone in this house why I would be speaking on this MPI, as I have been a board member of the Victorian Responsible Gambling Foundation for a number of years. Can I say that in my experience the VRGF is a leading agency. Not just in Victoria but across Australia and indeed across the world it is acknowledged that the VRGF is a leading agency, a leading foundation, a leading statutory body that does exceptional work and exceptional research, particularly in relation to gambling harm, which is the centrepiece of pretty much everything that the foundation does under its exceptional leadership. Can I acknowledge Shane Lucas as the CEO and also Tass Mousaferiadis, who is our chairman of the board, and my fellow board members, as well as the wonderful staff who do extraordinary work at the VRGF.

I noted that there was some discussion in the previous contributions from other members in relation to the focus of gambling as a public health issue. Indeed the Victorian Responsible Gambling Foundation has acknowledged this, and I think the state government has acknowledged this as well, particularly in relation to the legislation that we have seen before the house over the last few months that the public health framework is absolutely where the gambling harm needs to sit. The VRGF has refocused its gambling harm prevention strategy and its outcomes framework and has central, as I said, to its focus a public health framework and approach.

There have also been some comments from other members in relation to the Royal Commission into Victoria's Mental Health System, and yes, the VRGF did put in a submission, which obviously I have read, but we also had submissions particularly focused from people in relation to mental health and gambling. Can I acknowledge the member for Buninyong, who put in an exceptional submission to the mental health royal commission that focused on gambling and indeed mental health. The submission's focus highlighted exactly that interaction between mental health and gambling, and I thank her for her contribution to that.

I think it is no surprise to anyone here that problem gambling has of course a very significant and deleterious effect on vulnerable individuals, particularly on families and communities who have family members who have a gambling addiction. But the basis for any response to problem gambling must be respect for the person, their behaviour disorder and of course its treatment. I wanted to quote today from the Royal Australian and New Zealand College of Psychiatrists (RANZCP) and a position statement that they put out back in 2017, which is still very relevant despite the intervening years and the mental health royal commission highlighting some of the areas of mental health that this government is investing in and addressing. Some of the key points that they raised, and these are still very relevant, were that:

- The rise of interactive and online gambling is having devastating consequences; new gamblers are more easily recruited online and gambling sites are accessible 24 hours per day.
- Approximately 90% of people diagnosed with problem gambling have at least one other mental health diagnosis.
- The stigmatisation of problem gambling continues to act as a barrier to individuals accessing the support they need.
- Electronic gaming machines ...are associated with higher risks than other forms of gambling and the—

Royal Australian and New Zealand College of Psychiatrists—

supports changes that would restrict the number of EGMs, reduce the maximum bet and limit the jackpots on EGMs.

- Increased investment in research into evidence-based screening, assessment, treatment and early intervention in the field of problem gambling is required and particularly, evidence-based models for regulation ...
- Increased funding of evidence-based services for the screening, assessment, treatment and early intervention of people experiencing problem gambling is also required.

I think these are all very relevant still. But one of the other things that came out of that position paper which I noted was quite relevant to the MPI today was in fact a recommendation that the RANZCP group put forward, and that is that:

Mental health and problem gambling should be aligned within state and territory government portfolios to enable an effective, evidence-based response to problem gambling and the associated mental health issues.

I think if you look at this government's approach to mental health and the fact that we have had the Royal Commission into Victoria's Mental Health System and that all of the recommendations are being worked through and implemented, gambling harm as a consequence of or as a correlation with mental health is something that we can all focus on.

In relation to the Victorian Responsible Gambling Foundation and the position paper I just referred to, there is also significant intersection between the work that the VRGF is doing and those highlighted areas that I spoke about. The VRGF is very much evidence based in all of its work. The research that we are doing has been expanded, and it includes research from right across Australia and indeed across the world. On top of all of that work are the support services that are provided by the VRGF—and there are many. It is acknowledged by the VRGF that gambling problems and mental illness frequently occur together. Of course our services, such as Gambling Help Online, the support that we provide to family and friends affected by gambling harm and the work that we are doing with our multicultural communities, with our CALD communities and indeed with our First Nations peoples right across Victoria and some of our more vulnerable populations in rural and regional Victoria in particular are very much connected to issues like gambling harm. We know that there are many areas, for example, in rural and regional Victoria where gambling harm is not acknowledged as actual harm. The mental health services that are provided in rural and regional Victoria, the outreach services that we have and some of the investments that the member for Oakleigh referred to in relation to hubs are important networks that the VRGF works with to make sure that people who are at risk of gambling harm, people who we want to prevent from gambling harm and people we want to protect from gambling harm, particularly young people, have the supports that they need. I am very confident that the VRGF will continue to do that great work.

Can I again thank the member for Morwell for highlighting this really important issue and bringing it to the house so that we can have an open and honest conversation about it.

**Mr ANGUS (Forest Hill) (16:53):** I am pleased to rise this evening to make a contribution on the matter of public importance as submitted by the member for Morwell, which states in part:

That this House notes the linkages between gambling harm and poor mental health and the subsequent devastating impacts upon many Victorian individuals and families, and calls upon the State Government to consider the following initiatives to help prevent and better support those experiencing gambling harm ...

And then it goes on and lists four items which I will come to and deal with in the course of my contribution. Before I get into that, I really do want to place on record my appreciation of and commendation to the member for Morwell for his outstanding contribution here today. It was indeed very courageous of him to be so transparent with the house and with all Victorians in his contribution and to bring this matter of public importance into the public domain, and I strongly commend him for that and wish him well in that area.

In terms of some of the aspects of mental health linkage in problem gambling, I think one of the informative documents that I have looked at is the submission to the Royal Commission into Victoria's Mental Health System, dated July 2019, by the Victorian Responsible Gambling Foundation, and I want to read into my contribution some of the key points that that organisation, being an expert organisation, has found in relation to this very important matter. That is contained on page 2 of that particular report:

There are strong associations between problem gambling and mental health conditions:

- 39 per cent of Victorians with a gambling problem have a diagnosed mental illness
- up to 30 per cent of people who both gamble and seek treatment for a mental illness are problem gamblers
- problem gamblers are over-represented in primary care, alcohol and other drug (AOD) settings, and in mental health services
- gambling is estimated to account for 22 per cent of the Victorian mental health sector's total costs, half of which is attributable to problem gamblers
- in 2014–15, the cost to Victorian gamblers of depression due to gambling problems has been estimated at \$176 million, while the cost of emotional distress due to suicidal ideation was approximately \$289 million, and emotional and psychological harms approximately \$1,127 million.

It goes on to talk as well about the fact that there is evidence that gambling harm is largely unrecognised as a public health issue, and other members have made contributions in relation to that aspect of it. But it is quite sobering for us as members of this place to realise the impact that those figures have, not only on the community of course but on the lives of the people involved in that situation and their family and friends.

One of the frames of reference that I look through as I make a contribution on this is that in my previous occupation part of my role was as a certified fraud examiner, and we got involved in a number of so-called white-collar crimes. I lost track of the number of times when we would be involved or be aware of particular crimes where the offender was someone that was in the grips of a gambling addiction. As the member for Morwell quite rightly pointed out during the course of his contribution, no-one sets off in life to go down that path—to steal money or assets from someone else that are not theirs and then fritter them away and very often gamble them away on electronic gaming machines.

I clearly remember one offender that we caught. By the time we put the evidence together and were interviewing him, basically his response was that he was glad that we had caught him because having the evidence put in front of him and causing him to confess to the white-collar crime of fraudulently obtaining money broke the cycle of addiction for him. It gave him the opportunity to be snapped out of it, if you like. It was not an uncommon thing to see that the addiction either to electronic gaming machines or other gambling facilities and means was the motivation for someone wanting to gamble away their ill-gotten gains. As I thought about it at the time, it was really a compulsive behaviour that had led that person to being in that position. They did not ever start off wanting to wreck their life and to impact so negatively on their family and friends and of course on the victim in relation to their subsequent behaviour. It is quite sobering. There is no doubt that the matters that the Victorian Responsible Gambling Foundation have identified are evidenced out in the broader community.

In terms of one of the points that the member for Morwell has put up, point (1), 'appropriate data collection by the Coroners Court of Victoria to understand the number of suicides occurring as a result of gambling-related issues', I think that is a very valid point in that particular matter of public

importance. It is an area that no-one ever wants to talk about or acknowledge, but there are linkages between problem gambling and suicidal ideation, as other experts have already identified in their published works, and certainly from a practical point of view they are there for all to see. I can remember talking to some police members after the opening of a large gambling establishment in Southbank. There was a spike in self-harm and suicides following that opening, where people had got addicted to the colour, movement and lights, to the tables and to the machines and as a result had gambled and realised in the cool light of day what they had done, sometimes gambling away their whole life savings. They ended up being in such a terrible mental and physical state that they felt there was no other option, no other way out, than to self-harm or indeed take their own life. So the incidence of those sorts of matters just skyrocketed, and that is evidenced by a number of sources, but certainly we can see some of the mitigation action that was taken by the government at the time. Installing suicide prevention fences on the West Gate Bridge and other intervention measures, which are so important for our community, were as a result of that and other motivating behaviours. I think it cannot be underestimated, the impact on people's mental health and then the outworking of that in some dreadful situations and some very tragic situations.

The second point the member for Morwell noted was in relation to online gambling companies. I certainly concur with his thoughts on that—that this is an area which is effectively unregulated. We see very often particularly young people but also not so young people constantly on their mobile telephones. There is now the facility to so easily gamble and just to chew through money and savings on an unregulated basis, and I think that is an area of concern that should certainly be looked at.

The third point talks about the high volume of betting and sports betting advertisements that saturate our television media and social media outlets, and it equates that with the selling of alcohol and cigarettes and the restrictions around that sort of advertising. I certainly concur with that. I think the volume of gambling advertising that we are all seeing on TV but also, for example, at the football and in other public domains is completely out of control and needs to be dealt with in some manner or other by the government. I often speak to people, and particularly parents of adolescents, who are concerned that that behaviour is being reinforced, often in a very amusing way and a very catchy way, to the young people in their lives, and that has got all kinds of adverse consequences.

The final point the member for Morwell noted was some new initiatives similar to the Magistrates Court gambling intervention program in South Australia. Again, I would certainly encourage the government to look into these sorts of initiatives, to look in other jurisdictions to see what is working for them and to pick up some learnings from those other places with a view to bringing them back here to improve the outcomes for all Victorians.

This is a widespread problem, it is an under-reported problem and, as I said, it has got those clear linkages. We as legislators and also obviously the government itself need to be taking stronger action to deal with these matters. I certainly commend the matter of public importance as raised by the member for Morwell.

**Ms SETTLE** (Buninyong) (17:03): I rise to speak on this matter of public importance (MPI). Before I go any further I would very much like to acknowledge the member for Morwell. He and I have shared a particular bond since joining Parliament, as people that have been deeply, deeply affected by gambling, and I know that for him to share his experience in this public forum was very difficult and painful. It has been 10 years since I had to live through this trauma, and it still hurts like hell, and I am sure for him that it does too. Certainly when I first joined Parliament we sat down together and had a coffee, and it was one of those extraordinary moments—not from the other side; I mean, he obviously went through his gambling addiction and I went through it as the partner of a gambler. I think for both of us to acknowledge what the other had gone through was very healthy and positive for both of us. He is an extraordinarily brave man. It is one thing for me to stand here and talk about my experience, but as the gambler, if you like, it was extremely brave for him to stand here and talk about his experience. But it is not just brave, it is incredibly, incredibly important, because the one thing about gambling, the one thing that stops us saving people and stops us preventing the harm, is

the stigma associated to it. I have said this before and I will say it again: people will more readily admit to being a heroin addict than they will to being a gambler, and it is because of the stigma, the awful stigma, that we place on gamblers.

I thank the member for Bendigo West for her contribution and her fantastic work at the Victorian Responsible Gambling Foundation, but let us not forget that the VRGF refers to 'responsible gambling'. In my opinion, that continues to victim blame. It suggests that some people are irresponsible and others responsible. It is an addiction like any other addiction. I have seen it face to face. I tell my story again and again here, and I will continue to because it is the only way to change that stigma. When my ex-husband revealed what was going on in his life and what he had done with our joint and family finances, at one point I said to him, 'Weren't you thinking about me and the boys when you were standing at that ATM?', and he said, 'No. No, I wasn't'. He is not a bad man, like the member for Morwell is not a bad man. He was a man that was caught up in an addiction. What he found—I can only speak for my ex-husband, not for the member for Morwell—and what he explained to me was that it was getting out of it; it was a way not to think about the world around him. So when he was standing there at the ATM chasing his losses, he did not think of me or the children. I know that he is a very broken and sad man because he lost everything through that. We tried very hard to repair it, but we could not do it. I do not mean to share this story to elicit sympathy in any way. I have lived with it for 10 years and I will continue to live with it, but I share this story because we really do have to do more about this.

I want to thank our current Minister for Consumer Affairs, Gaming and Liquor Regulation. She has been extraordinarily positive. When I speak to her, her door is always open. I want to see more happen—of course I want to see more happen—and her door has always been open to me. I know that she looks at every suggestion put before her, so I do genuinely and sincerely thank our current minister. I think that she wants to work towards dealing with this.

The member for Bendigo West commented on the fact that I put a submission in to the Royal Commission into the Casino Operator and Licence, and indeed I did. Along with the gambling foundation I would like to see gambling seen in the same frame as other addictions. I know that the royal commission has, for example, set up centres for addiction and gambling is not included in that. I will continue to push. I want to see gambling acknowledged as an addiction like any other. I know that I have spoken to people in the past who have suggested that substance addiction is very different. It is not. If you look at what happens in people's brains when they are gambling, it is the same things that are being sparked off, it is the same addictions, and I would like to see gambling put in the same frame as alcohol and other drugs and for us to continue to deal with it in that frame.

I completely support the member for Morwell's matter of public importance in terms of asking us to really deal with this as a mental health issue, and I also really, really support him in asking the federal government to do something more about sports betting. I know that the wonderful member for Eltham has worked very hard in this space, and we will talk about it, but for me, if someone is impacted—sorry; I will digress. Some people stand up and they say, 'I'm not going to be that wowser. I still have a bet on the Melbourne Cup and stuff'. Well, I am that wowser. Australians lose more money than any other country in the world. Let that sink in. We have visions of other countries and their issues with gambling and betting. We lose more than anyone else in the world, and we have got to do something about that. People like to kind of imagine that it is part of our larrikin culture—you know, two-up in the trenches and so forth—but we need to address it.

I will not even put in a TattsLotto ticket, because it is triggering all of those things. It does not trigger me—I am too stingy, is the truth of it, to lose money. But I look at my sons and I know that they have got a genetic propensity for addiction, because it is an addiction and their father had it. I hate it when I see my boys gaming online and all of those bells and whistles that are meant to appeal to them. And the advertising industry—when I watch those ads, and I will name it, when I watch those sports ads, it makes my blood boil. They are chasing people in our community. They know that young men have a propensity to take risks, bless their little cotton socks. That is what they do when they grow up; they have to learn risk taking. And these people, these vampires, are out there after them. They are putting



up ads which are all matey: 'Come and be part of the gang and come and take this risk'. It is abhorrent. As the member for Morwell said, we do not allow cigarette advertising. Long gone is the Marlboro man, thank God, and long gone should be these Sportsbet ads.

What really, really set me off recently—only a couple of weeks ago—was my local newspaper, the Ballarat *Courier*, ran an advertorial. It was disguised as an article but it was co-funded by Neds, a betting company, and it was instructing people on how they could bet on the AFL. For God's sake, why do we have to bet on the AFL? Can't we enjoy the AFL for what it is? There is a corporate responsibility not to engage in that sort of advertising, but certainly I stand with the member for Morwell in asking the federal government to look at this.

I think that the member for Morwell has done some extraordinary work, and I was delighted to speak with him and the parliamentary intern that he asked to do a report around these diversionary courts in South Australia. I will say I have talked to many people with lived experience. You talk to 60-year-old women who were sent to jail. They are reeled in by the lights and the whistles because they have an addiction, and we send them off to jail. We do need to do more to acknowledge that these people are in the grip of an addiction. We have such wonderful drug and alcohol responses in the court environment, and I would like to see that happen too. I will continue to advocate for that.

This is an incredibly important MPI to me. We have to address this issue on so many different fronts, and again I have just got to say how much I appreciate the member for Morwell for standing up and opening this debate up again. I am glad to hear that both sides of the house see this as something to be addressed. I am sorry that the member for Lowan saw it as a possible opportunity to bag us on mental health when we are talking about people. We are talking about people who have suffered, and we should stand together as a unified house in trying to address this terrible, terrible issue.

I do thank those on the other side for supporting this MPI, but more than anything I have got to say how appreciative I am of the member for Morwell for sharing his experience. I know what pain he will go through for the rest of his life, as all of us do that have suffered at the hands of gambling. I think that we need to address this as the mental health issue that it is. We need to do more in the community, and I will continue to fight for that.

**Mr McCURDY** (Ovens Valley) (17:13): I rise to make a contribution on this matter of public importance (MPI). Before I do so I would also like to acknowledge the member for Morwell for his courage in raising this issue and speaking very frankly and honestly about his circumstances. I certainly commend him for that courage.

Like you, Deputy Speaker, I am a board member of the Victorian Responsible Gambling Foundation, and I am grateful to the member for Malvern, who appointed me there back in about 2012, I think it was, when we first set that up. Again it has been a significant step forward, the Victorian Responsible Gambling Foundation. It brings together all sorts of models and education and has brought a whole raft of areas together that were very splintered prior to that. The Victorian Responsible Gambling Foundation, which I will refer to as the VRGF from hereon in, certainly has brought together a lot of those tools, and it has done an exceptional job.

I know the member for Morwell has touched on a raw nerve for many in our communities with today's topic. From the outset I say about the VRGF that they are not anti-gambling, nor am I anti-gambling, but we do believe in safety nets and programs and support education to try and assist those who cannot push themselves away from the TAB, the roulette wheel, the blackjack table, the pokies or any other form for that matter. There are people out there with gambling problems with TattsLotto and other gambling forms that people would not consider that you would have a gambling problem with. But we do know 39 per cent of Victorians with a gambling problem have a diagnosed mental illness, and gambling accounts for 22 per cent of Victoria's mental health costs, half of which is attributed to problem gamblers. These are not my statistics; they are part of the submission by the VRGF to the Royal Commission into Victoria's Mental Health System, which others have spoken about in this

place. We also know the presence of a comorbid mental health condition and gambling harm really makes for that perfect storm. Included in the recommendations in the VRGF's submission to the mental health royal commission were certainly the first two recommendations:

That the Royal Commission recommend the Victorian Government include gambling harm prevention in future iterations of the *Victorian Public Health and Wellbeing Plan*, *Victoria's 10-Year Mental Health Plan* and the *Victorian Suicide Prevention Framework 2016–25* ...

The second recommendation was:

That the Royal Commission recommend to the Victorian Government that public sector health promotion activities aimed at preventing mental illness acknowledge gambling harm as a mental health and public health issue and, where relevant, incorporate a response to problem gambling in program and service design.

Now, certainly these first two recommendations fit perfectly with this MPI today that we are discussing, and we know from figures back as far as 2014–15—and we know that those figures will have increased since then—the cost to Victorian gamblers in depression due to gamblers' problems has been estimated at \$176 million. The cost due to distress and suicidal thoughts is a further \$290 million, and the cost associated with emotional and psychological harm is over \$1 billion, so those numbers are quite significant in terms of the cost to Victorians.

But it is not the cost that we are concerned about, it is the effect it has on individuals. It is fair to say that the relationship or the linkages between gambling harm and poor mental health are statewide. Every suburb, every community, every small town in my electorate, your electorate and everybody's electorate will have one, two or more people with gambling and mental health problems—and every regional centre. So it is not just one demographic, it is not just one area of the state; this is right across the board.

We know gambling has become so accessible, and others have spoken about this today. It is very accessible. Once upon a time you had to rock up to the TAB and fill out a ticket before you could put a bet on a horse. Nowadays, obviously, on your phone, on your iPad and everything else you can put a bet on the footy, on a horse or on the basketball, or somewhere in the USA you can be betting on basketball or anything that you like. It is very accessible, and we cannot blame that. We cannot blame the fact that it is accessible, but we need to acknowledge that that is part of the problem—and that is where the problems are stemming from, the accessibility. I am not sure that limiting that is going to help the problem.

The solution lies somewhere between education, support and better understanding. As I say, as a board member of the VRGF I take pride in the work that we do there, led by Shane Lucas, a tremendous CEO. We have got a wonderful team there that work very hard, and up against multinationals; we really are punching above our weight when we try to take on Neds, Ladbrokes, Sportsbet and all the others. I mean, TAB is only a small player in terms of international gambling. The ads that keep flying up on our TVs, on our iPads and everything else—you know, people say, 'Why doesn't the VRGF spend more money on these gambling harm ads and that?'. Well, we just cannot compete. We cannot compete with what is being spent by the multinationals. We know that is a federal area in terms of advertising—and we can cross that bridge in a moment—but certainly there is a lot of work to be done there and I think some limitations can be put there.

In terms of the MPI, around the first part around appropriate data collection, the better we know the circumstances, the better chance we have to assist. Number one talks about data collection by the Coroners Court of Victoria to understand the number of suicides relative to gambling-related issues. I suppose every sound strategy begins with reliable data. Whether it is the Coroners Court of Victoria or whoever is best to collect that data, I certainly support that. There is an opportunity there that we can get better data. As I say, I am not an expert per se as to where that data should be collected or who should collect it, but the data needs to be collected. That would give us a significant step forward in helping us to understand.

Part (2) talks about more regulation. I am not sold on more regulation. I am not just saying for gambling, but sometimes I think we are over-regulated in this state and over-regulated in this country. The big stick does not always work. It is about educating, it is about assistance—areas like that. I am not against more regulation, but I am just not sold that that is as good as some of the other options in this MPI to try and assist.

Number (3), for example, is:

encouraging the federal government to abolish or at least reduce the high volume of betting ...

As I was talking about before, this is where we can make significant changes and have substantial input. Encouraging the federal government to do that will just help influence the marketing companies, the ads, the TV and the internet and play a massive role in what we do with our spare time. I do think that limiting the advertising would be a significant step forward, as mentioned by the member for Morwell. There are always ads about the level of alcohol that people consume or how fast you should or should not drive on the road and that you should not drink and drive and about smoking cigarettes and using drugs. Again, the more we hear about, 'Here's an opportunity to bet on Ladbrokes or Neds' or whoever—'Have a punt on the footy' or something like that—it does hit a chord with some people. There are times when everybody goes through different circumstances in their life—highs and lows and everything between. Sometimes it is the highs and sometimes it is the lows when you find yourself reaching out for more alcohol, more betting, more something, more friendships—whatever it might be. Again, these excesses are where some of the concerns lie for me. There are definitely ways we can move forward, and maybe it is not just in Victoria, maybe it is federally, to try and help, first of all, with that level of advertising, because, as I say, it is in people's spare time—you can finish doing the dishes and put the kids to bed and go and sit down and watch the TV for 10 minutes and there are ads on about gambling. You turn on your iPhone to see what is happening on Facebook and all of a sudden there are ads coming up there too. So it is in your face all the time, but as I say limiting that and I suppose educating people is far more important than some the other things that we can do.

I am running out of time. There is so much more we can talk about on this, but I do again want to commend the member for Morwell. It is a very courageous day for him in terms of raising this very important issue. As I say, having been on the board of the VRGF, like you, Deputy Speaker, we do hear and read and see probably more than the average Joe in terms of what is going on at the VRGF. The member for Morwell—I again commend his courage and I wish him well into the future, as I do all others who have gambling and mental health related issues.

**Ms WARD** (Eltham) (17:23): I am glad to have this opportunity to again talk on something that I am quite passionate about. It is very nice to follow on from the previous member and know that there are things that we can debate in this house where so many of us are on the same page and have the same view. I really want to thank the member for Morwell for putting forward this matter of public importance today and giving a number of us the opportunity to talk about a public health issue which is incredibly serious and is quite pervasive within our community. Gambling addiction is something that creates a huge number of challenges and absolutely creates mental health challenges. I thank the member for Buninyong for her contribution as well: for talking about her own personal experience and what that has meant for her and for her family but also for the courage with which she continues to pursue better outcomes for communities across the state. We are grateful to people who do step forward, who use their own lived experience to actually activate change and to activate better outcomes for people, and I thank her and the member for Morwell for sharing their stories today.

Because this is something that I care quite a lot about, I do read a fair bit of literature talking about gambling advertising and the effects of gambling advertising on people in our community, and I learned that in 2016 the enthusiasm that we had as a nation for gambling actually provoked international discussion. There was an article in the *New York Times* talking about the fact that this country has the most gamblers in the world. We are the biggest gamblers in the world in this country, and I cannot get my head around that. I cannot understand why, when we have got the weather we do,

the beaches we do, the fantastic sport that we have got—and I will come back to sport, because that is clearly a trigger—and where we have got the interconnectedness, we have got fantastic restaurants and we have got so many wonderful things to do, we as a nation are the biggest gamblers in the world. How is it that we need that buzz? How is it that we need that colour and movement? How is it that we need that escapism? I do not understand it.

This is I think where part of that mental health connection comes into it, because clearly there are some challenges in your life if you are becoming addicted to gambling, and there are things that you will need to have addressed. It is a tragedy that gambling can become a crutch for you. For the *New York Times* to call gambling in Australia a serious gambling problem is pretty serious. It is very serious. For every Australian, we lose over \$1000 a year in gambling. The hip pocket costs are expensive, but that mental health strain is the worst, and that is the biggest cost—whether it comes down to relationships, to productivity or to the amount of money that has to be spent to actually help repair somebody.

As we heard from the member for Buninyong, it is not just the gambler that faces these challenges and that has these mental health issues. It is also the people around the gambler. A good friend of mine's marriage ended because of the gambling addiction of her husband. It was a pokies addiction that he had, and she got so tired of the lies, of turning up to a supermarket not having money in the bank and not having the security of knowing, despite the fact that they were both working, that their mortgage will be met. And that is not because inflation is up or because petrol is up or because there are other challenges, it is because that money has been thrown away. It is gone. It has evaporated. It has been wilfully lost. That is a really traumatic thing for the gambler once they realise what they have done, but for the people around them who are seeing this unfold it is horrific.

The mental health effects of gambling are so awful, they are so bad, and the industry has to step up and they have to do something about it. The biggest thing I would like them to do is to cut back on their gambling ads, because they are everywhere, they are pervasive and they are seeping into the consciousness of every Australian, especially children. That is disgraceful and that is disgusting, and it is outrageous that it is done so deliberately to target kids—to make gambling fun, to normalise it as a social activity. It is callous and it is cynical and it is disgraceful.

There was some Nielsen research done around the gambling industry and their advertising, and in Australia in 2021 they spent \$287.2 million. That was up from \$89.7 million in 2011. This excludes the ads that we see in stadiums or sponsorships. This is just what is flickered in front of us, whether it is on the TV or whether it is on our social media. It is everywhere we go, and because of these little computers that we carry around with us we can gamble no matter where we are. We could be in this place here and we could gamble. We could be on the loo and we could gamble. We could be on the tram and we could gamble. No matter where we go we can gamble, and these companies are making it as easy as possible because they are teaching us through their advertising how to do it, how to normalise it and how to socialise with people and gamble at the same time.

I thank this government for banning betting advertising on roads and public transport and within 150 metres of public schools, and I am grateful that the minister listens to me and is supportive of my petition, which I will speak about shortly. Nielsen research also found that nearly 1000 gambling ads were broadcast daily on free-to-air TV in Victoria last year. That is an increase from 374 ads a day in 2016. That is around about 148 gambling ads on free-to-air TV between 6.00 pm and 8.30 pm every weeknight during the prime-time family viewing slot.

In a study undertaken by the Victorian Responsible Gambling Foundation, lead researcher Samantha Thomas noted that an eight-year-old watching AFL footy today will have never seen a game without a gambling ad. The report found that the majority of children aged 8 to 16 years were able to recall the names of sports betting brands. Children aged 12 to 16 years, boys and children who play or attend AFL matches were more likely to recall brand names than younger children, girls and children who play other sports codes. Around 75 per cent of kids can name one betting agency, because most of us will have the footy on in some form in our households throughout the season. It is in the background,

you are sitting and watching it or someone in your family is watching it or listening to it. The footy is around you, and these ads are on non-stop. It is absolute saturation. Thirty-one per cent of Victorian secondary students have gambled—nearly a third of secondary school students have gambled. These people cannot drink—they are not legally allowed to drink—yet they have been gambling.

One of Australia's largest advertisers, along with Coles, Woolworths and the federal government, is Sportsbet. How is Sportsbet up there with Coles, Woolworths and the federal government? How are they able to afford such a huge advertising budget? Because it comes out of the pockets of the people in this community. It comes out of the people in our state. It comes out of the pockets of the people living in our country. What is most outrageous is that we have seen a 300 per cent increase in online gambling since the pandemic began. Since the pandemic began, advertising for gambling has gotten worse and people have been gambling more. With the mental health challenges that people are facing, to use this, to use gambling as a source, to target people and to take advantage of their vulnerabilities is absolutely disgraceful. It is absolutely disgraceful, and I know my community agrees with me. This is why I have got close to 500 signatures already on my petition to reduce gambling ads on our screens, because it needs to stop. The gambling industry needs to cut it out.

I agree with the previous member around doing some more work on how to educate people around the challenges and the negativities around gambling. The gambling industry need to put their hands in their pockets, and they need to actually reduce their advertising to get people gambling and do more to actually stop people from gambling, because clearly more than enough people are gambling. We need to cut it out because we are going to find that mental health challenges are going to grow as gambling grows. It is going to get worse for people, and it needs to stop. The time before last, when I spoke on my petition, I had a very friendly email from somebody in the gambling industry saying, 'Come and meet with us and learn about what we are doing'. No—send me an email and tell me that you are going to cut this out and that you are going to cut back on gambling ads on TV and everywhere else because I am sick of it, and I know my community is too.

**Mr BATTIN** (Gembrook) (17:33): I rise on the matter of public importance put forward by the member for Morwell, and I join everyone in this house in saying to the member for Morwell that we do congratulate him for bringing forward a topic that does not always get spoken about in the community, a topic that can be sensitive and that is obviously going to have various views around it in the community.

We remember the grand prix in Melbourne when it was originally here. We can go back to the cricket, and we remember the Benson & Hedges World Cup. We remember Marlboro, and if I am correct, it was Marlboro that had the Ferrari sponsorship. We eventually went through a stage where smoking was advertised everywhere. It did not matter where you went—at the football, at the cricket, at the tennis—it was smoking. Over time we realised that was not the way forward, and that changed. We have seen a reduction, if not a full removal, of smoking advertising, so much so that tobacco companies cannot advertise on their own packets, which I think is a great positive going forward. We have seen some changes with the gambling sector; however, we are now seeing more and more advertising in places that is directly targeting those that are probably the most likely to have that uptake.

I am not all for banning industries—I am definitely not for banning industries—but I think we have to have some responsibility. This question is raised with me quite consistently, and my former principal, Ray Heathcote, mentions it quite often. We have had some arguments around the gambling industry, but he is very keen on how we should be talking about the sport and not the odds. That is an ad campaign that is coming out more and more. Sometimes we get a bit behind, but some of the leaders of the change now were also the leaders in increasing gambling in the past. I am going to say football clubs are in a prime position for that. Many AFL clubs have made their living—they have thrived—off gambling. They have had a lot of money put into them to afford the players, the sponsorship and the growth of the club, but at the same time clubs more and more now are also identifying that they must have a social conscience in what they do. I am not sure it is every club, but I know most clubs have walked away from pokies in clubs, and that is a great move in the right direction. I know Brian

Cook was down at Geelong and was very proud to start that move down at Geelong Football Club. We could move away from that, and I think it is something that we should all endorse moving forward, because the impacts of gambling can be as bad, or worse, as the impacts of drugs or alcohol in our community. We see too many people who end up in our court system directly linked to gambling.

I note the member for Oakleigh's contribution. I was listening, and I have been listening to this debate because I think it impacts every person in every community. I was listening to the member for Oakleigh, who said, 'You're not born a gambler', and I do agree. It is obviously not the case that you are born and the next week you are betting on your football club. However, there is enough research—and it is all academically peer reviewed—talking about people who are born with an addictive personality. If you get a person who does have that addictive personality, then things like these ads can be the trigger point, and they will then go on and become gamblers. Now, it is not always gambling; that addictive personality can be seen in many traits. We can see it in people with alcoholism. We can see it with drugs. You actually can quite commonly see, if you go back and look at many people who have gone through treatment for an addiction, that if they go and get treatment for a drug addiction, later on, whilst they will not go back to drugs, they will end up gambling or they will end up drinking. That can happen more and more in our communities, and that is when have to start to be more responsible as a community in terms of what we are putting in front of these people that is going to trigger them to continue along a path that is effectively self-destructive.

We do not see advertised, obviously, drugs online or on TV et cetera, but we do see the continuous advertising of alcohol and we do see continuous advertising of gambling. For a person with an addiction, that can be the thing that just leads them down that path. Also with the traits of an addictive personality, when someone has increased stress and an addictive personality, that can lead to them finding an outlet that at first is equivalent to a drug—just that quick hit. If they take that quick hit and for 30 seconds they feel okay, that quick hit can turn into something that goes further and further. Taking gambling into that, they can go in for the quick hit in gambling. For those who have been into the pokies and put their money in the machine—I will say it is a coincidence; I am not going to say there is a conspiracy theory—it seems to be that every person who puts their first dollar in wins \$100, and from then on they keep going back to try and find that next hit to get more. I do not know how it works with the gambling industry and why you always seem to win the first time, but obviously that is the part that can be the trigger to get you in.

The other part of that is that many of us in this room would have spoken to people in our communities, in our families and amongst our friends who will tell you about their wins, and they are not talking about the losses behind them. I have seen it directly in my family where I have spoken to someone who always speaks about the \$100 or the \$200. Or they say, 'Remember that day we went down and I walked out with four grand from 10 bucks', and you go, 'Oh, yeah, that was awesome, wasn't it?'. But they do not tell you about the \$9000 they put in the week before, or they do not tell you some of the stories we have heard in here today from members where food was not on the table because they did not have the money for it. This is one that I think all sides of government have to take responsibility for: the pokies growth throughout our state has continued for decades. Again, I am not for banning, but the one thing that concerns me about them is they go into the lower socio-economic areas, and why? Because that is where they are going to get the greatest return, because the people in those areas who will either have an addictive personality or look at the opportunity to get rich quick—they may not have the education or may have struggled with employment and struggled with other things in life—may go, 'Well, if I can go in there, the gold lights up when I walk through and it feels like I can walk out a millionaire, I'm going to give it a go'. And that is a targeted campaign from these companies. They make enough money to know where to invest, to spend and to put that money. They know the return they are going to get.

I know in our community in Officer there were many who fought against getting pokies in Officer. They proudly won that battle against having new licences allocated to an Officer pub; however, there is still a restriction on how many pokie machines are allowed within a council area. Each council area

will have a number that is allocated of what they can have in their area. The problem with the allocation model at the moment is if you go into an area like Cardinia you can go into Beaconsfield, where you have probably got some areas that are a bit higher income, with more returns for the families there and less chance of the pokie machines. It is not divided up within the whole council area in terms of where those pokies can go. They have just got an absolute maximum amount they can put, so of course they target those to the areas they are going to get the greatest return from.

We heard about the 300 per cent increase in online gambling. We also understand there was a decrease in gambling, obviously because you could not go out to venues, so that would have been a translation across. However, we realise now that a lot of people who used to go to the pokies, go to the trots or go to the horses to put their bet on, which at least gave them some restriction on what they would spend, have lost that restriction. Why? Because it is now in your home. Meta—Facebook, Twitter, Instagram, TikTok—it does not matter who you are, they have identified who gambled during those periods of time. I did. I am not a big gambler. We have a bit of a bet among mates, and we use Sportsbet. We do not use a lot. We put on \$5 between the group of us and have a bit of a laugh with it. Now I get more ads from Sportsbet than I do anything else. Why? They have targeted that I am a person that is going to go on there and bet. Now, I am in a lucky position; I have not gone on to become an addicted gambler. However, if someone is an addicted gambler, that means now every day in their home they have to put up with another ad coming through another social media or media outlet, and that is simply not good enough.

I just want to finish off with some of the things that the member for Morwell has mentioned here around suicide, around mental health and around the connections to mental health. They are major issues in the community. Can I congratulate the member for Morwell, because to come out and put his story on the table would have been extremely difficult, and every person in this Parliament respects the fact that he has had a hell of a time over the last couple of years. I think everyone in this debate so far has put their views forward of what it should be, but we all do stand together and say there needs to be change in what we are going to do with gambling and mental health in the future.

**Mr FREGON** (Mount Waverley) (17:43): In the spirit of the bipartisan nature of this debate I will continue where the member for Gembrook left off, with acknowledging the very difficult nature of the debate that the member for Morwell has brought forward. It really is refreshing to talk about a matter of such importance and have that nature across all sides of the chamber. We all see—and everyone I have spoken to today sees—the issue that we have in front of us on a daily basis in all of our areas. I go to the matter that the member for Morwell has brought, where he is stating the link between poor mental health and the devastating impacts of gambling.

To follow on from what others have said and the member for Gembrook said, when you go into a pokies venue and you see the flashing lights and they are all enticing you in, that is a mental advertising strategy to get you interested. It makes sense that if the very nature of trying to get you involved in the process of gambling is based on your mental outlook on it, then the process of gambling itself is going to have an effect on those same mental processes.

As other members have also said, not everybody who gambles has a problem, just like not everyone who drinks has a problem and not everyone who has other risk-taking behaviour has a problem. However, I would say everyone who finds themselves problem gambling certainly has a problem. What do we do—and others have pointed to this as well—as a state to address the issue in that proportion of people that we know is there? We know that this legal activity—and alcohol is a similar type of problem—that we license and to some extent regulate, and I will get to some of those points that the member for Morwell has brought up as well, harms people. We know that right now there are people coming home from work who will go straight to the TAB or pokies or get home to get on their computer or their iPhone or whatever, and they will be losing money that they cannot afford to lose. Surely if we know this, we must seek to do more to educate, to assist, to prevent harm. That is not to say we are not doing things in that area. Of course we are doing things, and I thank the Minister for Consumer Affairs, Gaming and Liquor Regulation for the many conversations on this topic that I have

had with her and her office, especially in regard to some of the what I would call pre-emptive gambling education that some gaming companies work in. We need to continue to be active in this space. I think the member for Ovens Valley talked about education, and that is very important.

I am not suggesting that we ban gambling; I do not think this country could necessarily survive that. I do remember a time when there were not pokies in pubs, though, and the music industry was a lot healthier. You could go back to that and I would not lose any sleep. Realistically there is no real prospect of shutting down the industry—nobody wants to do that. But we do need to consider the harm, and we need to look at what else we can do to minimise it.

It is encouraging to know that the density of Victorian gaming machines has reduced and is reducing. It is encouraging to know that even the gaming companies themselves are identifying the problem in their advertising, but that is a bit of a double-edged sword, because we see ads for some of the companies where they talk about 'If it's no fun, walk away' or whatever the slogan is. I think there is one ad where all the mates are talking about their wins and it is focusing on one guy who did not have a win. I mean, that is good, but similar to the way that some computer game companies are now putting mechanisms in to limit loot-box spending, which I have talked about a number of times: yes, it is good to try and educate, to try and assist people to get out of habits that are unhealthy and in some cases financially devastating, but the very fact that you are acknowledging it as well means that we are not really getting there. I would imagine in the case of gaming companies that have put limits on things like loot boxes or allow you to set their own limits, they are doing that because they realise there is an issue and they realise that governments are looking at the issue—and you can see from just today's debate that all sides of this chamber realise this issue is important. We have bodies like the Victorian Responsible Gambling Foundation, and I acknowledge we have had two members of its board speak today. Deputy Speaker, I appreciate your work in that area. There is more that is needed to be done.

Now, I just want to go back to the member for Morwell again because we have all, I think, suitably acknowledged the courage that it takes to stand here in this house and talk about an experience which I cannot imagine and I could not talk to. But I do know that from my own personal experience with mental health issues way back when, the first step to working on the problem, from my own experience, is to accept that there is a problem at the start and that—in my case, for me—you need to change for your health and for the welfare of your friends and family. And that goes to what the member for Morwell was saying. By bringing this matter of public importance up today and from the tenor of the debate we have had, I hope that gives him comfort that his thoughts and his wishes for more work in this area will not fall on deaf ears.

In the small time I have got left I will go to the second point, and other members have raised the issue of the federal government's requirement to act in this space. We are limited as a state body when it comes to online communications and online gambling. Minister Rowland has had a couple of weeks in the job, so I cannot imagine we have seen monumental change in a few weeks. But I will be writing to the minister, and I hope that we can raise these issues and see more work in this space, because there is a lot to do.

I saw a young kid in Coles just last week, about the age of 10—it was at school drop-off—with a \$50 note buying a Roblox card for in-game money. It is not gambling, and there might be nothing wrong with it—it might have been birthday money, the parents might have been happy with it; it might have been completely fine. But it might not have been. We have to catch up regulations in this country in regard to online activity, and that includes gambling. We know it leads to mental health problems. We need to do more, and I think anything, from the sound of it, that this house can do to get there we will do. I commend the motion.

**Mr ROWSWELL** (Sandringham) (17:53): Deputy Speaker, I think I picked up in the last speaker's contribution your work on the Victorian Responsible Gambling Foundation. I acknowledge that. Thank you for doing that on behalf of the Parliament. I also acknowledge that in 2011 it was the



former coalition government that established that foundation, which we are certainly proud of on this side of the house but I think every member can be proud of. I think it was a good thing to do.

I also acknowledge, in addressing this matter of public importance (MPI), the contribution of the member for Morwell. I think that the member for Morwell's contribution today came from a deep personal place, and that was quite obvious in his contribution. I acknowledge him, and I acknowledge the courage that he had when allocated this matter of public importance time—an important time within the sitting week of the Parliament—to bring these matters of the linkages between gambling harm and poor mental health to the attention of this house for the consideration of its members.

I want to address this matter of public importance in a couple of ways—firstly, by saying that I took some time to review the Victorian Responsible Gambling Foundation's submission to the Royal Commission into Victoria's Mental Health System, which was submitted in July 2019. My colleague the member for Ovens Valley did the same. I thought it was interesting that in the royal commission's final report into Victoria's mental health system there are zero recommendations and no mentions about mental health being linked with gambling. I am surprised by that. I think that is interesting; I think that is noteworthy. And there are in fact only seven mentions of gambling in the five volumes of the report. Perhaps that was a missed opportunity, because it is clear to me that there is a linkage between gambling harm and poor mental health and that was an opportunity to try and highlight that in a formal way.

Last week was Men's Health Week, and the focus this year was building healthy environments for men and boys. The aim of that campaign was to increase awareness of preventable physical and mental health problems in men of all ages and to encourage them to be proactive with their own health and wellbeing and to engage in healthier lifestyle choices. Men of course are more likely than women to be impacted by the linkages between gambling harm and poor mental health, and this is an issue that has not been acknowledged, in my view, in an appropriate way.

If we all agree—and I think we do—that there are linkages between gambling harm and poor mental health, the question then is: how do we fix it? How do we go about doing something about it? If the response to that is, 'Well, we need more money to do it', then there are some very obvious ways that that money can be raised to ensure that responsible gambling programs are better funded. Serious consideration should be given to taxing foreign-owned online-only bookmakers properly, and I will go into that in some detail too.

Just as an example, in my research in preparing for this MPI I came across an article published in the *Guardian* a year ago in relation to Bet365. Their CEO, Denise Coates, if you include an additional payment, received £469 million as part of her annual wage. That is some A\$850 million for her annual wage. Of course the parent company for Bet365 is based in Stoke-on-Trent in the United Kingdom and therefore is not subjected to Victorian legislation but is under a different international regime. Similar online-only bookmakers now represent some 60 per cent of total market share in Australia and more than 70 per cent of the online market share. However, foreign-owned online-only bookmakers are currently taxed less than the local TAB, with a point-of-consumption tax of only 10 per cent. It is interesting to note that the Queensland and New South Wales governments just in the past fortnight announced increases to the point-of-consumption tax rate from 15 per cent to 20 per cent in Queensland and 10 per cent to 15 per cent in New South Wales respectively. I am increasingly of the view that that is something we should be giving consideration to here, especially if the circumstance is such that, with all the different priorities of government, there is not sufficient funding for a greater focus on responsible gambling programs. Well, here is an obvious way of securing revenue for such programs.

It has been said, and I tend to agree, that the safest place to responsibly enjoy making a bet is in a supervised place. It is in a regulated venue. It is at a TAB, where there are trained staff on hand that can monitor behaviour, know the telltale signs of people who perhaps overindulge and can deal with that in an appropriate way. Being able to gamble 24/7 at home, courtesy of foreign-owned online-only

bookmakers, is a risk to responsible gambling. During COVID times this of course has driven a huge amount of interest in online gambling, principally with foreign-owned online bookmakers, which has resulted, as has been reported quite widely, in super profits being made by these online-only bookmakers. I think the other conversation here is the need for a national framework to deal with such matters. I acknowledge the former federal minister in this space, Alan Tudge, did his level best to introduce a national consumer protection framework but was not able to quite get there. Perhaps that is something that is worthy of consideration in this conversation as well.

Look, there are some practical things that can be done. It does make sense for foreign-owned online-only bookmakers, such as Bet365, who spend literally hundreds of millions of dollars on advertising, to spend more money, frankly, into the coffers of the Victorian government so the Victorian government can then in turn put a greater focus, a sharper focus, on responsible gambling activities. Some other practical things that should be considered—gambling advertising should be restricted to racetracks, regulated gambling venues like pubs and clubs, racing programs, platforms and stations like racing.com, the form guide and racing radio programs like Sport 927.

In summary, I think there is a lot we can be doing in the space—more than we have been doing. I commend again the member for Morwell for bringing this matter of public importance to the attention of the chamber, and I implore the government to be bold enough and brave enough to have a serious, fair-dinkum conversation about that point-of-consumption tax with especially those foreign-owned online-only bookmakers. I suggest at the current time the Victorian people in that regard are being taken for a ride.

**The SPEAKER:** I thank members for raising items as part of the matter of public importance, and I thank the member for Morwell for raising such an important matter of public importance as well.

### Bills

#### TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022

##### *Second reading*

##### **Debate resumed.**

**Mr SOUTHWICK** (Caulfield) (18:03): As we heard today from our co-chairs of the First Peoples' Assembly this morning, from Aunty Geraldine and Marcus Stewart, it is important when it comes to things like treaty to be on the right side of history, and particularly if you look at the history of the past, if you look at the wrongs of the past, we need to do whatever we can to right those wrongs.

There have been lots of opportunities for me to be involved with our Indigenous community over many years, and I want to pay tribute to them today, and also, particularly in the conversations that were had in our Parliament, accept the fact that whilst this is such an important signal and important initiative that the Parliament is doing, there is a lot more work that needs to be done. What we do need to do is take the important framework of the treaty and look at what actions we can do to ensure that the conversations become the actions that are needed.

One of the important elements that was mentioned today was the fact that governments over many, many years have failed. They have failed in providing a whole lot of programs that have not really hit the mark, to be quite frank. We see issues around incarceration, around poverty and around drug and alcohol abuse. Although we look at Closing the Gap reporting to try and look at those signals and what we can do to improve them, and we are monitoring them, there is still so much work to be done. That is why the conversations that were had today were about saying, 'Hey, if we keep going down the same path that we've had of government just providing, effectively, these welfare programs, we're not going to get the outcomes that we need'.

I want to pay tribute to Noel Pearson, because Noel Pearson has been very, very strong on this stuff. I have had the great opportunity of having many conversations with Noel Pearson. He is all about,

effectively, self-determination. Noel Pearson is about taking your own responsibility. He talks a lot about the Indigenous welfare of the past, and he says very strongly that if we are going to fix this, we need to change direction completely. He has criticised approaches which he terms as being progressive and is supporting and focusing more on a centralist approach, which is about looking at what Indigenous communities can do in terms of being able to take the baton and self-determine in a number of these different areas. He talks strongly about changing direction when it comes to welfare, substance abuse, child protection, education and economic development and, as I say, has criticised a lot of the approaches of the past.

I was involved in a program called First Australians Business with Noel Pearson, and it was about helping Indigenous business owners to grow and develop their businesses. Luke Cummins from Cape York was an Aboriginal artist who I mentored for a number of years, and I had the opportunity of working with his family, working with his brother John and meeting at the time—and this was back in 2003 I recall—his daughter Jamiga. In fact we did an exhibition at the Malthouse and we engaged Victoria University, which supported this exhibition, and the funds went to Luke to be able to help educate others in terms of his stories.

Luke took me up to Cape York, and I had the experience of going to visit some of the rock caves and look at his original artwork in these rock caves. It is a memory of a lifetime for me. What really hit the mark for me was what his brother said to me a long time later. He was saying that for many years both Luke and John were painting stories of the land from a different clan to the one which they were in, because they were moved in as part of the stolen generation to another area and had not known where their original land was or which clan they belonged to and therefore were effectively telling the wrong stories, not the stories that they should have been telling. This is part of that conversation of understanding where you come from, who you belong to and who you are part of. The idea of treaty allowing those from different clans and different groups to be able to have that conversation, have that dialogue and work things out themselves, being able to work this through without having government and without having bureaucrats, is very, very important in terms of them being able to create their own destiny and their own path. I think that is really, really important going forward.

I wanted to finish just by highlighting some of the particular connections to William Cooper because William Cooper standing up for justice, I think, has perfect synergy. What he did was march to deliver a letter to the German consulate at the time of the Second World War. After Kristallnacht, the night of the broken glass, he saw the wrongs of what the Nazis were doing to the Jews, and he delivered a letter. The letter read:

On behalf of the Aboriginal inhabitants of Australia, we wish to have it registered and on record that we protest wholeheartedly at the cruel persecution of the Jewish people by the Nazi government in Germany.

We plead that you would make it known to your government and its military leaders that this cruel persecution of their fellow citizens must be brought to an end.

What makes this story so important is that William Cooper in his 70s marched from Footscray to deliver this letter with a number of others. At the same time that he did this, his own citizens were not recognised as citizens themselves. He effectively was not recognised for who he was and was not even able to be a citizen of this country. He did not have any of the rights that we have, yet he was standing up for the rights of others. We have progressed a lot since then, but what William Cooper did in standing up for others, the memorial and the changes and the advocacy that he did, is a truly remarkable story. This is a very important piece going forward. I think what we are doing today in terms of the opposition supporting this says that this is not about politics. It is about change, it is about working together for better outcomes, and that is why the Liberal-Nationals are supporting this treaty bill today.

**Ms HALFPENNY** (Thomastown) (18:11): I rise to make a contribution on the Treaty Authority and Other Treaty Elements Bill 2022. I would like to begin by acknowledging the traditional owners of the land on which we stand today in the white man's Parliament built on the land of the Wurundjeri people, a land that extends to the electorate of Thomastown. I pay my respects to Wurundjeri elders

past, present and emerging, as well as elders from other places, and to all First Nations people. I also acknowledge the devastation that colonisation has caused Aboriginal people from the start and that it continues to this very day.

As a non-Aboriginal woman, I know I cannot speak for or really know what Aboriginal people know or how the journey of treaty should travel. It is the work of Aboriginal people, and they should and must decide. The Victorian Labor government and every member of it want to walk with Aboriginal people on this journey and be guided by them. Colonisation is not a memory from the past. It is not over; it did not end. It has been a part of life for Aboriginal people through every generation, for every part of every family and every individual. The co-chair of the First Peoples' Assembly of Victoria, who addressed us earlier today, Aunty Geraldine Atkinson, a Bangerang and Wiradjuri woman, said in this chamber that the policies and actions of colonisation, of institutions and of governments attempted to eradicate Aboriginal people and Aboriginal culture. But as we can very clearly see today, this has not happened, and it is because of the strength and courage of First Nations people. Through this process I hope to learn more of Aboriginal culture, and I hope that I can earn the right to call Aunty Geraldine Atkinson 'Aunty Geri', as she referred to in her speech this morning.

First Peoples for generations have called for treaty to secure structural change to improve the lives of First Peoples and ensure that they have the freedom and power to make the decisions that affect them, their communities and country. The legislation we are debating or talking on today does some of that, because the way to true equality is to have this work led by First Peoples in a genuine partnership with the Victorian government, and that is what this bill facilitates in this work. In 2016 the Victorian Labor government made a commitment to First Nations people that we would undergo a treaty process, and this bill is an important step in that process. I would like to just comment on some of the elements of the bill before then going on to talk a little bit more about the First Peoples' Assembly and the mighty job they are doing and the representatives of Aboriginal people who are on that assembly.

Following talks and consultation with Aboriginal people in 2016, our government committed to advancing treaty with Victoria's First Peoples as a necessary step in realising Aboriginal self-determination. This commitment was formalised in Parliament with the passage of the Advancing the Treaty Process with Aboriginal Victorians Act 2018, the first treaty legislation in Australian history. That act sets out a plan or the elements and principles—

**The SPEAKER:** Order! I will just interrupt the member at this point. The time has arrived for the joint sitting to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr David Limbrick. I will now ask the Clerk to ring the bells to call members to the joint sitting. The Assembly will resume after the joint sitting has concluded, and the bells will ring again at that time.

**Sitting suspended 6.15 pm until 6.23 pm.**

**Ms HALFPENNY:** As I was saying, the act committed the state to working in partnership with Aboriginal representative bodies to establish elements necessary to support future treaty negotiations, and since it was established in 2019 the First Peoples' Assembly has been working with government in partnership. The First Peoples' Assembly of Victoria, as the Aboriginal representative body, is the democratically elected representative body for traditional owners and Aboriginal Victorians, and today we take another step together in this historic journey towards treaty and realising genuine self-determination of Aboriginal people.

The bill will establish the Treaty Authority as its own entity under the Treaty Authority Agreement, including the infrastructure it needs to operate, and there will be a self-determination fund and guidelines to facilitate priorities and to facilitate negotiation and dispute resolution. This will be a separate entity in order to do its work, and it will be separate and independent from government so that it is a true style of self-determination where Aboriginal people, First Nations, will be able to determine how they go about formulating and facilitating the treaty process. I would like to quote the

words of Marcus Stewart, Nira illim bulluk man of the Taungurung nation, who is an assembly co-chair and also spoke on the floor of the Parliament today. As he said:

This is about stepping outside the colonial system ... We've said to government, if you're serious about treaty, you'll do it our way, and to their credit, that's what they're doing. This is decolonisation in action.

The government is relinquishing some of its control and power ... together we are creating new institutions that will be guided by Aboriginal lore, law and cultural authority that has been practised on these lands for countless generations.

Treaty is an opportunity to come to terms with our past and to work together for a better collective future, a future that is fair and just and makes real change. I see some of the Aboriginal organisations that are working in the Thomastown electorate: the First Peoples' Health and Wellbeing centre and the Bubup Wilam Aboriginal kindergarten. They work so, so hard for their people, with such care, with such professionalism and with such incredible outcomes for the people that they are caring for and working with. But I also see their frustration in sometimes having to work in a system that is not designed for First Nations people by First Nations people. There is that frustration, but perhaps better work and better facilitation of what they are doing will improve the outcomes that they are getting. That is something that I think all of us hope will come out of this treaty and the work we do together, ensuring that there is a much more just and fair future for all of us. Because as one First Nations woman from the Bubup Wilam kindergarten said, 'If we don't work it out for Aboriginal people, then we really cannot work things out as a society for anyone in terms of fairness and equality'. It is a great honour to be part of a government that is being led by and following Aboriginal people towards a treaty that will allow for proper self-determination and a better future for all of us.

Just in finishing, I would like to quote again from a First Nations elder, one who I know, Uncle Andrew Gardiner, who I have met on many occasions through all the great work that he does within the Thomastown area. He said, in a talk about what he sees as the purpose of treaty:

The Treaty Authority Agreement is another historic marker along the process of our people in negotiating their Treaties with the State Government and another step closer for the Assembly in achieving that goal.

**Ms RICHARDS** (Cranbourne) (18:28): I am incredibly honoured to be able to rise to speak on the Treaty Authority and Other Treaty Elements Bill 2022. I also would like to begin my contribution by acknowledging the Wurundjeri Woi Wurrung people as the traditional owners of the land that the Parliament is built on. I want to acknowledge that in representing the Cranbourne district I am working for and serve the people of the Boon Wurrung and Wurundjeri people. I would also like to acknowledge the First Nations people who have been with us in the gallery today and thank them for their attendance and generosity in welcoming us to their country. I acknowledge the land in Cranbourne was and always will be the land of our First Nations people.

The bill before us will support the establishment of a Treaty Authority, overseeing treaty negotiations between the state and Victoria's First Peoples. It will be an independent body, the first of its kind that oversees treaty negotiations. It will facilitate the relationship between the First Peoples and the state and between First Peoples groups. Today, I would argue, we have seen the best of us, and we have seen the best of us in the contributions that we have heard. We have seen the best of us in the decision by those opposite to elevate treaty and have it above politics. The Treaty Authority that is the subject of the bill will facilitate and oversee treaty negotiations and administer the treaty negotiation framework, provide for resolution of disputes in treaty negotiations in accordance with a treaty negotiation framework and carry out research to support treaty negotiations and the administration of the treaty negotiation network. This is a novel and unprecedented legal model in Australia, and while it is based on international best practice, it is important to acknowledge that this is a nation-leading and historic change in how the state and First Nations people approach treaty negotiations. This is the first time I have quoted Martin Luther King, who reminded us that the arc of the moral universe is long and that it bends towards justice. Change takes a long time, but we acknowledge absolutely that justice for First Nations people has taken too long—way too long.

This morning was extraordinary. I am going to try from now on to limit my voice in this contribution to the voices of others because for too long we have needed to be taken on a journey of understanding of self-determination. But before I do hand over my voice to the contributions of others from our First Nations I do want to thank people who have helped me and taken me on the journey of understanding, of not speaking for people but allowing and giving the space we need for people to take us and have the voice that we ought listen to.

So 20 years ago or thereabouts—I have lost track of time a bit—I first met Uncle Shane Charles, a strong Yorta Yorta, Wurundjeri and Boon Wurrung man, and he taught me about the power of governance. At about the same time I got to know Trevor Pearce because our kids did Little Athletics together, and this incredibly proud Kamilario man taught me about listening and about health. But the person I particularly acknowledge today, the person we all listen to I think for being the fierce leader that she is, is Aunty Jill Gallagher. In trying to express the purpose and significance of a bill such as this one in front of us today I would like to reflect on the words of Aunty Jill Gallagher and say how grateful I am for the generosity that I have been shown over many years by the commissioner of the Victorian Treaty Advancement Commission. I do not think we would be here today without the drive of Aunty Jill.

Today when I caught up briefly with Aunty Jill and talked to her about the extraordinary young people in Cranbourne, I can tell you that her eyes sparkled, and there was nothing quite like that sparkle to acknowledge what it is that is the best of us and why we are so lucky to have such clever people as I have and I serve in Cranbourne—and I will make sure that I allow enough time to have their voices recorded here and their views on this treaty bill.

But it was while working for the member for Altona in her capacity as the Minister for Health that I was fortunate to be taken on the journey of understanding about what is so obvious that it hardly needs saying: Aboriginal people know best what Victorian Aboriginal people need. And so it was working alongside our traditional owners on *Koolin Balit*, which means ‘healthy people’ in Boon Wurrung language, that we saw in stark relief the approach that self-determination achieves. And we saw that so clearly in these last two years, because when we look at the success of the Victorian Aboriginal Community Controlled Health Organisation in caring for First Nations people, we see that for keeping people safe and supporting our strong and resilient communities that community and that organisation had the answer—and of course they had the answer. Again, when Aunty Jill Gallagher speaks, we listen. In an interview with the Victorian Women’s Trust she spoke on Aboriginal communities’ needs for the ability to negotiate treaties and highlighted how it is not a new proposition but that the only difference has been that we have as a government decided to explore the options to have treaty. To hear from Jill that the difference here is a state government willing to even consider seriously the prospect of treaty is sobering. I would like to particularly thank, as others have before me, the two co-chairs of the First Peoples’ Assembly of Victoria, Marcus Stewart and Aunty Geraldine Atkinson, who implored us to not be on the wrong side of history. Thank you too for calling for Victoria to show Australia we are ready to right the wrongs of the past—and what wrongs there are.

Again, I am going to proceed by fulfilling my commitment to hand over the voice and acknowledge particularly those who have such importance to the Cranbourne community, the people I serve, and start with Robert Ogden, the reserved seat holder representing the Bunurong Land Council and a proud Bunurong man. I can read that when the assembly took over Parliament House in Melbourne for its first chamber in December 2019, Robert Ogden said he hoped that they were starting something that would honour the losses, sacrifices and struggles of ancestors.

I hope we can listen to the aspirations of First Peoples in Victoria and find solutions to issues that have plagued us, plagued our people, since colonisation ...

he said.

We will have our differences, but we must at least try to work together for an outcome.

Mr Ogden said it is important to note the assembly and the treaty process will not erase the hurt and atrocities of the past, but it is a chance to build real outcomes for Aboriginal people.

I would like to make sure that I have the voice of Dr Carolyn Briggs AM and the member for the Metropolitan Region recorded here as a very important and proud Boon Wurrung woman and also acknowledge the decades of professional experience and expertise that is brought to this place and will be brought to this treaty process.

Almost a whole year getting used to technology and getting used to how you have to navigate. It's a good tool for when people can't be there. Everyone can still be at home and it brings us together ...

she explained.

As she's tended to do throughout her life, Dr Briggs wasn't going to let that challenge stop the Assembly's work from progressing.

'This is part of being in the Assembly and, now that we've unpacked ourselves and can attend these conferences and network and reconnect back with a lot of family units around here, the work will go on.'

I want to acknowledge again the words that have been provided, which are:

My dream is for my legacy to be an Assembly building. It'll be for theatre, it will be for international Indigenous Peoples around the world to come to ...

I also want to thank and acknowledge Andrew Gardiner, who is representing the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, and again make sure that Uncle Andrew Gardiner's words are recorded, that he wants nobody left behind:

At the end of the day, we've all worked through things to get a positive platform, but it's our responsibility to get that moving and to communicate all these things to communities ...

I have so much optimism for the future, and the optimism I have absolutely has to be centred around my experience with our local kids, an incredible mob that take me on the journey all the time. When we first learned about treaty I went to a couple of the schools, but I particularly acknowledge the extraordinary students of Cranbourne Secondary College. Making sure that we got the voices of our young people, I do want to say how proud I was to spend time with Robert Gittens and Lauren Gittens. They are Marrung students from Cranbourne. We wanted to ask a very young and very proud Yorta Yorta man—a young man I was very honoured to meet, Hayden Cooper—what this meant to him. He said that importantly in this place at this moment, treaty will be instrumental in young people's understanding of their background, their sense of hope and their sense of identity. He said he is looking forward to young people being looked after culturally and the understanding of self that will come out of treaty. He finished his comments by expressing how treaty will be an opportunity for people who could not speak up before to speak and express new ideas.

I am so grateful to our young people. I am so grateful to the young people of Cranbourne but particularly those young people who are taking me on the journey. We are going to stop and listen. We are going to slow down, and we are going to make sure it is your voice and it is your treaty. I am so grateful as well for the tenacity of the Minister for Aboriginal Affairs and the Premier. I commend the bill to the house.

**Mr EDBROOKE** (Frankston) (18:38): I would like to start by paying my respects to the traditional owners of the land on which we meet today, the Wurundjeri, Woi Wurrung and Boon Wurrung peoples of the Kulin nation and pay my respects to elders past and present and acknowledge that this land was never ceded. I am absolutely so proud to stand here today to support the Treaty Authority and Other Treaty Elements Bill 2022. Can I also acknowledge the First Peoples' Assembly co-chairs, Aunty Geri Atkinson and Marcus Stewart, and other members of the assembly. The assembly have made amazing headway towards achieving what is right and what is just, and I thank them for their unending patience.

We actually have a lot to be proud of in Australia. We are the home of the longest continuous culture in the world—60 000 years or more and over 2000 generations. We have only just started appreciating

it. The last 200 years are part of a 60 000-year history book that is inches thick, but that 200 years is but the last line in that book. I, like many others, was only taught about that last line in that book, that line about white occupation in the 20 years of my own education. There was literally nothing about Indigenous culture except maybe what a didgeridoo was. Thankfully the curriculum these days is a bit better, and we can do better. We can always do better, and seeing traditional owners in schools is a way forward.

My generation had to educate ourselves on our history, our combined history, and learn from community and read books. It was not until I was an adult that I realised that we are the only commonwealth nation without a treaty. It was not until I was an adult that I actually understood terra nullius and the Eddie Mabo case and learned about our earliest so-called attempt at treaty by John Batman. This is a really local example, and we are talking about a treaty for the land on which we stand right now. When I drive down Batman Avenue it is a reminder every time, and I wonder about this road named in honour of John Batman. I ask myself how the First Nations people feel about that—how they feel about the concept of trust knowing that Batman was a major player in the Black War of the 1820s in Tasmania. The member for Kew can talk about it as though it was just a couple of farmers out there with guns, but for all intents and purposes it was government-sanctioned genocide of the Tasmanian Palawa people, and it was action in step with other British colonies. But, like slavery, it was going out of fashion to talk about it because the age of Enlightenment period had begun. It is really ridiculous, to my mind, to talk about something so important but just say a population decrease of nearly 84 per cent over 120 years from 770 000 people to near 117 000 people was not genocide, that it was not ethnic cleansing, because it absolutely was. Batman's own diary reveals how he led a night massacre of a sleeping village and executed the injured and even kept a child. Today we would name that, we would call that out as genocide, we would call that out as ethnic cleansing. We would not honour that.

Later Batman found himself near Merri Creek, which is current-day Northcote, arranging a treaty for the land on which we stand based on that European idea of ownership and legal contracts, concepts totally foreign to the people on this land at the time, where land was not about possession but about belonging. Batman negotiated with elders who did not speak a common language and apparently had no idea or even comprehension of what Batman was doing because selling land was not actually a known concept. Historians now even argue over whether Batman forged the signatures on those documents, which makes more sense than men who had no written language signing documents. These deals were even seen as so corrupt at the time that the New South Wales government and the Crown refused to recognise that treaty.

It is documented accounts like this that make me wonder about the accuracy of and the education on our history. I have got to call it out. It makes me wonder—and I am a bit flabbergasted—about the education of anyone in this house who tells us that they will cross the floor because they do not support the bill before the house, this 'illiberal and divisive tokenism' that 'will do nothing to close the gap'. I ask the naysayers: what part of history don't you understand? Why are you making excuses? What don't you get? This issue has been ongoing since 1788. This issue certainly was not confined to a few murderous settlers, as we have heard. It is far from an even playing field, and we need to even that. That is why we are here today.

Anyone who listened to our First Peoples' Assembly representatives today put forward that they want treaty and disagrees with that, I ask: how are you any different to the colonisers 200 years ago who refused to acknowledge, refused to listen and refused to walk beside our First People? I want members to remember that there are people listening to us today in Parliament, the privileged few, who are generational survivors of a colonial past that undeniably and efficiently attempted to achieve two things—that is, killing them and their families and breeding their culture out of them.

Now, we are not the first community to have to deal with this, and it is not like our traditional owner community have not been continuously fighting over the years to retain their land and culture and get the best for their community. If you talk to them, if you listen to them, if you learn from them, you



will be surprised and more so maybe, like me, you will be shocked. You can learn about the stories not just within our white man borders but from all over the nation, things like the Coranderrk rebellion; William Barak, who was the ngurungaeta of the Woi Wurrung; the legendary stories of Pemulwuy; things like William Cooper, the Yorta Yorta man; the members of the Australian Aborigines League; the 1967 referendum; the stolen generations; deaths in custody and systemic racism. I am a privileged white bloke, and I get it. I can read—I get it. So what more can our traditional owner community do to convince you or make you understand that it is not a big ask to vote for this bill? Is it a lack of education? Is it just plain bloody stupidity? Is it narcissism? Or is it a bit deeper? Is it racism that makes you not feel a moral or ethical obligation to vote for this bill?

On the statement of treaty and treaty not helping close the gap, well, we have been trying to close the gap for nearly 14 years, since 2008. Closing the Gap is not working, and in some instances that gap is actually widening. What we know factually is that long-term sustainable solutions that close the gap are only possible when First Peoples are in the drivers seat and making decisions about matters that impact their lives. Treaty is that all-important mechanism through which we will transfer decision-making power to Victoria's First Nations people, and treaty will provide the foundation from which First Peoples can pursue their aspirations and design and deliver their own solutions to improving outcomes and actually close that gap.

Traditional voices have been traditionally silenced. That is an irrefutable fact. That is the foundation of evidence that our history needs to be based on. The true history of colonisation, our shared history, has been denied, covered up and erased. That is a fact. Colonial powers are very good at doing that across the nation, and they did it here. But today we are leading the nation and are closer than ever to addressing unfinished business in this state, and that is why I stand here very proudly. Right now in Victoria we are on the verge of making history, and today we support a treaty process which can recognise historic wrongs, recognise ongoing injustices and acknowledge and promote the fundamental right that First Nations people have to their self-determination.

Today and on this journey we have been told in no uncertain terms that this bill is the only way we can heal and that this bill is the only way we can all create a future of truth, justice, equality and respect. If you do not support this legislation, essentially you are refusing to support the will of First Nations Victorians. And they have been pretty patient. They have offered a hand in partnership today to us, and all they are asking us to do—it is pretty simple—is stand with traditional owners throughout the process of truth and walk with them on the pathway to treaty, which I can guarantee every single person on this side of the house does without exception. I commend the bill to the house.

**Ms ADDISON** (Wendouree) (18:48): I am honoured today to speak in support of the Treaty Authority and Other Treaty Elements Bill 2022 and to be one of the very last speakers on this very historic day. I wish to acknowledge the traditional owners of the land on which the Parliament is built, the Wurundjeri people, pay my respects to elders past, present and emerging and extend those respects to the Aboriginal people who are here with us today and those who were with us earlier.

I wish to acknowledge the traditional owners of the land of the district of Wendouree, the electorate I have the honour to represent in this place, the Wadawurrung people, and pay my respects to their elders both past and present. I would also like to acknowledge the Ballarat Aboriginal community, many of whom were forcibly removed from country all over Victoria and interstate during the stolen generation decades and were brought to Ballarat. They chose to stay and make Ballarat their home and together have created the thriving Ballarat and District Aboriginal Cooperative to benefit all Aboriginal people living in and around Ballarat.

I also want to recognise the integral involvement of the First Peoples' Assembly of Victoria in the ongoing treaty process as well as the work of the Aboriginal Treaty Working Group in establishing the assembly as the democratically elected Aboriginal Representative Body. I thank the Minister for Aboriginal Affairs, her ministerial office and the department for the work they have done to bring this bill to the house as well as acknowledge the work of previous Labor ministers for Aboriginal affairs,

the member for Sydenham and Gavin Jennings, as well as the Premier for his strong support for treaty and truth telling.

It was a special moment earlier today when the significant contribution of the former Victorian treaty advancement commissioner, Jill Gallagher AO, was acknowledged by the co-chairs of the First Peoples' Assembly of Victoria and by the whole Parliament by applause. Thank you for your strength and leadership, Jill. It is a privilege to be in the Parliament on such a significant day for our state and hear the co-chairs and be with the members of the First Peoples' Assembly of Victoria. Thank you to Aunty Geraldine Atkinson and to Marcus Stewart, who is still here—thank you for being here, Marcus—for your wise and powerful words about what needs to be done for self-determination and how we can move forward together. The bill before this house today represents advancing progress in the treaty process, with the state of Victoria continuing to work in partnership with traditional owners and Aboriginal Victorians.

As we know, the Victorian government agreed in 2016 to undertake a treaty process in partnership with Aboriginal Victorians. This historic commitment was followed by the 2018 passage of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018, referred to as the 'treaty act', which sets out three elements necessary for future treaty negotiations, these being the Treaty Authority, the treaty negotiation framework and the self-determination fund. The first element, the Treaty Authority, has just this month been established through an agreement between the state and the First Peoples' Assembly, and it forms the focus of the bill before the house today. It is the first of its kind in this country. Based upon the innovative model proposed by the First Peoples' Assembly, the Treaty Authority will fairly and effectively oversee treaty negotiations as well as administering the treaty negotiations framework, providing for dispute resolution and carrying out supporting research with respect for Aboriginal lore, law and cultural authority. The Treaty Authority crucially provides the treaty process with a truly independent umpire to facilitate negotiations and build positive partnerships. As such, its internal governance processes are prescribed by the Treaty Authority Agreement, not by the bill before the house today.

The Treaty Authority and Other Treaty Elements Bill 2022 instead seeks to recognise and facilitate the new established Treaty Authority. The bill confers upon the authority the various legal powers and capacities necessary to fulfil its role. Given its unique and novel legal form, the authority will be empowered to operate similarly to a body corporate, with the power to enter into agreements to acquire, hold and dispose of property and sue and be sued, as well as the ability to participate in the formation of a company, trust or other body and to be a member, hold shares and act as a trustee. The authority will have perpetual succession, and to ensure the legal force of its activities it will be empowered to function outside of Victoria. The bill will also protect the authority members and employees from personal liability. Ongoing secure and independent funding for the authority's operation is provided for as well via appropriations from the Consolidated Fund. Together these provisions endow the recently established Treaty Authority with the powers and status necessary to operate independently and to fulfil its essential role in the treaty process.

The bill will also amend the 2018 treaty act to allow for the establishment of the treaty negotiation framework and the self-determination fund. Following the Treaty Authority, these are the remaining two elements required to support substantive treaty negotiations, and both are currently being negotiated between the state and the assembly. The amendments in question ensure that the Aboriginal representative body, the position fulfilled by the First Peoples' Assembly of Victoria, may enter into treaty negotiations. They also provide for greater flexibility for how the self-determination fund may be administered, allowing greater separation between political and administrative funds. The bill serves an important function with the advancing treaty process, which is currently in the second of three stages. The state and the First Peoples' Assembly are working to establish the necessary elements to support treaty negotiations, including the Treaty Authority that we are discussing today. This stage is expected to conclude this year, with treaty negotiations themselves to begin in 2023.

The treaty process is nation-leading work, seeking to create a stronger and fairer Victoria. I am incredibly proud of the progress that has been made so far, and I am additionally proud to be here today as we take another step on the pathway towards treaty. The Andrews Labor government's more than \$218 million investment in Victoria's treaty process forms part of almost \$1.6 billion committed since 2014 for initiatives supporting Aboriginal Victorians. We have seen \$58 million in funding for the Yoorrook Justice Commission, Australia's first truth-telling process into systematic injustices experienced by Aboriginal people, both historical and ongoing. The commission's hearings have begun, and its final report is expected in mid-2024. Through the treaty process and the Yoorrook Justice Commission, Victoria is the only Australian jurisdiction to have actioned both the treaty and truth components of the *Uluru Statement from the Heart*.

Within my electorate of Wendouree we are working to realise self-determination locally. The Ballarat and District Aboriginal Co-operative was established by members of the Ballarat and district Aboriginal community in 1979 and is led by the extraordinary BADAC CEO, Karen Heap, and chief operating officer, Jon Kanoa, and an incredible workforce who deliver health, social, welfare and community development programs to local Aboriginal people. I would also like to acknowledge the culturally strong and grounded leadership of the BADAC board of directors, who are voted in annually by the members of the cooperative: chair Larry Kanoa, vice-chair Ian Petty, treasurer Marjorie Pickford and also Deb Callister, Peter Lovett and Pauline Scott.

BADAC is the Aboriginal community controlled organisation, ACCO, for the Ballarat and district area, covering four local government areas, including the City of Ballarat. I was proud to join with the Minister for Regional Development earlier this year to announce \$2.6 million for the Ballarat and District Aboriginal Co-operative to develop a culturally safe independent living community for local Aboriginal elders. BADAC has played a crucial role in my community for more than 40 years, and its history has recently been captured in an online project supported by a local history grant from our government.

Recently I was honoured to attend the opening, with the Minister for Early Childhood and members of the local Aboriginal community, of the Yirram Burron centre in Sebastopol. 'Yirram burron' means 'morning child', and this new early learning centre is an Aboriginal-led and community-owned kindergarten with an emphasis on culture, education and community. Further, the Andrews Labor government has provided the Wathaurung Aboriginal Corporation \$150 000 to upgrade its offices in Ballarat's Mair Street through the Aboriginal community infrastructure program.

The Andrews Labor government supports improved outcomes for Aboriginal Victorians. We are united in our support for reconciliation, self-determination and treaty. Today is a historic day for Victoria, and I could not be prouder to be here supporting the Treaty Authority and Other Treaty Elements Bill 2022. I commend the bill to the house.

**Ms WARD** (Eltham) (18:58): I also acknowledge the Wurundjeri, the traditional custodians of the land on which we gather here today and on which I live, and I pay my respects to elders past and present and those who are emerging. I also extend my acknowledgement to those traditional owners who were here today, and I say *ngoon godgin* for their generosity in inviting us to walk with them.

In 1835 an illegal squatter camp was established on the banks of the Yarra River. This brazen act would shape the history of Australia as much as would the arrival of the First Fleet in 1788, because now that the continent was fully open to conquest, no more was settlement to be restricted to defined boundaries. Within 12 months the British government would allow settlers to go where they pleased. So begins James Boyce's study *1835: The Founding of Melbourne and the Conquest of Australia*, which speaks to the settlement of Naarm—a settlement begun because in just over 30 years the demand for grazing land had exploded so much that Tasmania was not enough.

Sir John Batman headed to Naarm to make money. Boyce goes on to write that by the end of the 1840s squatters had seized nearly 20 million hectares of the most productive and best watered Aboriginal

homelands. He quotes Richard Broome that it was one of the fastest land occupations in the history of empires. We know that John Batman was a syphilitic hustler, and hustle he did. It is incredible to think how quickly the colony grew. We stand in this place, which began to be built in 1856, 20 years after Batman began the process that would be the carving up of the Kulin nation for European settlers. In 20 years we had a parliament; that is how quickly this city and this state grew with Europeans. In 1836 we had John Wedge landing at Port Phillip with 2000 sheep and 12 head of cattle—and so it begins. Gellibrand in April 1836 describes an expedition he led coming across the River Plenty, which is the Plenty River, and he talks of heading east from the Plenty River, likely towards Diamond Creek.

**The SPEAKER:** Order! I might interrupt the member at that point. I am required under sessional orders to interrupt business now. The member may continue her speech when the matter is next before the house.

**Business interrupted under sessional orders.**

### Adjournment

**The SPEAKER:** The question is:

That the house now adjourns.

### YARRA ROAD PRIMARY SCHOOL

**Mr HODGETT** (Croydon) (19:00): (6436) My adjournment is for the Minister for Education, and the action I seek is for the minister to fund the much-needed replacement of four portable classrooms at Yarra Road Primary School. Yarra Road Primary School is fantastic. It is a large school within my electorate of Croydon that is still desperately awaiting the funding to be able to replace four portables that are in a destitute state. The current portables are in such poor condition—not only do they contain asbestos but they also have leaking roofs and some windows that have to be propped open with wood to allow for adequate ventilation. One of the classrooms does not have any running water, which limits the usage of the space as a classroom as it cannot be used for any science or art classes. With no access to running water, the classroom cannot accommodate any students who are anaphylactic as the requirement to access water to wipe down the desks multiple times a day is not available.

Yarra Road Primary School is an asset to the local community, and principal Ken Darby and assistant principal Meriden James, along with their staff, are incredibly hardworking and are continually advocating on behalf of the students and school community to deliver the best outcomes. Yet another year has passed and another budget has been announced, and still no funding has been allocated for Yarra Road Primary School. While other schools have received funding, Yarra Road Primary School has been left still waiting for the vital improvements it needs to be able to support its students. I urge the Minister for Education to support Yarra Road Primary School and its students and provide the funding that is so desperately needed to replace these old portables to give the students the best opportunities to succeed in their education without the poor conditions they are currently forced to learn in. So again I call on the Minister for Education to fund the much-needed replacement of four portable classrooms at Yarra Road Primary School.

### CONNECTING VICTORIA PROGRAM

**Ms CONNOLLY** (Tarneit) (19:02): (6437) My adjournment tonight is for the Minister for Small Business and Minister for Innovation, Medical Research and the Digital Economy, and the action that I seek is that the minister join me in Tarneit to talk to small businesses that will benefit from greater mobile reception as part of the Connecting Victoria program. As the minister knows, our government's \$550 million Connecting Victoria program aims to connect businesses with faster and more reliable broadband connections in areas where there are currently blackspots. I am very pleased to say that Tarneit is one of 54 areas across Victoria where this work is taking place to improve broadband coverage for businesses through a new business fibre zone.

Businesses in my community know there is a world of opportunity to be had online through digital initiatives. In the age of online shopping and digital commerce, being online has never been more important, and being online when you are out and about is absolutely critical. We are more reliant than ever on our mobile phones. That is why there is nothing worse than having poor mobile reception and a lack of access to decent internet services. The previous federal government decided to gut our NBN and exclude outer suburban areas like mine from mobile blackspot funding. If you go somewhere nearby, like Point Cook, which is only a couple of kilometres from Tarneit, that was one of the first places to get fibre-to-the-network NBN—but rapidly growing suburbs like Tarneit have missed out.

It has taken us, the Andrews Labor government, to step in and fill this gap by providing Tarneit businesses with the internet speeds that they need and deserve. It might not seem like much, but it is an absolute game changer for my community. I look forward to seeing the minister in Tarneit to talk about the benefits of also improving mobile reception and what that will bring for local businesses and households.

### RURAL AND REGIONAL PLANNING

**Ms STALEY** (Ripon) (19:04): (6438) My adjournment tonight is for the Minister for Planning, and the action I seek is that he urgently develop new ways to assist rural and regional councils to manage the increase in subdivision and other larger planning matters. As we know, post COVID, people want to move to the regions and they want to move to country areas. As a result, we have a large uptick in developers wanting to develop multi-lot subdivisions, and yet we have a number of these rural and regional councils that just cannot manage to get these things through in any sort of timely manner. I am particularly thinking of Central Goldfields at the moment. They have a proposal, and they just cannot do all of the planning matters because they do not have the capacity within their—

**Mr Wynne:** Or they don't have the skills.

**Ms STALEY:** That is right. Whether it is Ballarat, whether it is Central Goldfields or whether it is Loddon, they just need assistance on these bigger planning matters. They can do the infill, they can do the renovations, they can do all of those sorts of things, but when it comes to a multi-lot subdivision they get bogged down. They can take years, yet we have got demand now. This is when we want people to move to these areas. Let us strike while the iron is hot. So I am requesting that he develop some new approaches to achieve that goal.

### DISABILITY INCLUSION PACKAGE

**Mr RICHARDSON** (Mordialloc) (19:05): (6439) This evening I raise an adjournment for the Minister for Education, and the action I seek is for the minister to update my community on the progress of the rollout of the disability inclusion package across the Mordialloc electorate. The disability inclusion package is transformational policy that will make sure every student in Victoria, no matter their needs, their circumstances or indeed their postcode, gets the very best support. With the five-year rollout of this program, tier 2 funding guarantees a base level of funding to make sure that more students—up to 55 000 students—get that support from some of the most amazing educators in the world: Victorian teachers, education support staff, principals and principal leadership.

It has been a really difficult time over the last couple years for our teachers and leaders in education facing the pandemic. But it has not stopped the incredible work that has been done by our schools—some 600 now—that are benefiting from the disability inclusion package. It is an extraordinary number as we scale up across the more than 1550 government schools. That means extra resourcing to make sure our kids get that additional support. One in five need additional support in our classrooms, and we need to make sure that we are tailoring that support to our students.

But it is also about a cultural change, and this is a massive piece of work and reform that some in the department have described to me as 'as transformational as three-year-old kinder'. It is about bringing inclusive education and learning and the support for kids with additional needs and those changed

practices to a broader audience in our communities, because every single Victorian student benefits from inclusive education. This package and its rollout will be transformational. It started in the Bayside Peninsula region, in the Loddon Campaspe region and in South Barwon. I am really keen to understand how that reform has rolled out across the Mordialloc electorate and how it is benefiting students across the City of Kingston.

### LOWAN ELECTORATE ROADS

**Ms KEALY** (Lowan) (19:08): (6440) My adjournment matter is for the Minister for Roads and Road Safety, and the action I seek is for the minister for roads to join me to see firsthand the dangerous condition of roads in my electorate, including the Coleraine-Edenhope Road. Over the past couple of weeks I have received a few pieces of correspondence which relate to different parts of the Coleraine-Edenhope Road. This road goes from Edenhope through Harrow down to Coleraine, and at the Coleraine end it encompasses what is known as the Coleraine Hill near Konongwootong. A young man by the name of Gus McCure has written a letter to me, which I would like to read into *Hansard*:

My name is Gus McCure and I go to Balmoral Community College. I'm 10 years old and I'm here to write you a letter about, the Coleraine, Edenhope Road. The hill going down into Coleraine is very bumpy and dangerous. I have heard lots of people complaining about it, including my parents. People that go way too fast could easily have a crash and that could lead to a massive disaster. People could die or get very badly injured. But if the road was fixed it would probably not happen. I see you have put a sign up that says be wear of bumps and filled in a hole or two but when Mum or Dad takes me to Coleraine or Hamilton, I still see the bumps in the road, and they are ridiculously big! The bumps could make cargo or something you have in your ute/car fall out. Once my dad was driving down the hill and he was going normal speed and the anti-skid light came on because the road was so bumpy. I find it scary when we go down the hill because I hate the bumps. I'm surprised that the shire has not tried to fix it. I don't care if the project takes a year as long as it is done properly. Maybe put a lane ... especially for trucks or a passing lane. I would like to see road workers start in the next year or so if you can approve to it. I think if it does go ahead the whole community will be very happy now and for years to come.

Look forward to your reply.

Yours Sincerely

Gus McCure—

a lovely young man who, at 10 years of age, is advocating for safer roads in our area.

I also received correspondence from Mr Greg Buttle of Edenhope. He is equally concerned but is at the opposite end of Coleraine-Edenhope Road:

The road is pitted and cracked in areas coming through the residential area in Edenhope (approximately 500 mts) from the T intersection West Wimmera hwy up to George St. The boom of the trucks and rattling carriages as they hit the faults in the road is similar to that of a clap of lightning going off. Let me tell you It is over and above having to put up with this during the day, but having that into the evening is dam right outrageous.

Please will the government have a real look at it? Come up here and talk with myself and residents in this area.

I appeal to the minister for roads—we know that there have been cuts to the road asset management budget—to come with me and see firsthand the condition of the roads and what people are having to live with and just how dangerous it is when they are simply trying to go to school, go to work or go to footy or netball training. Please, Minister, come and inspect our roads and provide the funding to fix them once and for all.

### BALLARAT FOODBANK HUB

**Ms ADDISON** (Wendouree) (19:11): (6441) My adjournment matter is for the Minister for Disability, Ageing and Carers. I ask the minister to provide an update on how the establishment of a Foodbank hub in Ballarat will address the issue of food insecurity in my electorate of Wendouree and the broader community. While food security is important across all of Victoria, it is an especially pertinent concern in regional electorates like mine as regional Australians are a third more likely to experience food insecurity than residents in metropolitan areas. Indeed a report from Ballarat Community Health has found that 12 per cent of the Ballarat population experiences food insecurity,

which is why I am very proud that this government is taking action and partnering with Foodbank to establish a hub in Ballarat.

Foodbank Victoria are the state's oldest and largest food relief charity, and their work is crucial to supporting the frontline charities that are feeding vulnerable Victorians. Their new hub will be staffed by a mix of volunteers and paid employees and built on recently acquired land in the growing Ballarat West employment zone. Activity in this zone is ramping up, and I am delighted that Foodbank are joining a host of other organisations and companies which are seizing the opportunity of operating in Ballarat. Foodbank's multipurpose BWEZ warehouse will be the key to addressing a storage bottleneck in local supplies. It will ensure timely access to food relief for those who need it most both in Ballarat and across the wider region.

I also want to take a moment to recognise and thank the many local organisations which are collaborating through the Ballarat Food Access Network to provide essential food services in our community. These include Ballarat Community Health, Uniting Ballarat, the Ballarat Foundation, the Salvation Army, Anglicare, Central Highlands Primary Care Partnerships, the Grampians Public Health Unit, Ballarat Neighbourhood Centre and the City of Ballarat. I look forward to the minister's response on how Foodbank's Ballarat hub will further support these efforts to address food insecurity.

### MURRAY BASIN RAIL PROJECT

**Ms CUPPER** (Mildura) (19:13): (6442) My adjournment matter is for the Minister for Ports and Freight, and the action I seek is for the minister to convene a ministerial task force to undertake an agriculture industry development plan for the Mallee. Right now stakeholders in our community are divided about the outcome of the Murray Basin rail project. This ill-fated project was announced and budgeted by the Napthine coalition government in 2014. It promised a five-stage upgrade of the network that included the standardisation of almost 1000 kilometres of track and a raft of benefits to our farmers. Several months later, in November 2014, the Napthine government was voted out and the Andrews government was voted in.

In 2019 the Andrews government backed in the project and the costing that was budgeted by Premier Napthine. In 2017 the federal coalition—I think under Turnbull—backed in the costing too, agreeing to match the \$220 million state contribution to ensure the \$440 million project would be completed in full. So three governments followed that costing advice, no doubt in good faith, but unfortunately it was bad advice as the Victorian Auditor-General identified the project was grossly undercosted. A more realistic figure would have been at least \$2 billion. The upshot was a false promise to our community.

The rescope project is now almost complete—some stakeholders are satisfied with the outcome; others are livid. Whether it should have been rescope or whether the state government should have closed out the project are questions of legitimate debate, and I get that, but if we dwell on the wreckage of the Murray Basin rail project for too long, we risk missing new opportunities. We need a new deal for freight, we need all stakeholders to design it and we need to retain our vision for full standardisation, and we must identify and incorporate other incremental steps along the way because we do not want to miss the quick wins and the low-hanging fruit, according to certain industry operators. We need a forum that helps us to hear from all stakeholders in that methodical, transparent way. We need it to be convened by people with authority to make decisions. We need a forum that sets long-term visions and clear benchmarks, not just in relation to freight but also other key drivers and enablers of our ag industry, which are in the remit of the state government.

In my time as the member for Mildura the state government has delivered some significant and commendable wins for our ag industry. We have seen worker accommodation funded in Robinvale and Mildura, improvements to the Robinvale-Sea Lake Road, standardisation of the Mildura rail line, investments in the SuniTAFE SMART Farm, improvements to telecommunications infrastructure and important concessions on water reform, but it has not always been clear how certain projects were identified and prioritised. What we need is a coordinated, connected and integrated approach. Mallee farmers are exceptional. They farmed a desert. They are innovative, productive and near on

indestructible. When they win, the state wins. I look forward to working with the minister on advancing this cause.

### ENERGY POLICY

**Ms CRUGNALE** (Bass) (19:16): (6443) My adjournment matter is for the Minister for Energy, Environment and Climate Change, and the action I seek is for her to provide me with an update on how the Victorian government is continuing to support residents of my electorate of Bass with the rising cost of living. When we came to government we promised to make energy fairer and more affordable for Victorians, and we have delivered. The recent announcement that the \$250 power saving bonus will be extended to all Victorians on 1 July is proof that this government takes cost-of-living relief seriously. It was so wonderful to meet the many people who attended or called my office to seek help with their energy bills through the previous \$250 power saving bonus, with around 12 000 of my constituents all up accessing this program. One of the wonderful outcomes for our energy consumers has been the Victorian Energy Compare website. This website is the only free and independent online energy price comparison service in Victoria, with data showing that seven out of 10 users can save money by switching energy offers, with typical annual savings of \$330 on energy bills in the first year alone. I thank the minister for her ongoing commitment to lower energy prices for households and businesses and look forward to the update.

### EVELYN ELECTORATE TELECOMMUNICATIONS

**Ms VALLENCE** (Evelyn) (19:17): (6444) My matter is for the Minister for Innovation, Medical Research and the Digital Economy on behalf of families and small businesses across the Yarra Valley and the Dandenong Ranges. The action I seek is that the Yarra Valley and Dandenong Ranges telecommunications issues be addressed on an urgent basis and that these communities be prioritised for Connecting Victoria funding. There are widespread mobile black spots, lagging broadband speeds and poor network resilience across the Yarra Ranges communities. Service is unreliable. I have firsthand experience where I live in the Yarra Valley, but it is also even the case for some of the more urban areas like Lilydale, Mount Evelyn and Montrose.

A recent independent report found that of 24 000 sites surveyed across the Yarra Valley and Dandenong Ranges around 25 per cent experience telecommunication difficulties in receiving essential information they need during times of emergency or disaster. Yet Connecting Victoria in their 1 February 2022 report showed that other municipalities have received funding for broadband and connectivity projects despite having lower rates of connectivity issues than the Dandenong Ranges and Yarra Valley. Why is our community continuously left behind by this government in the way that it allocates funds?

The dismal state of digital connectivity across the Yarra Ranges has been brought into sharp focus during the past two years of the Andrews government's lockdowns, where people were required to work and learn from home but struggled to as a result of poor connectivity, and also after the severe storm events that caused havoc across our region last year, where telecommunications services were cut to thousands of residents, making it impossible to access emergency information.

The Andrews government has left the community behind, and the local member for Monbulk, James Merlino, has failed to advocate on their behalf. There has been no urgency or determination to fix this, and one year on from last year's storms residents have not seen any improvement in vital infrastructure. It would make sense to integrate strengthening the telecommunications network in our communities alongside any improvements to the energy network resilience via the Department of Environment, Land, Water and Planning's energy resilience projects.

I would like to take the opportunity to highlight Yarra Ranges resident Peter Brennan, who has been doing tremendous work to collect and collate data from households and businesses about connectivity issues and campaigning for stronger telecommunications infrastructure since the 2009 Black Saturday bushfires. Despite this, and despite the Andrews government using Mr Brennan's name in their glossy



media announcement about Connecting Victoria, they have failed to list one Yarra Ranges location in the 50-plus priority sites for the program. This is just more evidence that the Andrews government ignores our community, and it is an absolute disgrace that the member for Monbulk, James Merlino, has been silent on this issue.

Local emergency services too say that communication services have not been improved for years, despite this being a significant issue. A reliable network for all communities across the Yarra Valley and Dandenong Ranges should be a priority, and I call on the government to stop leaving our community behind.

### NEPEAN ELECTORATE COMMUNITY SPORTS GRANTS

**Mr BRAYNE** (Nepean) (19:20): (6445) The action I seek is for the Minister for Community Sport to update my community on the amount of funding that community sports clubs in Nepean have received to date under the sporting club grants program. The Victorian government recently announced that the sporting club program is once again open for applications. Year after year this program has helped provide funding for grassroots sports clubs right across Victoria. Whether it is assisting organisations to purchase sports uniforms and equipment or making improvements to club venues, these grants go a long way to supporting community grants right across the state.

Investing in community sport is vital in my community. Just in the last fortnight I was pleased to announce that two local sports clubs, the Dromana Football Netball Club and the Dromana Cricket Club, have recently received \$200 000 and \$100 000 respectively in grant funding for new netball courts and new cricket nets. It is so exciting for Dromana. These investments will allow these clubs to update their facilities and get more locals back out playing the sports they love. So I look forward to the minister updating my community on the total amount of funding that sporting clubs in my community have received under this program.

**The SPEAKER:** Before calling the minister, I will just remind members that they are to use correct titles and not members' first and last names when they are raising matters for ministers. I ask the Minister for Planning to respond to a matter raised by the Manager of Opposition Business and to refer other matters.

### RESPONSES

**Mr WYNNE** (Richmond—Minister for Planning, Minister for Housing) (19:21): It will be a very serious presentation by me tonight.

**A member:** It is wonderful to see you.

**Mr WYNNE:** It is a joy to see the Speaker here with us tonight. The member for Croydon raised a matter for the Minister for Education seeking support for the refurbishment of a number of portables at the Yarra Road Primary School, and I will make sure the minister is aware of that request. The member for Tarneit raised a matter for the Minister for Small Business seeking that the minister come and meet with the small business community in her electorate to address mobile reception issues that she is having in the electorate, and indeed we have got a couple of these tonight so I will make sure the minister is aware of that. I will come back to the member for Ripon in a moment. The member for Mordialloc raised a matter for the Minister for Education seeking further advice in relation to the disability inclusion package and how it is rolling out in his electorate, and we will make sure that matter is brought to the minister's attention. The member for Lowan raised a matter for the Minister for Roads and Road Safety in relation to the Coleraine-Edenhope Road seeking that the minister come and inspect the road. For reasons that I will not bore you with, member for Lowan, it was the place where my wife was born, Coleraine.

**Ms Kealy:** She must be an excellent woman.

**Mr WYNNE:** She is an excellent woman. Indeed she is. She puts up with me.

**A member:** And a patient woman.

**Mr WYNNE:** She is a very patient woman.

**A member:** She must have driven on those roads.

**Mr WYNNE:** She has. The member for Wendouree has raised a matter for the Minister for Disability, Ageing and Carers seeking an update on the rollout of the really crucial Foodbank hub in Ballarat, which of course is very, very crucial to many community members who are doing it tough. Food security is very, very fundamental, so I will make sure that is brought to the minister's attention. The member for Mildura has raised a matter for the Minister for Ports and Freight seeking that the minister address the agriculture industry development plan, which effectively deals with questions around freight and rail more generally, as I have understood it, and I will make sure the minister is aware of the member for Mildura's request. The member for Bass has raised a matter for the Minister for Energy, Environment and Climate Change seeking an update on addressing cost-of-living issues that her community is confronting, particularly with the extraordinary success of the power saving bonus, which from 1 July will be made available more broadly across the community. We should all make sure that members of our communities are on top of that.

The member for Evelyn has raised a matter for the Minister for Innovation, Medical Research and the Digital Economy seeking Connecting Victoria funding for black spots in the Yarra Ranges region. Is that the funding stream?

**Ms Vallence:** Yes, to prioritise it.

**Mr WYNNE:** To prioritise it, yes. Through the Connecting Victoria funding, yes? That is what it is called? Good-o.

**Ms Vallence:** Yes. It is your government.

**Mr WYNNE:** Well, I do not know everything. I do my best. The member for Nepean—

**A member** interjected.

**Mr WYNNE:** Do you see the harassment? It is outrageous, Speaker.

**Ms Staley:** You have not even gotten to mine.

**Mr WYNNE:** I am coming to yours, do not worry. Are you on your phone again?

**Ms Staley:** No.

**Mr WYNNE:** Good. The member for Nepean has raised a matter for the minister—

**A member:** He has walked out on you.

**Mr Brayne:** I am here.

**Mr WYNNE:** He is over here.

**A member:** Not for much longer.

**Mr WYNNE:** Don't worry about that. He will be here, I can assure you. He raised a matter for the Minister for Community Sport seeking an update on the sporting clubs program that is being delivered into his electorate, an excellent program that deals with many of the fundamental things like uniforms, the whole lot.

Now, are you ready? The member for Ripon—

**Ms Staley** interjected.

**Mr WYNNE:** Yes, I have got an answer for you. I have got an answer for you, don't worry. This is actually quite a serious problem. Anytime I go out into regional Victoria this is the story that we get. You have got this unique situation of areas that are now booming with really significant population growth and big issues in terms of housing, as we know, and housing affordability more generally. The government is turning its mind to that very specific question of housing and affordable housing in regional Victoria. As the member knows, the Big Housing Build that we talked about today, she is doing very well out of that, as many members are, with the \$5.3 billion that we are rolling out. But that is only one part of the equation. The other part of the equation is the development community themselves more generally, and they are now confronting what is quite a serious question of the ability of local governments to attract and retain both statutory and strategic planners, because this goes to both of those questions. Statutory planners sometimes have dual roles. It is not that common, but strategic planning is absolutely fundamental because you really have to look at the question of population and how you are going to manage it in a sustainable way and how you also address the potential conflict that there is between growth and agriculture. The intersect of that with those buffers, as we have seen in the past, can be very, very difficult.

We have regional hubs, as I am sure the member is aware. The regional hubs program is very successful, and we do want to reach out and continue to reach out to many municipalities that have been offered this and have worked with us in relation to dealing with their strategic planning issues but also the Victorian Planning Authority itself. As members know, we are out there right through regional Victoria but only coming in by invitation. This has to be a collaborative relationship between the council and the VPA to get this strategic—

*Members interjecting.*

**Mr WYNNE:** Is that it? That will do. All good there? Where was I? So then the VPA can continue to work with councils. The other thing that I think is going to be quite important is how you have twinning relationships between the bigger cities and some of the smaller municipalities—you know, the Bendigos, the Ballarats, the Geelong— and seeing if you can twin up to get shared resources. I know the Minister for Local Government is exploring those issues.

For the member for Ripon, this is an important issue and one that we, I think collectively, have to address. It goes in many respects to the question of how you can continue to attract planners to come into regional Victoria and enjoy the beauty of what regional Victoria offers, including Coleraine. Speaker, my work is done until after the break.

**The SPEAKER:** Thank you very much, Minister. It has been enlightening. The house is now adjourned.

**House adjourned 7.29 pm.**

**Joint sitting of Parliament**  
**LEGISLATIVE COUNCIL VACANCY**

**Members of both houses met in Assembly chamber at 6.18 pm.**

**The Clerk:** Before proceeding with the business of this joint sitting, it will be necessary to appoint a Chair. I call the Premier.

**Mr ANDREWS** (Mulgrave—Premier): I move:

That the Honourable Colin Brooks, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting.

He is willing to accept the nomination.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the motion.

**The Clerk:** Are there any other proposals? There being no other proposals, the Honourable Colin Brooks, Speaker of the Legislative Assembly, will take the chair.

**The CHAIR (Hon. C Brooks):** Under the Constitution Act 1975 this joint sitting must be conducted in accordance with rules adopted by members present at the sitting. The first procedure, therefore, will be the adoption of rules.

**Mr ANDREWS** (Mulgrave—Premier): I move:

That joint rule of practice 2 be the rules for this joint sitting.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the motion.

**Motion agreed to.**

**The CHAIR:** The rules having been adopted, I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

**Mr ANDREWS** (Mulgrave—Premier): I propose:

That Mr David Limbrick be chosen to occupy the seat that he vacated in the Legislative Council to contest the federal election.

He is willing to accept the nomination. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise that I am in possession of advice from the Liberal Democratic Party's registered officer that Mr Limbrick is the selection of the Liberal Democratic Party, the party previously represented in the Legislative Council by Mr Limbrick.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the proposal.

**The CHAIR:** Are there any further proposals? As there are no further nominations, I declare that nominations are closed. The question is:

That Mr David Limbrick be chosen to occupy the vacant seat in the Legislative Council.

**Question agreed to.**

**The CHAIR:** I declare that Mr David Limbrick has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly. I now declare the joint sitting closed.

**Proceedings terminated 6.20 pm.**