

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**TUESDAY, 2 AUGUST 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

## Legislative Council committees

### Economy and Infrastructure Standing Committee

Mr Barton, Mr Finn, Mr Gepp, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Tarlamis.

*Participating members:* Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Vaghela and Ms Watt.

### Environment and Planning Standing Committee

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Terpstra and Ms Watt.

*Participating members:* Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

### Legal and Social Issues Standing Committee

Ms Burnett-Wake, Mr Erdogan, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

*Participating members:* Dr Bach, Mr Barton, Ms Bath, Ms Crozier, Dr Cumming, Mr Gepp, Mr Grimley, Ms Lovell, Mr Quilty, Dr Ratnam, Mr Tarlamis, Ms Terpstra, Ms Vaghela and Ms Watt.

### Privileges Committee

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

### Procedure Committee

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

## Joint committees

### Dispute Resolution Committee

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

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

### Electoral Matters Committee

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

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

### House Committee

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

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

### Integrity and Oversight Committee

*Council:* Mr Grimley.

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

### Pandemic Declaration Accountability and Oversight Committee

*Council:* Ms Crozier and Mr Erdogan.

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

### Public Accounts and Estimates Committee

*Council:* Mrs McArthur, Mr Barton and Ms Taylor.

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

### Scrutiny of Acts and Regulations Committee

*Council:* Mr Gepp, Ms Patten, Ms Terpstra and Ms Watt.

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

## 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 COUNCIL**  
**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

**President**

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

**Deputy President**

The Hon. WA LOVELL

**Acting Presidents**

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

**Leader of the Government**

The Hon. J SYMES

**Deputy Leader of the Government**

The Hon. GA TIERNEY

**Leader of the Opposition**

The Hon. DM DAVIS

**Deputy Leader of the Opposition**

Ms G CROZIER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Bach, Dr Matthew <sup>1</sup>	Eastern Metropolitan	LP	Meddick, Mr Andy	Western Victoria	AJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Melhem, Mr Cesar	Western Metropolitan	ALP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Mikakos, Ms Jenny <sup>9</sup>	Northern Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Donohue, Mr Edward John <sup>10</sup>	Eastern Victoria	LP
Burnett-Wake, Ms Cathrine <sup>2</sup>	Eastern Victoria	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dalidakis, Mr Philip <sup>3</sup>	Southern Metropolitan	ALP	Quilty, Mr Timothy	Northern Victoria	LDP
Davis, Mr David McLean	Southern Metropolitan	LP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Erdogan, Mr Enver <sup>4</sup>	Southern Metropolitan	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Finn, Mr Bernard Thomas Christopher <sup>5</sup>	Western Metropolitan	DLP	Somyurek, Mr Adem <sup>11</sup>	South Eastern Metropolitan	Ind
Garrett, Ms Jane Furneaux <sup>6</sup>	Eastern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Gepp, Mr Mark	Northern Victoria	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Tarlamis, Mr Lee <sup>12</sup>	South Eastern Metropolitan	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Taylor, Ms Nina	Southern Metropolitan	ALP
Jennings, Mr Gavin Wayne <sup>7</sup>	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vaghela, Ms Kaushaliya Virjibhai <sup>13</sup>	Western Metropolitan	Ind
Limbrick, Mr David <sup>8</sup>	South Eastern Metropolitan	LDP	Watt, Ms Sheena <sup>14</sup>	Northern Metropolitan	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling <sup>15</sup>	Eastern Metropolitan	LP
McArthur, Mrs Beverley	Western Victoria	LP			

<sup>1</sup> Appointed 5 March 2020

<sup>2</sup> Appointed 2 December 2021

<sup>3</sup> Resigned 17 June 2019

<sup>4</sup> Appointed 15 August 2019

<sup>5</sup> LP until 24 May 2022

Ind 24 May–2 June 2022

<sup>6</sup> Died 2 July 2022

<sup>7</sup> Resigned 23 March 2020

<sup>8</sup> Resigned 11 April 2022

Appointed 23 June 2022

<sup>9</sup> Resigned 26 September 2020

<sup>10</sup> Resigned 1 December 2021

<sup>11</sup> ALP until 15 June 2020

<sup>12</sup> Appointed 23 April 2020

<sup>13</sup> ALP until 7 March 2022

<sup>14</sup> Appointed 13 October 2020

<sup>15</sup> Resigned 28 February 2020

**Party abbreviations**

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

DLP—Democratic Labour Party; FPRP—Fiona Patten's Reason Party; Greens—Australian Greens;

Ind—Independent; LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party



# CONTENTS

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ANNOUNCEMENTS	
Acknowledgement of country .....	2415
CONDOLENCES	
Michael Craig.....	2415
Hon. Jane Garrett MLC .....	2415
BUSINESS OF THE HOUSE	
Standing and sessional orders.....	2415
BILLS	
Casino and Liquor Legislation Amendment Bill 2022.....	2416
Child Employment Amendment Bill 2022 .....	2416
Gambling and Liquor Legislation Amendment Bill 2022 .....	2416
Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022.....	2416
Royal assent .....	2416
COMMITTEES	
Public Accounts and Estimates Committee.....	2416
Membership .....	2416
MEMBERS	
Ministry .....	2416
PETITIONS	
Road tolls.....	2418
BILLS	
Integrity and Anti-Corruption (Higher Standards for Lobbyists, Ministers, and Members of Parliament) Bill 2022 .....	2419
Introduction and first reading .....	2419
Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022.....	2419
Introduction and first reading .....	2419
PAPERS	
Victorian Health Building Authority .....	2419
Frankston Hospital Redevelopment Project: Project Summary .....	2419
COMMITTEES	
Scrutiny of Acts and Regulations Committee .....	2420
Alert Digest No. 10 .....	2420
Environment and Planning Committee .....	2420
Inquiry into the Protections within the Victorian Planning Framework .....	2420
Pandemic Declaration Accountability and Oversight Committee.....	2423
Review of pandemic orders.....	2423
Parliamentary committees .....	2425
Membership .....	2425
PAPERS	
Parliamentary Budget Office.....	2425
Operational Plan 2022–23 .....	2425
Auditor-General.....	2425
Responses to Performance Engagement Recommendations: Annual Status Update .....	2425
Ombudsman.....	2425
Annual Plan 2022–23.....	2425
Yoorrook Justice Commission.....	2425
Yoorrook with Purpose: Interim Report.....	2425
Ombudsman.....	2425
Investigation into Complaint Handling in the Victorian Social Housing Sector .....	2425
Auditor-General.....	2426
Results of 2021 Audits: Technical and Further Education Institutes .....	2426
Results of 2021 Audits: Universities .....	2426
Department of Premier and Cabinet .....	2426
Report to Parliament on the Extension of the Pandemic Declaration .....	2426
Independent Broad-based Anti-corruption Commission.....	2426
Ombudsman.....	2426
Operation Watts: Investigation into Allegations of Misuse of Electorate Office and Ministerial Office Staff and Resources for Branch Stacking and Other Party-Related Activities.....	2426
Ombudsman.....	2426
Investigation of a Matter Referred from the Legislative Council on 9 February 2022: Part 1 .....	2426
Papers.....	2426
PRODUCTION OF DOCUMENTS	

InsightsVictoria.....	2428
WorkSafe Victoria.....	2429
BUSINESS OF THE HOUSE	
Notices.....	2429
General business.....	2429
COMMITTEES	
Parliamentary committees.....	2429
Membership.....	2429
MEMBERS STATEMENTS	
Donald 'Pinkie' Brown.....	2430
Local government.....	2430
Brendan Kenna.....	2430
Top Tourism Town Awards.....	2431
St Mary's House of Welcome.....	2431
<i>The Lost Petition</i> .....	2431
Child protection.....	2431
Graeme Clark Oration.....	2432
Asian Studies Association of Australia.....	2432
Sri Lanka.....	2432
Hawthorn planning.....	2432
Uniform manufacture.....	2433
Crown land management.....	2433
Eureka Arms and Militaria Fair.....	2434
Gunsport Trading.....	2434
Delta Tactical Steelocalypse.....	2434
Level crossing removals.....	2434
Power saving bonus.....	2434
Shepparton ministerial visit.....	2435
BILLS	
Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022.....	2435
Statement of compatibility.....	2435
Second reading.....	2436
Health Legislation Amendment (Conscientious Objection) Bill 2022.....	2440
Statement of compatibility.....	2440
Second reading.....	2441
MOTIONS	
Parliamentary integrity.....	2443
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Emergency Services Telecommunications Authority.....	2446
Parliamentary integrity.....	2446
Ministers statements: foot-and-mouth disease.....	2447
Construction industry.....	2448
Kindergarten funding.....	2448
Ministers statements: ministerial visits.....	2449
Firearms licensing.....	2450
Trench and confined space rescue equipment.....	2450
Ministers statements: New South Wales floods.....	2452
Foot-and-mouth disease.....	2452
Victorian Registry of Births, Deaths and Marriages.....	2453
Ministers statements: veterans employment.....	2454
Written responses.....	2454
CONSTITUENCY QUESTIONS	
Western Victoria Region.....	2454
Northern Victoria Region.....	2455
Eastern Victoria Region.....	2455
Western Metropolitan Region.....	2455
Eastern Metropolitan Region.....	2455
Eastern Metropolitan Region.....	2456
Southern Metropolitan Region.....	2456
Northern Victoria Region.....	2456
Northern Victoria Region.....	2456
Northern Metropolitan Region.....	2457
MOTIONS	
Parliamentary integrity.....	2457
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day.....	2471



# CONTENTS

---

MOTIONS	
COVID-19 vaccination .....	2471
Victorian energy upgrades program .....	2484
Veterinary workforce .....	2485
Trench and confined space rescue equipment .....	2497
STATEMENTS ON REPORTS, PAPERS AND PETITIONS	
Child sexual abuse .....	2498
Community petition .....	2498
Department of Treasury and Finance .....	2499
Budget papers 2022–23 .....	2499
Ombudsman .....	2500
Investigation into Complaint Handling in the Victorian Social Housing Sector .....	2500
Pandemic Declaration Accountability and Oversight Committee .....	2501
Review of pandemic orders .....	2501
Ombudsman .....	2502
Investigation into Complaint Handling in the Victorian Social Housing Sector .....	2502
Pandemic Declaration Accountability and Oversight Committee .....	2503
Review of pandemic orders .....	2503
ADJOURNMENT	
Foot-and-mouth disease .....	2504
HMS Collective .....	2505
Melbourne medically supervised injecting facility .....	2505
Family violence .....	2506
Yarra Ranges planning .....	2507
St Albans Leisure Centre .....	2507
<i>Western Rail Plan</i> .....	2508
Level crossing removals .....	2509
Red Cliffs Football Netball Club .....	2509
Mildura passenger rail services .....	2510
Technical schools .....	2510
Uber .....	2511
Responses .....	2512



**Tuesday, 2 August 2022**

**The PRESIDENT (Hon. N Elasmarr) took the chair at 11.34 am and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The PRESIDENT (11:35):** On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

**Condolences**

**MICHAEL CRAIG**

**The PRESIDENT (11:35):** I wish to acknowledge that the Parliament of Victoria's executive chef, Michael Craig, passed away on the morning of Wednesday, 29 June 2022. Michael was a loving husband and father to wife Anne, daughter Maddy and son Archie. Michael has been a valued member of the Parliament team and community since 2012 and will be deeply missed. Many of his colleagues were impressed by his early morning starts, stylish work ethic and sharp sense of humour. His courage and determination will live on in all who knew him. On behalf of all members in this house I wish to express my deepest condolences to Michael's family.

**HON. JANE GARRETT MLC**

**The PRESIDENT (11:36):** I wish to acknowledge that on Saturday, 2 July 2022, we received the devastating news of the passing of our friend and colleague the Honourable Jane Garrett. On behalf of all members in this house, I wish to express my deepest condolences and sympathies to Jane's family and friends. A motion of condolence would ordinarily take place in this chamber today, followed by a suspension of proceedings. However, at Jane's family's request this will occur tomorrow so that they may be in the gallery. I call on Ms Symes to seek leave to move a motion to establish the order of business of the sitting week.

**Business of the house**

**STANDING AND SESSIONAL ORDERS**

**Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:37):** I move, by leave:

That this house acknowledges the passing of the Honourable Jane Garrett MLC and notes that as her family will be in attendance in the Legislative Council chamber on Wednesday, 3 August 2022, the standing and sessional orders be suspended to the extent necessary to allow the following order of business to occur today and tomorrow:

1. Today

Messages

Formal business

Members statements (up to 15 members)

General business

At 1.30 pm Lunchbreak

At 2.00 pm Questions

Constituency questions (up to 15 members)

Answers to questions on notice (non-government members may seek an explanation in relation to unanswered questions on notice, pursuant to standing order 8.13)

General business (until 7.15 pm)

At 7.15 pm Statements on reports, papers and petitions (30 minutes)

Government business (maximum 60 minutes)

At 8.45 pm Adjournment (up to 20 members).

2. Wednesday

A motion of condolence for the Honourable Jane Garrett MLC, pursuant to standing order 5.12.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:38): I just want to say that whilst the opposition would normally have preferred the recognition of Jane Garrett to have occurred today, we understand the reasons and support the government's step there. I note that there has been a collaboration to work through the non-government business—I think that is not just with the opposition but with the other non-government parties too. I put on record my respect for the fact that that has occurred and that there are a number of aspects, including an understanding we will read that bill on Thursday.

**Motion agreed to.**

**Bills**

**CASINO AND LIQUOR LEGISLATION AMENDMENT BILL 2022**

**CHILD EMPLOYMENT AMENDMENT BILL 2022**

**GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022**

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

*Royal assent*

**The PRESIDENT** (11:39): I have a message from the Governor, dated 28 June:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to her by the Clerk of the Parliaments:

**26/2022** Casino and Liquor Legislation Amendment Act 2022

**27/2022** Child Employment Amendment Act 2022

**28/2022** Gambling and Liquor Legislation Amendment Act 2022

**29/2022** Summary Offences Amendment (Nazi Symbol Prohibition) Act 2022

**Committees**

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

*Membership*

**The PRESIDENT** (11:39): I advise the house that I have received a letter from the Honourable Lizzie Blandthorn, member for Pascoe Vale, resigning from the Public Accounts and Estimates Committee, effective from 1 August 2022.

**Members**

**MINISTRY**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:40): I wish to advise the house that Mr Lee Tarlamis will now be the Government Whip in the Legislative Council. I further advise that there have been a number of changes to the government ministry, and I seek leave, rather than reading the full list, for it to be incorporated in *Hansard*.

**Leave granted.**

**Incorporated list as follows:**

In the Legislative Council, the **Honourable Harriet Shing** will now be the Minister for Water, Minister for Regional Development and Minister for Equality. She will represent the portfolios of Creative Industries, Housing, Multicultural Affairs, Planning, Prevention of Family Violence, and Women in the other place.

The **Honourable Gayle Tierney** will add Agriculture to her existing portfolio responsibilities. She will now answer questions on behalf of the following portfolios—

- Corrections
- Crime Prevention
- Education
- Police
- Victim Support; and
- Youth Justice.

The **Honourable Shaun Leane** will now be the Minister for Commonwealth Games Legacy and Minister for Veterans. He will represent the following portfolios from the other place—

- Commonwealth Games Delivery
- Energy
- Environment and Climate Action
- Local Government
- Mental Health
- Ports and Freight
- Solar Homes
- Suburban Development; and
- Treaty and First Peoples.

The **Honourable Jaala Pulford** will now answer questions on behalf of the following portfolios—

- Business Precincts
- Consumer Affairs, Gaming and Liquor Regulation
- Fishing and Boating
- Industry Support and Recovery
- Public Transport
- Racing
- Roads and Road Safety
- Suburban Rail Loop
- Tourism, Sport and Major Events; and
- Transport Infrastructure.

The **Honourable Ingrid Stitt** will now be the Minister for Workplace Safety and Minister for Early Childhood and Pre-Prep. She will represent the portfolios of Child Protection and Family Services, Community Sport, Disability, Ageing and Carers, and Youth in the other place.

I will now answer questions on behalf of the following portfolios—

- Premier
- Treasurer
- Assistant Treasurer
- Ambulance Services
- Economic Development
- Government Services
- Health
- Industrial Relations

- Regulatory Reform; and
- Trade.

In the other place, the **Honourable Jacinta Allan** will now be the Deputy Premier and will add Commonwealth Games Delivery to her portfolio responsibilities.

The **Treasurer** will add Trade to his existing portfolio responsibilities.

The **Minister for Roads and Road Safety** will add Industry Support and Recovery, and Business Precincts, to his portfolio responsibilities.

The Energy, Environment and Climate Change portfolio has been split and renamed. The **Honourable Lily D'Ambrosio** will remain responsible for these portfolios as the Minister for Energy, Minister for Environment and Climate Action and Minister for Solar Homes.

The **Honourable Melissa Horne** will now add Local Government and Suburban Development to her existing portfolio responsibilities.

The **Assistant Treasurer** will add Housing to his portfolio responsibilities.

The **Minister for Multicultural Affairs** will add Prevention of Family Violence to her portfolio responsibilities.

The **Honourable Lizzie Blandthorn** will now be the Minister for Planning.

The **Honourable Colin Brooks** will now be the Minister for Child Protection and Family Services, and Minister for Disability, Ageing and Carers.

The **Honourable Anthony Carbines** will now be the Minister for Police, Minister for Crime Prevention and Minister for Racing.

The **Honourable Steve Dimopoulos** will now be the Minister for Tourism, Sport and Major Events, and Minister for Creative Industries.

The **Honourable Natalie Hutchins** will now be the Minister for Education and Minister for Women.

The **Honourable Sonya Kilkenny** will now be the Minister for Corrections, Minister for Youth Justice, Minister for Victim Support, and Minister for Fishing and Boating.

The **Honourable Mary-Anne Thomas** will now be the Minister for Health and Minister for Ambulance Services.

The **Honourable Gabrielle Williams** will now be the Minister for Mental Health and Minister for Treaty and First Peoples.

### Petitions

#### Following petition presented to house:

#### ROAD TOLLS

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that there is a need to relieve the financial burden of excessive toll rates on privately owned utes.

Melbourne toll road operators for Citylink and EastLink, have different rates for light commercial vehicles, which includes utes, as opposed to four-wheel drive wagons. This applies whether a vehicle is privately owned or not. Compared to driving a wagon, it is 46 per cent more expensive for a casual ute user to drive on CityLink.

Wagons are heavier and more expensive vehicles compared to most utes. However, the toll rates for wagons are considerably less than utes. This system is incredibly unfair to families and imposes a significant financial burden on young apprentice tradespeople who drive utes. There is a need for review.

Utes are common family vehicles and to classify a ute as a light commercial vehicle is unfair.

The petitioners therefore request that the Legislative Council call on the Government to change the vehicle classification system so that all privately owned utes pay the same rates as passenger vehicles on toll roads.

**By Mr BARTON (Eastern Metropolitan) (1065 signatures).**

**Laid on table.**

**Bills****INTEGRITY AND ANTI-CORRUPTION (HIGHER STANDARDS FOR LOBBYISTS,  
MINISTERS, AND MEMBERS OF PARLIAMENT) BILL 2022***Introduction and first reading*

**Dr RATNAM** (Northern Metropolitan) (11:41): I move to introduce a bill for an act to reform the standards for ministers, parliamentary secretaries and members of Parliament by establishing the Parliamentary Integrity Commissioner and making amendments to the Members of Parliament (Standards) Act 1978, the Independent Broad-based Anti-corruption Commission Act 2011 and the Parliamentary Committees Act 2003 and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Dr RATNAM:** I move:

That the second reading be made an order of the day for the next day of meeting.

**Motion agreed to.**

**PLANNING AND ENVIRONMENT AMENDMENT (WAKE UP TO CLIMATE CHANGE)  
BILL 2022***Introduction and first reading*

**Mr HAYES** (Southern Metropolitan) (11:42): I move to introduce a bill for an act to amend the Planning and Environment Act 1987 to recognise and respond to the climate impacts resulting from planning and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Mr HAYES:** I move, by leave:

That the second reading be made an order of the day for later this day.

**Motion agreed to.**

**Papers****VICTORIAN HEALTH BUILDING AUTHORITY***Frankston Hospital Redevelopment Project: Project Summary*

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:42): I move, by leave:

That there be laid before this house a copy of the *Frankston Hospital Redevelopment Project: Project Summary*, June 2022.

**Motion agreed to.**

**Committees****SCRUTINY OF ACTS AND REGULATIONS COMMITTEE***Alert Digest No. 10*

**Mr GEPP** (Northern Victoria) (11:43): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 10 of 2022 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

**Motion agreed to.****ENVIRONMENT AND PLANNING COMMITTEE***Inquiry into the Protections within the Victorian Planning Framework*

**Ms TERPSTRA** (Eastern Metropolitan) (11:43): Pursuant to standing order 23.29, I lay on the table an interim report from the Environment and Planning Committee on the inquiry into the protections within the Victorian planning framework, including an appendix, extracts of proceedings and minority reports. I move:

That the report be published.

**Motion agreed to.**

**Ms TERPSTRA:** I move:

That the Council take note of the report.

On 28 October 2020 the Legislative Council agreed to a motion requiring the Environment and Planning Committee to inquire into, consider and report by June 2022 on the adequacy of the planning and Environment Act 1987 and the Victorian planning framework in relation to planning and heritage protection.

There were six broad areas of the inquiry, and they were, in broad brush strokes: (1) the high cost of housing; (2) environmental sustainability and vegetation protection; (3) delivering certainty and fairness in planning decisions—and this also touched on things like mandatory height limits, green wedge protections and VCAT appeal processes, amongst other things; (4) the adequacy of the heritage protections in Victoria, including regarding tree removal; (5) ensuring residential zones are delivering for the type of housing that communities want; and (6) any other matters that the committee considered relevant. The full terms of reference are of course set out in the report.

The original referral for this report was for it to be a desktop-style review; however, there were 287 written submissions from individuals, groups or organisations, which gave the committee a breadth of information to consider. I would like to thank each submitter for providing the committee with their written evidence for our consideration. I do appreciate the time, dedication and commitment that many submitters have given in providing that for the committee to consider, and again I thank them for their efforts.

Although the terms of reference were referred to the committee by the Legislative Council some time ago, the committee already had four substantial inquiries in a queue, and in accordance with its practice, each inquiry was completed in the order in which it was referred by the house. The timing of the referral was and remains a matter for the crossbench member who sought it. Consequently, by the time the committee had completed the various inquiries, with the last one being completed in May 2022, there remained insufficient time during this term of Parliament to undertake a full and comprehensive inquiry into the planning framework, and it was the majority view of the committee that anything less than a full inquiry would be inadequate. The committee resolved that the report into the Victorian planning framework therefore would be an interim report. As such, the committee has



made only one recommendation, and that is that a full inquiry be undertaken at the beginning of the next term of Parliament to ensure that the issues raised in the terms of reference can be given due consideration. So this remains a matter for the next Parliament.

In terms of the timing of the inquiry, it is also worth noting that there are significant reviews being undertaken or recently completed by the Victorian government into elements of the planning framework. All of these changes and reforms would need to be taken into account in any other inquiry.

Additionally, this inquiry was shrouded with confusion, stimulated by a lack of understanding about parliamentary inquiry processes, driven by some who should have known better. For example, there has been commentary that the decision not to hold public hearings was somehow an attempt to close down the inquiry. This misunderstanding was also reflected and perpetuated in some of the written submissions which the committee received, which were apparently of the view that this was a government inquiry rather than a parliamentary inquiry. All of that is simply untrue. The Environment and Planning Committee is a committee of the Parliament that has 10 members, only three of whom are government members. The government does not have any control over this committee and the decisions which are made by the committee.

Also of note is the desire by some crossbench members to draft terms of reference for committee inquiries that really are a burger with the lot. This approach has consequences. By way of comparison, the committee's major inquiry into ecosystem decline in Victoria, whose report was tabled in December 2021, took more than 12 months to complete and involved 16 full days of public hearings. It was the largest inquiry that the committee had ever undertaken. The inquiry into the planning framework is of a similar size and complexity and would be comparable in terms of the time needed to complete it—if not more. This should serve as a salutary lesson for committee referrals in future, as such large inquiries require a significant commitment of all members' time and require each and every member's full attention.

It is the committee's intention in making its recommendation that the newly constituted committee be referred the terms of reference at the beginning of the new Parliament, when there will be time to undertake all of the necessary steps, including a detailed legislative and regulatory review of the current planning framework as well as extensive public hearings to enable stakeholders and the community to have their say on the issues that matter to them.

Finally, I would like to thank all members of the committee for their time and attention during this inquiry and in particular for their patience regarding the difficulties experienced in terms of timing. I would like to thank the secretariat for their thorough examination of submissions and the work they did in pulling this report together. In particular would like to thank committee manager Michael Baker, inquiry officer Vivienne Bannan, research assistants Hong Tran and Jessica Wescott and the administration team of Sylvette Bassy, Cat Smith and Justine Donohue. I commend this report to the house.

**Mr HAYES** (Southern Metropolitan) (11:49): I want to thank the committee because what we have produced is a good report. The important thing is that it is only an interim report. The full report, the committee agrees, will follow in the next Parliament. However, this report today draws attention to the urgent need for reforms to planning and heritage.

The first thing to say is there was much disappointment in the community that no public hearings took place. Many of us believe there was adequate time to hear some viable witnesses, but the committee decided otherwise. With over 200 written submissions, what was very evident was the widespread concern at the breakdown of proper planning processes, including environment and heritage protection. There were very few submissions indeed which said the system was in a good state of health.

While the majority of the report covered many concerns of various submitters, some important points needed more coverage. I urge those interested to read my minority report. It includes more evidence

in relation to housing affordability. We only ever hear about supply problems, but the problems of Victoria's unplanned and high rates of population growth are adding hugely to demand, as mentioned in a number of submissions, and these are better reflected in my minority report. I draw attention to five separate submissions about property developer political donations reducing fairness in planning decisions. As well, some further improvements to the heritage system, greater protection for local heritage sites and greater regulation of demolitions were all discussed.

However, it is a very good report. Much reform is needed, and I look forward to that process continuing next year with a full public inquiry that hears evidence from witnesses. That is a must. I wish to thank the committee secretary, Michael Baker, and his hardworking crew for their efforts on this report. I want to thank the committee members and I want to thank all those staff members that Ms Terpstra mentioned. And I want to thank many people who made submissions to this inquiry; the information they provided was invaluable.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:51): I want to make a number of points about this inquiry into the protections within the Victorian planning framework. We supported the reference in the chamber, and it is a pity that the committee's order of business has not allowed it to do the work that I think it could have done on this. Importantly, I wrote to the committee on behalf of the opposition seeking to have concurrent matters considered, specifically about canopy trees and heritage protections. These are very important points. The committee, in my view, made a mistake in rejecting those important matters which should have been considered concurrently with this explicitly, and I think that, given the massive loss of tree canopy, it is a pity that they did not take that option. It is also a pity, given the very significant loss of heritage buildings, that that matter was also not considered formally concurrently with these matters.

I want to in addition draw attention to one other key matter—and there are many, as has been alluded to. But in the small period of time I have I want to draw attention specifically to the push by the Greens to increase the tax on housing to pay for social housing. Now, I understand the importance of social housing, but I do not want to see the government's taxes, specifically their big new housing tax, increased in the way that the Greens are proposing. Labor's proposal, which they have stepped back from, at least temporarily, would have seen a very significant charge and would have resulted in about \$20 000 per metropolitan property on a median-priced property—an additional tax layer. The Greens' proposal is to double that, which would be \$40 000 on every median property in the metropolitan area. That would be a massive slug; it would hurt families. And I say neither Labor nor the Greens can be trusted with housing affordability.

**Dr RATNAM** (Northern Metropolitan) (11:53): I too would like to speak to the tabled report of the inquiry into the protections within the Victorian planning framework. I want to thank everyone who made a submission to this inquiry; the committee secretariat and staff, who have done an incredible job going through a broad range of submissions; and my colleague Mr Hayes for moving the motion for this inquiry to begin and for the opportunity to work together on developing the terms of reference. It is an area of policy interest that we have been working on together.

This inquiry was important because, as so many of us know from talking to our community, Victoria's state planning system is not producing the type of affordable, sustainable and livable homes that we need for Victoria's future and is in dire need of an urgent overhaul. This inquiry offered so much promise for a long-overdue deep investigation into Victoria's planning system and how it could be improved and strengthened, something our community and our local councils have been championing for years on end without much response from government.

Unfortunately the committee made a decision not to hold public hearings, which was quite unprecedented, and it is my view that we would have had the time to be able to conduct public hearings and do more in-depth investigation should the committee have supported this. I know many submitters were deeply disappointed at this decision. Should we have been able to meet with submitters, a full inquiry would have found that Victoria's land use and planning system is delivering unaffordable,

unsustainable and poor-quality urban development and not meeting the challenges posed by climate change.

The system is experienced by many in the community as overly complex and frustrating. There are mechanisms available to increase affordable housing that the government is not making available to us. We need further strengthening of Aboriginal cultural heritage protection and other heritage protection in the community. We need a full parliamentary inquiry, and it is something that I and the Greens will be pushing for in the next term of Parliament.

**Mr MELHEM** (Western Metropolitan) (11:55): I also rise to speak on the report by the Environment and Planning Committee. I just want to respond to a couple of comments by Mr Davis. Mr Davis does not always like to let the truth stand in the way of a good story. He turned up to the meeting at the last minute. When the reference was made to this committee, the reason the committee was not able to hold hearings in relation to this matter was because of the time frame.

**Mr Davis:** On a point of order, President, I did step in as a substitute member because Dr Bach was spending time with his new baby.

**The PRESIDENT:** You know, Mr Davis, that is not a point of order.

**Mr MELHEM:** The reason the committee was not able to proceed with full hearings was because of the time frame and the various other references the committee had to deal with. We were running out of time. As members will recall, we have got four weeks to go.

I want to congratulate Mr Hayes on bringing a reference to the committee through the Parliament, and I want to commend the staff for the wonderful work they have done in putting together this discussion paper. Enormous work went into this. Unfortunately we have not been able to have meetings with people who made submissions or to conduct public hearings, as I said, but I think the report itself—it is an excellent report—could form the foundation, as agreed by the whole committee, for the next Parliament, hopefully, to be able to do comprehensive work on this subject, which I am sure is of interest to a lot of Victorians. I will finish off by again thanking all the committee members and also the staff, led by Mike Baker, for the great work they have done. I am looking forward, hopefully in the next Parliament, to basically doing a more extensive inquiry into this issue.

**Motion agreed to.**

#### **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE**

##### *Review of pandemic orders*

**The Clerk:** Pursuant to section 35(2) of the Parliamentary Committees Act 2003 and following transmission of the reports on 22 July 2022, I lay on the table a copy of the Pandemic Declaration Accountability and Oversight Committee's report *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders* and the Pandemic Declaration Accountability and Oversight Committee's report *Review of the Pandemic (Quarantine, Isolation and Testing) Orders*.

**Mr ERDOGAN** (Southern Metropolitan) (11:58): I move:

That the transcripts of evidence lie on the table and the reports be published.

**Motion agreed to.**

**Mr ERDOGAN:** I move:

That the Council take note of the reports.

I am pleased to present the transcripts of evidence for the Pandemic Declaration Accountability and Oversight Committee's review of the Pandemic (Quarantine, Isolation and Testing) Orders and of the Pandemic (Visitors to Hospitals and Care Facilities) Orders. The Pandemic Declaration Accountability and Oversight Committee has the function of reviewing the pandemic orders and other

instruments made by the Minister for Health under the pandemic management framework of the Public Health and Wellbeing Act 2008. It was established following passage of the Public Health and Wellbeing Amendment (Pandemic Management) Act 2021 on 2 December 2021 in this chamber. This is the committee's first report in its ongoing review of pandemic orders issued by the Minister for Health. In doing so the committee examined the orders to ensure compliance with the Public Health and Wellbeing Act, including any retrospective effects; taxes, fees, fines and penalties; shifting of the legal burden of proof to a person accused of an offence; or subdelegation of any powers that have already been delegated by the act. The committee also reviews the orders to ensure that they are compatible with human rights set out in the Charter of Human Rights and Responsibilities Act 2006.

The global COVID-19 pandemic represents a profound and unprecedented public health threat. Here in Victoria the pandemic remains an evolving challenge. In light of this I am pleased to report that the joint investigatory committee found that the orders were compliant with the requirements of the Public Health and Wellbeing Act 2008. Further, the committee was satisfied that the pandemic orders do not limit the right to privacy under the Charter of Human Rights and Responsibilities Act 2006. Throughout this review the committee considered all variations of the orders that had been introduced to the date the reports were adopted with a view to making an assessment as to whether the government's approach to issuing pandemic orders struck the right balance between protecting public health and reducing the burden placed on Victorians.

Across the two reports the committee has made a total of 11 findings and three recommendations. The committee held 33 public hearings over eight days involving 66 individual witnesses. We heard from a wide range of stakeholders, including government ministers and officials, healthcare providers, community groups, advocacy groups, unions, mental health professionals and providers, and schools.

I would like to join with my committee colleagues in expressing my sincere thanks to all of those who contributed to this inquiry. The committee has held over 25 meetings since 21 December 2021. I would like to thank my parliamentary colleagues for their outstanding commitment to this committee: the chair, Ms Sheed in the other place; the deputy chair, Mr Bourman; Ms Shing; Ms Crozier; and members in the other place—Mr Carbines, Mr Bull, Ms Kealy, Ms Ward and Mr Wells. I also thank the committee secretariat for their fantastic support—in particular, executive officer Matt Newington, who managed the large volume of work diligently; research officer Caitlin Connally; and the administrative team—Larissa Volpe, Ebony Cousins, Liz Stankovic and Michelle Summerhill. In conclusion, in tabling these transcripts I commend the report to the house.

**Ms CROZIER** (Southern Metropolitan) (12:02): I would also like to make some remarks in relation to the tabling of the reports *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders* and *Review of the Pandemic (Quarantine, Isolation and Testing) Orders*. I was part of the committee and would have liked to have had more committee meetings and more hearings, as Mr Erdogan outlined in his contribution about what work the committee has done, because as we know we have still got a pandemic declaration in place, and what this committee found was that the orders were very confusing for so many—for aged care facilities, for general healthcare facilities and importantly for the general community. The orders were, as I said, difficult to interpret, and that is what the committee found.

The committee also found that there were significant issues around the mental health impacts on Victorians. We heard evidence from a number of representatives from this sector who all said there was an increase in demand, and that increase in demand was profound through the ongoing lockdowns. Of course Victoria has had the harshest restrictions with the worst outcomes—more deaths than anywhere else in Australia—and those mental health impacts for so many Victorians, especially young people, are still very, very significant. They will run for years to come.

We made a series of recommendations in our minority report—the Liberals and Nationals minority report—which found that the mental health impacts were very significant and that the restrictions and lockdowns have led to significant delays in elective surgery. We know the elective surgery waitlist

here in Victoria is around 90 000. The government will not release those numbers; they are growing by the day, and the lockdowns, the code brown—all of these restrictions put in place—are impacting Victorians every single day. Unfortunately I do not have more time to speak on this, but I will in reports. I commend the report.

**Motion agreed to.**

**The PRESIDENT:** Members, we have special guests in the President's gallery from BAPS. I would like to welcome the delegation led by Bhadreshdas Swami. Welcome to the Victorian Parliament. I would like to thank Mr Ondarchie for assisting with that visit. Thank you very much.

**PARLIAMENTARY COMMITTEES**

*Membership*

**The PRESIDENT (12:04):** I have a message from Ms Harriet Shing:

I hereby resign from the following Committees:

- Integrity and Oversight Committee
- Pandemic Declaration Accountability and Oversight Committee

**Papers**

**PARLIAMENTARY BUDGET OFFICE**

*Operational Plan 2022–23*

**The Clerk:** Pursuant to section 23(4)(c) of the Parliamentary Budget Officer Act 2017 and following the transmission of the report on 27 June 2022, I lay on the table a copy of the Parliamentary Budget Office's *Operational Plan 2022–23: Priorities and Protocols*.

**AUDITOR-GENERAL**

*Responses to Performance Engagement Recommendations: Annual Status Update*

**The Clerk:** Pursuant to section 59(5)(c) of the Audit Act 1994 and following the transmission of the report on 29 June 2022, I lay on the table a copy of the Auditor-General's report *Responses to Performance Engagement Recommendations: Annual Status Update*.

**OMBUDSMAN**

*Annual Plan 2022–23*

**The Clerk:** Pursuant to section 25C(4)(c) of the Ombudsman Act 1973 and following the transmission of the report on 30 June 2022, I lay on the table a copy of the Ombudsman's *Annual Plan 2022–23*.

**YOORROOK JUSTICE COMMISSION**

*Yoorrook with Purpose: Interim Report*

**The Clerk:** Pursuant to section 37(3)(c) of the Inquiries Act 2014 and following the transmission of the report on 4 July 2022, I lay on the table a copy of the interim report of the Yoorrook Justice Commission.

**OMBUDSMAN**

*Investigation into Complaint Handling in the Victorian Social Housing Sector*

**The Clerk:** Pursuant to section 25AA(4)(c) of the Ombudsman Act 1973 and following the transmission of the report on 7 July 2022, I lay on the table a copy of the Ombudsman's report *Investigation into Complaint Handling in the Victorian Social Housing Sector*.

**AUDITOR-GENERAL***Results of 2021 Audits: Technical and Further Education Institutes*

**The Clerk:** Pursuant to section 59(5)(c) of the Audit Act 1994 and following the transmission of the report on 8 July 2022, I lay on the table a copy of the Auditor-General's report *Results of 2021 Audits: Technical and Further Education Institutes*.

*Results of 2021 Audits: Universities*

**The Clerk:** Pursuant to section 59(5)(c) of the Audit Act 1994 and following the transmission of the report on 8 July 2022, I lay on the table a copy of the Auditor-General's report *Results of 2021 Audits: Universities*.

**DEPARTMENT OF PREMIER AND CABINET***Report to Parliament on the Extension of the Pandemic Declaration*

**The Clerk:** Pursuant to section 165AG(5) of the Public Health and Wellbeing Act 2008 and following the transmission of the report on 15 July 2022, I lay on the table a copy of the *Report to Parliament on the Extension of the Pandemic Declaration*.

**INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION****OMBUDSMAN***Operation Watts: Investigation into Allegations of Misuse of Electorate Office and Ministerial Office Staff and Resources for Branch Stacking and Other Party-Related Activities*

**The Clerk:** Pursuant to section 162(12)(c) of the Independent Broad-based Anti-corruption Commission Act 2011 and section 25AA(4)(c) of the Ombudsman Act 1973 and following the transmission of the report on 20 July 2022, I lay on the table a copy of the Independent Broad-based Anti-corruption Commission and Ombudsman's report *Operation Watts: Investigation into Allegations of Misuse of Electorate Office and Ministerial Office Staff and Resources for Branch Stacking and Other Party-Related Activities*.

**OMBUDSMAN***Investigation of a Matter Referred from the Legislative Council on 9 February 2022: Part 1*

**The Clerk:** Pursuant to section 25AA(4)(c) of the Ombudsman Act 1973 and following the transmission of the report on 28 July 2022, I lay on the table a copy of the Ombudsman's report *Investigation of a Matter Referred from the Legislative Council on 9 February 2022 Part 1*.

**PAPERS****Tabled by Clerk:**

Conservation, Forests and Lands Act 1987—

Code of Practice for Bushfire Management on Public Land (2012) (amended 2022).

Variation of the Code of Practice for Bushfire Management on Public Land 2012 (No.1/2022).

Crown Land (Reserves) Act 1978—

Minister's Order of 18 July 2022 giving approval to the granting of a licence at Alexandra Park Reserve.

Order of 18 May 2022 giving approval to the granting of a licence at Yarra Valley Parklands.

Orders of 1 July 2022 giving approval to the granting of leases and licences at Albert Park.

Members of Parliament (Standards) Act 1978—Register of Interests—Return submitted by a Member of the Legislative Council—Primary Return, 21 July 2022 (*Ordered to be published*).

Planning and Environment Act 1987—Notices of Approval of the following amendments to planning schemes—

Bayside Planning Scheme—Amendment C190.

- Boroondara Planning Scheme—Amendments C313, C337, C366 and C384.  
Casey Planning Scheme—Amendments C273 and C290.  
Colac Otway Planning Scheme—Amendment C118.  
Corangamite and Macedon Ranges Planning Schemes—Amendment GC201.  
Glen Eira Planning Scheme—Amendment C204.  
Golden Plains Planning Scheme—Amendment C92.  
Greater Dandenong Planning Scheme—Amendment C234.  
Greater Geelong Planning Scheme—Amendment C417.  
Kingston Planning Scheme—Amendments C200 and C201.  
Mansfield Planning Scheme—Amendment C44.  
Melbourne Planning Scheme—Amendments C380, C396, C407, C421, C429 and C430.  
Melton Planning Scheme—Amendment C229.  
Mildura Planning Scheme—Amendment C106.  
Mornington Peninsula Planning Scheme—Amendments C269 and C275.  
Moyne Planning Scheme—Amendment C76.  
Nillumbik Planning Scheme—Amendments C118 and C138.  
Port Phillip Planning Scheme—Amendment C205.  
Stonnington Planning Scheme—Amendment C321.  
Surf Coast Planning Scheme—Amendments C134 and C139.  
Victoria Planning Provisions—Amendments VC213, VC217 and VC230.  
Whitehorse Planning Scheme—Amendments C222.  
Whittlesea Planning Scheme—Amendment C247.  
Wyndham Planning Scheme—Amendment C261.  
Yarra Planning Scheme—Amendments C263 and C300.  
Yarra Ranges Planning Scheme—Amendments C200 and C209.
- Statutory Rules under the following Acts of Parliament—
- Borrowing and Investment Powers Act 1987—No. 52.
  - Building Act 1993—No. 50.
  - Criminal Procedure Act 2009—No. 57.
  - Electricity Industry Act 2000—No. 55.
  - Firearms Act 1996—No. 58.
  - Gas Industry Act 2001—No. 56.
  - Magistrates' Court Act 1989—No. 54.
  - Mental Health Act 2014—No. 46.
  - Occupational Health and Safety Act 2004—No. 53.
  - Road Safety Act 1986—Nos. 47 and 51.
  - Spent Convictions Act 2021—No. 49.
  - Subordinate Legislation Act 1994—No. 45.
  - Water Act 1989—No. 48.
- Subordinate Legislation Act 1994—
- Documents under section 15 in relation to—
    - Order approving the Communicating occupational health and safety across languages compliance code, of 4 July 2022, under the Occupational Health and Safety Act 2004.
    - Rail Safety National Law National Regulations (Fees and FOI) Amendment Regulations 2022, under section 12 of the Rail Safety National Law Application Act 2013.

Statutory Rule Nos. 43, 45 to 47, 50, 51, 53 and 54.

Legislative Instruments and related documents under section 16B in respect of—

Declaration of a Discount Factor of 24 June 2022, under the Victorian Energy Efficiency Target Act 2007.

Determination of Gaming Machine Entitlement Allocation and Transfer Rules of 7 July 2022, under the Gambling Regulation Act 2003.

Ministerial Direction of 6 July 2022, under section 4.8A.2 the Gaming Regulation Act 2003.

Ministerial Order No. 1387—Order Amending Ministerial Orders 1038 and 1039—School Council Employees and Teaching Service (Vaccination Requirements for Specialist School Facilities) of 20 July 2022 under the Education and Training Reform Act 2006.

Notice of Guidelines for Assessing Fitness to Drive of 21 June 2022, under the Road Safety Act 1986.

Order for Amendment of the Trading Rules for Declared Water Systems (Revised Limit on Allocation Trade from Goulburn or Broken or Campaspe or Loddon, to Murray or Interstate—12F4) of 25 June 2022, under the Water Act 1989.

Order in Council Declaring Certain Motor Vehicles Not to Be Motor Vehicles of 30 June 2022, under the Road Safety Act 1986.

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019—Members of Parliament (Victoria) Annual Adjustment Determination 2022, under section 26 of the Act.

Victorian Inspectorate—Reports on controlled operations records and reports, 2020–21 for—

Department of Environment, Land, Water and Planning, under section 74P of the Wildlife Act 1975.

Game Management Authority, under section 74P of the Wildlife Act 1975.

Independent Broad-based Anti-corruption Commission, under section 39 of the Crimes (Controlled Operations) Act 2004.

Victorian Fisheries Authority, under section 131T of the Fisheries Act 1995.

Victoria Police, under section 39 of the Crimes (Controlled Operations) Act 2004.

Wrongs Act 1958—Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA (*Gazette No. S327, 29 June 2022*).

Proclamations of the Governor in Council fixing operative dates in respect of the following acts:

Alpine Resorts Legislation Amendment Act 2022—Whole Act—1 October 2022 (*Gazette No. S371, 26 July 2022*).

Justice Legislation Amendment Act 2022—section 7—19 July 2022 (*Gazette No. S365, 19 July 2022*).

Proclamations of the Lieutenant-Governor in Council fixing operative dates in respect of the following acts:

Casino and Liquor Legislation Amendment Act 2022—Whole Act (other than sections 8 and 18)—1 July 2022, section 18—25 August 2022 and section 8—1 October 2022 (*Gazette No. S336, 30 June 2022*).

Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022—Division 2 of Part 2 (other than sections 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 37A, 38, 39, 40, 41 and 42), section 74 and section 82—18 July 2022 (*Gazette No. S346, 5 July 2022*).

Legal Profession Uniform Law Application Amendment Act 2019—Remaining provisions—1 July 2022 (*Gazette No. S336, 30 June 2022*).

Road Safety Legislation Amendment Act 2022—Parts 1, 3 and 4 and sections 18 and 19—6 July 2022 (*Gazette No. S346, 5 July 2022*).

### Production of documents

### INSIGHTSVICTORIA

**The Clerk:** I lay on the table a letter from the Attorney-General, dated 5 July 2022, in response to the resolution of the Council of 8 June 2022 on the motion of Mr Davis relating to InsightsVictoria.



The letter states that there was insufficient time to respond and that a final response to the order will be provided as soon as possible.

### WORKSAFE VICTORIA

**The Clerk:** Further, I lay on the table a letter from the Attorney-General, dated 5 July 2022, in response to the resolution of the Council of 8 June 2022 on the motion of Mr Davis relating to the interdepartmental WorkSafe steering committee. The letter states that there was insufficient time to respond and that a final response to the order will be provided as soon as possible.

### Business of the house

### NOTICES

**Notices of motion given.**

**Notices of intention to make a statement given.**

### GENERAL BUSINESS

**Mr MEDDICK** (Western Victoria) (12:26): I move, by leave:

That precedence be given to the following general business today:

- (1) order of the day made this day, second reading of the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022;
- (2) order of the day 5, second reading of the Health Legislation Amendment (Conscientious Objection) Bill 2022;
- (3) the notice of motion given this day by Mr Davis on the Operation Watts report and the Australian Labor Party repaying taxpayers money;
- (4) notice of motion 796, standing in Mrs McArthur's name on brumby culling;
- (5) order of the day 57, resumption of debate on a motion relating to Victorian Building Authority fee increases;
- (6) the notice of motion given this day by Mr Limbrick on removing vaccine mandates for parliamentary staff and electorate officers;
- (7) the notice of motion given this day by Mr Limbrick on the Victorian energy efficiency target scheme;
- (8) the notice of motion given this day by Mr Meddick on vet shortages; and
- (9) notice of motion 786, standing in Mr Meddick's name on trench rescue equipment.

**Motion agreed to.**

### Committees

### PARLIAMENTARY COMMITTEES

#### *Membership*

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:27): I move, by leave:

That:

- (1) Mr Erdogan be discharged from the Standing Committee on Economy and Infrastructure;
- (2) Ms Shing be discharged from the Standing Committee on Legal and Social Issues;
- (3) Dr Kieu be a member of the Standing Committee on Economy and Infrastructure; and
- (4) Mr Erdogan be a member of the Standing Committee on Legal and Social Issues.

**Motion agreed to.**

**Members statements****DONALD 'PINKIE' BROWN**

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:28): I wish to recognise the service of Donald James Brown, otherwise known as Pinkie Brown by his friends in Broken Hill. Don is one of my constituents, a fierce advocate for the labour movement and Labor Party. He was born in 1934 and grew up in Broken Hill. Just before his 15th birthday he got a job at the local butchers and joined the union movement. Don then worked in a few jobs in Broken Hill as a butcher's assistant, a plasterer and a mineworker. After the mine shut in Broken Hill he moved down to Melbourne and worked as a council worker at Dandenong council. Don got involved with the Municipal Employees Union and rose through the ranks to serve six years as the state president. In fact Don chaired the last meeting of the MEU before it was amalgamated with the Australian Services Union.

Don is now retired and living in the eastern suburbs, but even in retirement he is still a lifelong member of the union movement and an active, well-respected member of the local branch of the Labor Party. Pinkie has been a good person of the labour movement. He has devoted his entire life to improving wages and working conditions for workers around Australia. I am honoured to acknowledge his enormous contribution to the labour movement and the Labor Party in the house today. I also feel honoured that he is a good friend.

**LOCAL GOVERNMENT**

**Mr FINN** (Western Metropolitan) (12:29): I have often said in this place that a good local government is a gift from God, a bad local government is devastating. Well, it seems a number of councils have been pursuing their own campaigns for the abolition of local government in this state. It is a great disappointment, I should mention, seeing Mr Leane in the house, because I thought he was doing a pretty good job in local government. I am very disappointed to see that he is no longer in that position.

We all know about Yarra council's ongoing ratbagery. I know a lot of residents in Yarra, specifically in the suburb of Richmond, and it is nigh on impossible to find anyone with a good word for their council, the only beneficiaries of which seem to be flag makers. After having widely consulted at least 200 people, Moreland council announced it would push ahead with plans to change the name of the entire municipality, at the cost to ratepayers of a fearful sum of money. But Melbourne City Council indicates its preparedness to go further: it is going to abolish Australia Day. The Lord Mayor and her fellow loons on council have somehow got the idea into their heads that in fact they are members of the federal Parliament. I have got news for them: they are not. They have no capacity, no power and no ability to do away with Australia Day. When, I ask, do these councils do their job?

**BRENDAN KENNA**

**Ms LOVELL** (Northern Victoria) (12:31): It gives me great pleasure to recognise and congratulate Brendan Kenna from Shepparton, who has been named one of Australia's most inspiring teachers in the 2022 Commonwealth Bank Teaching Awards. Brendan is currently an assistant principal at Wilmot Road Primary School in Shepparton, a school with nearly 80 per cent of its students speaking a language other than English at home. Many of the school's student cohort and their families have experienced significant trauma prior to arriving in Australia, and Brendan has been instrumental in establishing an innovative education program to deal with such trauma. Brendan also coordinates Wilmot Road's Talent Opportunity Potential scholarship program, which I am proud to have been a sponsor of for many years. As one of only 12 leaders recognised this year, I am so pleased that Brendan's hard work and commitment to his students and his school community have been acknowledged by his peers. Congratulations, Brendan. We need more teachers like you.

### TOP TOURISM TOWN AWARDS

**Ms LOVELL:** I want to acknowledge the Northern Victoria Region winners in the Victoria Tourism Industry Council's Top Tourism Town Awards. Bendigo was named this year's Victorian Top Tourism Town, with a population over 5000, with Echuca taking out the silver award in the same category. In the new category of Top Tiny Tourism Town, with a population under 1500, Mount Macedon took out the gold, and Heathcote was awarded bronze for the Top Small Tourism Town award. Congratulations to all award winners and finalists who contribute to making Victoria the great tourist destination that it is. I extend an invitation to all members to visit Northern Victoria.

### ST MARY'S HOUSE OF WELCOME

**Ms WATT** (Northern Metropolitan) (12:33): This week is Homelessness Week, and yesterday to mark the occasion I visited St Mary's House of Welcome alongside Lauren O'Dwyer, Labor's candidate for Richmond. St Mary's House of Welcome is a not-for-profit open-access centre which has been supporting vulnerable Victorians for 62 years. They provide basic essential services and program support to vulnerable community members who are extremely isolated and socially marginalised. Many of those who come to St Mary's House of Welcome for help experience a number of issues that can include sleeping rough, addiction, poverty, childhood trauma, mental illness, institutionalisation and all sorts of things which add up to chronic social and health problems. I joined Lauren to assist in running their breakfast service, and I met with John and Adrian to hear their story and learn more about how they benefited from St Mary's services. I would like to extend my thanks to CEO Robina Bradley and board member Loretta Crowe for inviting me to the centre and showing me about. I appreciate so much you sharing your vision with me about the future for St Mary's, and can I say I wish you well for the next 62 years.

### THE LOST PETITION

**Ms MAXWELL** (Northern Victoria) (12:34): I rise to say a special thankyou to Sue and Lloyd Clarke, who I met in Queensland a couple weeks ago. I just want to highlight the commitment that they have made since their daughter Hannah and her three children were killed due to family violence. It is a toxic culture across Australia, and it is time that we were able to eradicate this scourge of perpetuated violence against women and children.

That brings me to *The Lost Petition*, which is in Queen's Hall this week, and I would like to give an enormous shout-out to and thank the artist, Dans Bain, for bringing this petition to the Parliament and for highlighting the number of names that are on that petition, which is so significant. It really brings it close to your heart when you actually see names of people who are on a petition like that, so thank you very much, Dans, for the work that you have been doing. I also wanted to highlight that the way in which we can eradicate family violence is through the same ways that I have always preached: investment in early intervention and primary prevention. I look forward to visiting Queen's Hall today to see Dans's work. So thank you, Dans, for bringing that here.

### CHILD PROTECTION

**Dr BACH** (Eastern Metropolitan) (12:35): The state government delivers so many services for vulnerable Victorians, and as this is done, I think it is so important to actually listen to the voices of the people who have experienced these care systems. Recently I had the great privilege and pleasure of meeting with a number of young people who have experienced in some cases many years in Victoria's out-of-home care system. This was organised for me by Create, a fantastic organisation. I do want to thank the leaders of that organisation. A few weeks ago I joined with Minister Spence in this chamber to work alongside some of the young people who were part of Victoria's Youth Parliament. The team from Create, a team of care leavers themselves, brought forward a bill, which interestingly received unanimous support, to expand care from the current age of 18 through to the age of 25. It was interesting to me to hear again from these care leavers about the importance of extended care. 293 days ago today the government introduced a bill to legislate extended care. We debated that

bill. It is currently in committee. It is not on the notice paper for this week. I wonder where it is. So, again, after having this very affirming conversation with care leavers themselves, I would say to the government: that bill is a really good bill. The government should take credit for that bill. Bring it back. It contains measures that Ms Crozier and others have been advocating for for years, but it is a government bill. Let us bring it back. The government has our full support when it comes to that bill.

#### GRAEME CLARK ORATION

**Dr KIEU** (South Eastern Metropolitan) (12:37): Last Monday I had the great pleasure of attending the Graeme Clark Oration on behalf of Minister Jaala Pulford and presenting the Graeme Clark Award for STEM Innovation in Schools to Preston High School. I send my congratulations to Preston High School on a truly incredible achievement. I would also like to thank the Graeme Clark Foundation and the Bionics Institute for hosting the event. Victoria is the proud home of some of the world's best research institutes, which work together to find new and innovative ways to improve health outcomes and save lives. Not only is our state known for its innovators but we are also home to a range of new, emerging health tech companies on the cusp of making a significant impact globally.

#### ASIAN STUDIES ASSOCIATION OF AUSTRALIA

**Dr KIEU**: On another matter, last month it was also my great pleasure to represent Minister Ros Spence at the commencing ceremony of the Asian Studies Association of Australia conference. The conference highlighted the social adversity Asian communities have experienced during the COVID-19 pandemic and the invaluable contribution to our community made by the Victorian Asian community. I would like to thank the director of the Herb Feith Indonesia Engagement Centre, the team at Monash University and distinguished guests for their gracious hospitality and a meaningful conference.

#### SRI LANKA

**Dr RATNAM** (Northern Metropolitan) (12:39): Over the last few months my former homeland of Sri Lanka has experienced an unprecedented economic and social crisis, plunging the country into dire uncertainty, with shortages of food, fuel and medicine, exorbitant inflation and deep poverty. Thousands of protesters have taken to the streets demanding political change. At the heart of these troubles has been an abject failure of political leadership and rampant corruption and nepotism. This is not the first time the island nation has experienced deep troubles. A devastating 30-year civil war led to the deaths of thousands, the persecution of minorities and hundreds of thousands of us Tamils having to leave our homes. Divisive political leadership was again responsible. We Tamils found out later that the mobs who came hunting after us had been given access to our personal information through the electoral rolls, and that is how they knew where we lived and whose houses to burn down. For years we have watched the promise of this nation being squandered by self-interest, power and corruption, but the time has come for change. The people are speaking, marching and agitating for change like we have not seen before, and a new leadership must emerge that restores public confidence, trust, integrity and stability.

Many of us have despaired about what comes next for Sri Lanka, but I urge people to remain hopeful. History has shown us that change will come when people stand up, especially our young people. So get organised, get mobilised and get elected. My solidarity is with all those people who are going through hardship in Sri Lanka, the diaspora community supporting family and friends back home and the activists, who have my deep admiration and respect. You are the hope for the future.

#### HAWTHORN PLANNING

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:40): I want to make some commentary about 442–450 Auburn Road and 9 Bills Street, Hawthorn, and there is a planning scheme amendment proposed by the government, C376 Boroondara. This is further to the intense development of this precinct, and the state government is overriding local communities. It is doing this in an absolutely scandalous way. I note the opportunity for the public to put in commentary at this late

stage of the process, and I know Ms Crozier and our candidate for Hawthorn, John Pesutto, have been fighting very hard with local community groups to see the protection of local communities here and to see that proper processes are in place. These planning amendments should be done by the local council with local community input. They should not be done by a minister in the city overriding local communities, arrogantly pushing forward on local communities. They should actually involve local communities, and the council should be the decision-maker, including on any future development of the University of Melbourne site; I say the council should be the decision-maker on that site. Further on this, I think people can be very concerned about a VCAT case we ran unsuccessfully to force the government to release the shade diagrams—the actual length of shadows. It is very clear that the shadows cast by the Bills Street properties are very long, very large and very impactful, and that is why Daniel Andrews and his planning ministry would not release them.

### UNIFORM MANUFACTURE

**Dr CUMMING** (Western Metropolitan) (12:42): It has been reported that the Australian Defence Force is spending up to \$14 million a year buying our defence force service dress uniforms, sporting attire, wet weather gear, personal protective equipment and ceremonial clothing from China. The Australian Federal Police also relies on China, with 34 per cent of its uniforms and equipment items coming from China. Apparently Victoria Police also relies on China for a range of uniform items. However, VicPol would not confirm to what extent. They would do well to remember that China placed restrictions on Australia's lobster exports after the Australian government pushed for an investigation into the origins of COVID. China also placed restrictions and tariffs on our wine, coal, barley and cotton—industries worth hundreds of millions of dollars—yet we are sending money to China for them to make our uniforms. I hope that the state government will lobby or campaign for the federal government to ensure that these uniforms are manufactured in Australia, especially here in Victoria. I hope that the Minister for Police and the Minister for Veterans will also ensure that our uniforms are manufactured here in Victoria, not in China. Our defence force uniforms were manufactured here in Victoria. A \$14 million contract was lost. This government needs to make sure that there is a return to manufacturing here in Victoria.

### CROWN LAND MANAGEMENT

**Mr QUILTY** (Northern Victoria) (12:43): The Liberal Democrats believe in public access to public land. Year after year the government adds new restrictions on what Victorians can do on Crown land across Victoria. There is an old saying:

The law locks up the man ...  
Who steals the goose from off the common  
But leaves the greater villain loose  
Who steals the common from off the goose.

Crown land, the commons belonging to the people of Victoria, has now been placed off-limits to ordinary Victorians. In free societies citizens may do anything that is not forbidden by law. In the case of Victorian national parks so many things have been forbidden that it is easier to assume that nothing is allowed except what is expressly permitted by the state. You cannot camp, hunt, collect firewood, prospect, fish, collect bait, bring dogs or horses, fly a drone, rock climb or do anything without an exemption or specific permission. Any and every pretence is seized upon to end existing traditional uses of Crown land, like the Sea Lake Mallee Rally, but it is all an ideological agenda to exclude the Victorian people. The irony is that Victorian Crown land is so badly managed. It has been degraded by neglect from an ideological bureaucracy based in Melbourne at the same time as the people are being excluded. What is supposed to be protected is being destroyed.

Victorians have a right of access to the commons of the estate, and the law should reflect that. Crown land should be managed by local communities, local stakeholders that are responsive to their people, affected by the decisions and who actually care about the country in question. It is time to allow the Victorian public back onto their commons—public access to public land.

**EUREKA ARMS AND MILITARIA FAIR**

**Mr BOURMAN** (Eastern Victoria) (12:45): During the winter break I made it up to the Eureka Arms and Militaria Fair on 9 and 10 July, run by the Ballarat Arms and Militaria Collectors Society. It has been quite a long time since we have had an arms and militaria fair, with the shutdowns due to COVID and so on, so it was actually really good to catch up with a whole lot of people that I have not seen in many years, and it was quite a social event. I did not actually spend anything, which was amazing.

**GUNSPORT TRADING**

**Mr BOURMAN**: I also headed out to Gunsport Trading in Bairnsdale, which has been recently taken over by Andrew, and spent some time there having a chat with him. It is a really, really good gun shop, a really good facility that has all sorts of things for anyone that is into any sort of shooting, be it hunting, long-range precision—just anything. To anyone out there I would recommend giving them a try.

**DELTA TACTICAL STEELPOCALYPSE**

**Mr BOURMAN**: Lastly, on Sunday I went out to the Delta Tactical Steelpocalypse precision rifle series event at the Sporting Shooters Association of Australia Little River range and watched an actual precision rifle series event. They are very, very serious people with some very, very serious equipment, but everyone was having fun. Despite the very, very challenging conditions—the wind at Little River is very hard to predict at the best of times—some people did exceedingly well. I congratulate Delta Tactical and the people that participated.

**LEVEL CROSSING REMOVALS**

**Mr MELHEM** (Western Metropolitan)

**Incorporated pursuant to order of Council of 7 September 2021:**

Last month another level crossing in the west was gone for good. Traffic now flows over a new 70-metre bridge at Fitzgerald Road, Ardeer. The Andrews Labor government has removed 65 dangerous and congested level crossings, with this one delivered six months ahead of schedule.

Next month the Robinsons Road level crossing will become an underpass creating safer and less congested roads for locals, also months ahead of the 2023 schedule. By 2024 the Geelong and Ballarat lines will be free of level crossings between Deer Park and the city.

Works will continue on the Robinsons Road and Mount Derrimut Road level crossings over the coming months, and road users are advised to plan while we safely complete this work.

**POWER SAVING BONUS**

**Mr MELHEM** (Western Metropolitan)

**Incorporated pursuant to order of Council of 7 September 2021:**

Last month the Andrews Labor government also began to deliver a further \$250 energy payment for every Victorian household in addition to the \$250 payment last financial year. Over a million Victorians have already claimed this payment, and it will be available to each Victorian household over the next year to assist with the rising cost of living.

Last week I had the chance to visit the Lakes Estate retirement home with the office of Natalie Hutchins MP to assist in processing claims for the residents.

I want to take this opportunity to thank my staff and Natalie Hutchins's staff for the great work in helping constituents accessing the payment.

**SHEPPARTON MINISTERIAL VISIT**

**Mr GEPP** (Northern Victoria)

**Incorporated pursuant to order of Council of 7 September 2021:**

On Wednesday, 20 July, I had the pleasure of hosting the Treasurer, Tim Pallas, in Shepparton.

The 2022–23 budget allocated \$23.78 million to rebuild the site of the former Wanganui Park Secondary College, approximately 600 metres down the road, as the new Verney Road School. Construction is expected to be completed in 2026.

Verney Road is a school for students with mild to moderate intellectual disability.

Verney Road School currently has 227 enrolments, from early years to grade 12.

Thanks to Angela Buxton, principal, as host and to Mayor Shane Sali for joining us.

Following that, we headed to Rubicon Water, whose Shepparton facility has the capacity to produce more than 5000 integrated control gate and meter devices per year.

Australia's major irrigation water authorities have adopted Rubicon's technology. The largest implementation to date is in the Goulburn-Murray irrigation district in Victoria.

Rubicon received a \$50 000 Asia Gateway voucher in 2018 to assist with their market entry into China and India. Furthermore, Rubicon has participated in numerous Global Victoria trade missions.

Thanks to Rubicon general managers Matt Ryan, Dr Paul Spooner and Leslie Ganci.

Finally, we headed to Flavorite Tatura, where we were delighted to be joined by Water Minister Shing and Flavorite's Mike Nichol and Chris Millis and we toured their state-of-the-art new glasshouse.

With the recent acquisition of Tatura Fresh and Murphy Fresh, Flavorite now spans across 570 000 square metres of production in state-of-the-art glasshouses and protected cropping environments in Warragul, Katunga, Tatura and Mansfield.

The investment will also allow Flavorite to process/package larger volumes of third-party produce that will benefit a range of smaller growers and marketers.

**Bills****PLANNING AND ENVIRONMENT AMENDMENT (WAKE UP TO CLIMATE CHANGE)  
BILL 2022***Statement of compatibility*

**Mr HAYES** (Southern Metropolitan) (12:47): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (**Charter Act**), I make this statement of compatibility with respect to the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022.

In my opinion, the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter Act. I base my opinion on the reasons outlined in this statement.

**Overview of Bill**

The purpose of the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022 is to amend the Planning and Environment Act 1987 to recognise and respond to the climate impacts resulting from planning and for other purposes.

**Human Rights Issues****1. Human rights protected by the Charter Act that are relevant to the Bill**

The Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022 does not raise any human rights issues.

**2. Consideration of reasonable limitations—section 7(2)**

As the Planning and Environment (Wake Up to Climate Change) Bill 2022 does not raise any human rights issues, it does not limit any human rights, and therefore it is not necessary to consider section 7(2) of the Charter Act.

**Conclusion**

I consider that the Planning and Environment (Wake Up to Climate Change) Bill 2022 is compatible with the Charter Act because it does not raise any human rights issues.

**CLIFFORD HAYES MLC**

**Legislative Council Member for Southern Metropolitan Region**

*Second reading*

**Mr HAYES** (Southern Metropolitan) (12:48): I move:

That the bill be now read a second time.

I rise today to seek your support on the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022.

We call it the Wake Up to Climate Change Bill for a good reason. It is time that we did wake up to climate change as a Parliament.

President, I do not know whether you or other members saw a film called *Don't Look Up*. It was not a particularly remarkable film, with Leonardo DiCaprio in it, but it was a film about scientists discovering that a comet was heading towards earth and that we did not have a lot of time to respond to it. Unfortunately the news was received with very little official attention and was actively denied by the government. We cannot put our heads in the sand any longer on climate change. We have noted that the results of the last election were very heavily influenced by public sentiment on climate change.

So the purpose of the amendment I seek today is to strengthen the Planning and Environment Act 1987 so that it relates to the more recent Climate Change Act 2017. These acts are currently seen to work in conflict with each other, as the planning act's prescribed purpose is the use, development and protection of land in Victoria. It goes on to set out the processes and framework for planning provisions, but the act currently neglects to set the broad and much-needed objectives for how projects in planning should encompass consideration of climate change.

Whilst the government has argued in this house before that the planning act meets environmental objectives, all evidence points to the fact that it is clearly failing. It's failing our native flora and fauna, our wetlands, our forests, our open spaces, our diverse ecosystems and our diminishing wildlife corridors, all of which is resulting in a mass species extinction.

If the recent state of the environment report, which came out a few weeks ago, isn't a wake-up call to the government, then I really don't know what is.

But the government's heard this all before. The inquiry into ecosystem decline report 2021 showed that Victoria's ecosystems are facing serious and rapid decline. Population growth and spread has put pressure on ecosystems, which has led to the degradation and loss of many native species and habitats. In addition, climate change brings about new challenges. The inquiry, which was the largest ever undertaken by the committee, received nearly 1000 substantive submissions, which illustrated the importance of this issue to the Victorian community.

The report found that climate change is already driving ecosystem decline across Victoria, with devastating effects for native floral and faunal species.

Six environment groups—including the Victorian National Parks Association, Environment Victoria and Friends of the Earth—released a joint statement saying the findings made it abundantly clear the state needed to act to halt the decline of 400 plants and animals listed as critically endangered and the 2000 listed as threatened under state laws.

The Climate Change Act 2017, referred to in this bill, introduces a set of policy objectives, guiding principles and mandatory considerations to embed climate change into government policy formulation



and decision-making. It ensures that any decision government makes ‘appropriately takes account of climate change if it is relevant’.

In a submission to the inquiry, DELWP acknowledges the challenges and threats to Victorian ecosystems and native species that had presented as a result of climate change. They said, ‘Many native species are at an increasing risk of extinction from a range of pressures, including the impacts of climate change’. The Victorian National Parks Association provided written evidence describing how the changing climate is driving ecosystem decline across the state.

In Victoria, much of the connectivity between ecosystems has been lost through land clearing and changed land uses. Stakeholders asserted throughout the inquiry that loss of connectivity between ecosystems challenges species’ ability to migrate to new, more suitable habitat as climate change makes their traditional range less suitable.

Belfast Coastal Reserve Action Group submitted that ‘67 per cent of Victoria’s trees, mangroves, shrubs, and other plants have been cleared since colonisation. Much of what’s left is in poor health’.

The Australian Wildlife Protection Council and Anna Murphy, director and head of flora ecology at the Threatened Species Conservancy, said that the outlook for threatened native species, and I quote:

... will only worsen as Australia heads further into climate breakdown ...

We are heading into catastrophic climate change. The scenarios are incredibly serious, and they will have massive ramifications on our native vegetation and also on our native wildlife, so we really need to be thinking about how we are going to manage our biodiversity into the future and our threatened species into the future. Because if we do not, we are going to see widespread extinction and we will have to live with that. That is something that we will pass to our future generations ...

That is the end of the quote by those bodies.

Now, I guess the government response to this is that we already have a Climate Change Act which addresses these concerns—absolutely.

Whilst I accept that the Climate Change Act provides a great legislative framework for Victoria to manage emission reduction targets and climate action plans, I don’t believe that it is appropriately embedded into other acts, notably this one, our Planning and Environment Act. Embedding it, as I suggest, would ensure that government policy to address climate change actually flows through to implementation and decision-making—because that is where we are falling down.

The existing Climate Change Act criteria require government policy to ensure it, and I quote again, ‘appropriately takes account of climate change if it is relevant’ and also compels some government decision-makers to factor climate change into their determinations. But presently you would have to ask: who are the ‘some’ and why isn’t it incorporated into all planning decisions? This bill will make it clear. Who determines if climate change is relevant and, if the impacts are incremental, how is this to be taken into consideration?

The same lack of effect goes for *Biodiversity 2037*—a great plan to stop the decline of our native plants and animals, but often it’s in conflict with planning decisions, based on other planning requirements that compete with protecting our natural environment. Who wins? Often the developer with the most money to pursue their goals.

And if the government argues that our environment effects statement is the answer, then I’d like them to listen to this from Environmental Justice Australia, who argue that Victoria’s laws are inadequate to protect natural places from the impacts of development. They note that despite past reviews of environmental impact statement processes and numerous recommendations for reform, the EES act remains essentially in the same form today as when it was first introduced in the 1970s. They say that planning legislation needs to be updated: ‘As previous Committee reviews have recognised, Victoria’s ... impact assessment system is out of date and incapable of meeting its objectives’—and

I am quoting them here—‘It needs to be reformed to ensure that the impact of development proposals on Victorian ecosystems is undertaken’.

The submissions to the recent inquiry into the protections within the planning framework say the same thing—nearly 300 submissions from across Victoria, many of which raise the current lack of climate change policy in planning as a planning failure.

Glen Eira City Council supports the recommendation of an amendment to the planning act to provide clearer direction on the consideration of climate change in assessment and decision-making. They specify the inclusion of an additional and specific reference to climate change considerations within the objectives of the act, as this bill would do. They say, ‘There is ... a disconnect between the state government’s Climate Change Strategy direction to build greener homes and buildings, and the day-to-day decisions that are being made. Although emissions reduction targets and commitments to adaptation have been made, these have not yet “trickled down”—as they say—‘to inform decision-making within the built environment, and more particularly, to decisions made through Victoria’s planning system’.

Local councils and community groups discussed the urgency of climate change and the need for it to receive greater attention in the Victorian planning system. The Council Alliance for a Sustainable Built Environment submitted that climate change should be ‘elevated as a central consideration in both strategic and statutory planning’—that is a quote. They indicated the urgent need to improve the current planning framework to ensure its climate change resilience.

Nillumbik Shire Council emphasised the need to ‘acknowledge climate change within the planning system’. It said—and here I quote again—‘There is a need for the [Planning and Environment Act] to consider the effects of and contributors to climate change and to mitigate the environmental, social and economic effects of climate change and any emerging planning issues’. They say there is a distinct disconnect between policy objectives in the planning policy framework in regard to climate change and existing implementation tools within the planning schemes.

Bayside City Council’s submission also outlined that a key gap within the planning act—and I quote here—‘is its undeniable weaknesses in relation to its lack of climate change action, environment protection and regulation. Whilst there are tools within the Victoria Planning Provisions that enable local environmental outcomes to be considered, these are consistently overlooked in favour of the objectives of the Act to facilitate development, as the environmental outcomes at the micro scale are often insignificant, allowing this to be overlooked or given lesser weight’.

The Municipal Association of Victoria asked the government to ensure that the enforceability of planning schemes in the context of climate change was considered and suggested that the Victorian government advocate for stronger climate change considerations in national construction and unilaterally implement reforms through Victorian building regulations.

The Victorian Greenhouse Alliance and the Council Alliance for a Sustainable Built Environment said in their joint submission that local government in Victoria had identified a disconnect between high-level positions on climate change, both by state and local government, and the day-to-day decisions that are being made through the planning system.

The Glen Eira Climate Action Group says, and I quote:

The current provisions to protect the environment are too vague and lack effectiveness as we continue to see high ... [greenhouse gas emitting] projects proceed and loss of biodiversity and healthy environments.

The Act doesn’t consider climate change and does not apply the Climate Act 2017 to properly provide for climate to be considered in planning decisions for land-use, development and transport.

Even the Planning Institute of Australia says there is a lack of specific guidance to address key planning challenges, including climate change. They say:

PIA agrees with the following conclusions of the Auditor-General's 2017 review of the planning system:

- Vague and competing State planning policy objectives and strategies, with limited guidance for their implementation, which reduce the clarity of the planning system's direction in meeting State planning objectives ...

The Climate and Planning Advocacy Group representing seven major alliances says, once again, there is a disconnect between high-level policy positions on climate change, both by state and local government, and the day-to-day decisions that are being made. In practice, local government decision-makers routinely report that the adoption of a zero-emissions target and commitments to adaptation have not yet 'trickled down' to inform decision-making within the built environment and, more particularly, to decisions made through Victoria's planning system.

And then we go back to the state of the environment report—just this month. And the headlines say it all:

1. Climate change is affecting every aspect of our environment—temperature fluctuations, extreme events and fire risks are increasing.
2. The general outlook for our environment is deteriorating—pressure from climate change, habitat loss, invasive species, pollution and resource extraction are changing the landscape.
3. Environmental decline affects the wellbeing of all Australians.
4. Our environment is under extreme pressure.
5. Climate change is having a profound impact, and adaptation is vital.

The overall summary is grim. Obviously the many agencies are calling for change. The health of Australia's environment is poor, and ecosystems are collapsing. At least 19 ecosystems are now near collapse. Key points in the report show that Australia has lost more mammal species than any other continent and has the highest rate of species decline in the developed world. More than 100 Australian species have been listed as either extinct or extinct in the wild. The major causes of extinction listed include habitat destruction and clearing.

The report also says that nature's deteriorating health is threatening the wellbeing of all Australians. This was also evident in the species extinction report that identified indigenous mental health decline due to environmental destruction. Australia's ecosystem collapse and unsustainable actions are threatening our own wellbeing. The previous state of the environment reports warned of future impacts of climate change. The new report documents that the impacts are already here—and getting worse.

Heatwaves kill more people in Australia than any other extreme event. Heatwave intensity in Australia has increased by 33 per cent over the last two decades, with at least 350 deaths between 2000 and 2018. And when heatwaves strike, we see the flow-on consequences—for instance, in our hospital emergency departments.

Climate change is also exacerbating air quality issues through dust, smoke and emissions. For example, the 2019–20 bushfires exposed over 80 per cent of the Australian population to smoke. This exposure killed an estimated 417 people.

The report says we need to find ways to more effectively monitor, manage and prioritise climate change to ensure sustainability. Sustainability means meeting today's needs without compromising the needs of future generations. It is founded on effective ecosystem protection and environmental stewardship. The state of the environment report contains a range of recommendations to tackle our sustainability challenges. It talks about building connections—connections between people, our country, economics and the environment.

And that is what I am asking for today: to build a connection between climate change and development. The report says we can turn things around with immediate action, innovative management and collaboration. But can our state government really take the steps to be proactive?

Now, I have detailed a lot of people calling for change just to show all here that this is coming from a multitude of sources.

The new federal environment and water minister, Minister Tanya Plibersek, said that the state of the environment report was a ‘shocking document’ that told ‘a story of crisis and decline in Australia’s environment [and] of a decade of government inaction and wilful ignorance’.

‘I won’t be putting my head in the sand,’ she said. ‘Under Labor, the environment is back on the priority list’. I wonder if it is on the priority list here.

I would like your support to do the same—to actually put our money where our mouth is, to strengthen the Planning and Environment Act to ensure that a response to climate change and protection of the environment is included in the purpose and enhances the objectives of this act. It’s a simple change, as you can see by what has been circulated. It’s a most necessary change. The planning act is old. It’s dated. It doesn’t reflect climate change, and it needs to. It needs to relate to other legislation.

Now, you—or the government—might say, ‘Let’s do it later, next term of Parliament, after the inquiry comes in’. But if the government’s Big Build agenda doesn’t incorporate climate change now, any resulting environmental decline is obviously a backward step and may not be easily reversed. So we need to act now, but it needs to be a balancing act to protect the environment—not just to pay lip-service but to actually take action.

A recent review on climate change adaption planning for biodiversity conservation by James Watson and others from the University of Queensland concludes that there has been slow progress in the development of appropriate methodologies for integrating climate change strategies. They say there needs to be holistic management. They say, and I quote once again:

Climate change is a fact of our times. It is already altering species from the poles to the tropics and because greenhouse gas emissions to date commit the Earth to substantial climate change, will do so for decades or centuries to come regardless of the mitigation efforts we undertake ... We are critical of an approach that relies solely on status quo and continuing ‘best practices’ as we think it is inappropriate and in the long-term, could lead to conservation activities that are maladaptive. Planners must adapt to deal with the new reality that climate change presents ...

I hope you can support this bill. We can’t continue our current practice of putting the environment last in planning decisions.

**Mr TARLAMIS** (South Eastern Metropolitan) (13:09): I move:

That debate on this bill be adjourned for two weeks.

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

## **HEALTH LEGISLATION AMENDMENT (CONSCIENTIOUS OBJECTION) BILL 2022**

### *Statement of compatibility*

**Ms PATTEN** (Northern Metropolitan) (13:10): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the charter), I make this statement of compatibility with respect to the Health Legislation Amendment (Conscientious Objection) Bill 2022.

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

**Overview of bill**

The main purposes of the Health Legislation Amendment (Conscientious Objection) Bill 2022 are to:

- Amend the **Health Services Act 1988** in relation to contraception, abortion, and voluntary assisted dying services provided by denominational hospitals; and
- to make related amendments to the **Abortion Law Reform Act 2008** and the **Voluntary Assisted Dying Act 2017**.

**Human rights issues*****Human rights protected by the charter that are relevant to the bill***

The Health Legislation Amendment (Conscientious Objection) Bill 2022 does not limit any human right, rather it engages and promotes the right to equality before the law set out in section 8 of the charter by addressing discrimination in service delivery currently engaged in by denominational hospitals.

The Health Legislation Amendment (Conscientious Objection) Bill 2022 does not limit any human right to freedom of thought, conscience, religion or belief as set out in section 14 of the charter, as it does not limit an individual registered health practitioner's right to conscientiously object on the basis of that person's own sincerely held beliefs or moral concerns.

***Consideration of reasonable limitations—section 7(2)***

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

**Conclusion**

I consider that the Bill is compatible with the charter because it does not raise any human rights issues.

Fiona Patten MLC  
Leader of the Reason Party

*Second reading*

**Ms PATTEN** (Northern Metropolitan) (13:10): I move:

That the bill be now read a second time.

When the USA Supreme Court overturned *Roe v. Wade*, and with it nearly 40 years of women's abortion rights, it caused shock waves here. In Victoria, thousands took to the street in protest. My sense was that the loss of that principle in the USA felt like a loss to women and gender-diverse people everywhere. We felt acutely the stripping of autonomy and the debasement of women. It was a slap in the face to the gender equality that we continue to fight for.

It caused many of us to ask, 'Could it happen here too?'

The very sad truth is that it is happening here. Right here and right now, in the Victorian public health system, women and gender-diverse people are being denied the right to contraception and abortion. Similarly, Victorians in the public health system are being denied the right to access voluntary assisted dying.

The problem is of Catholic origin.

The Health Service Act 1988, the foundational piece of legislation that make provisions for the carrying on of hospitals in Victoria, distinguishes between two types of public hospital—ordinary public hospitals and denominational hospitals. The latter being Catholic public hospitals, or in other words, Catholic hospitals that are publicly funded to provide public health services.

It is these publicly funded denominational hospitals that may be denying women the right to contraception and abortion, and all of us, the right to voluntary assisted dying. It is that issue this bill seeks to cure.

Let me give you some examples.

A pregnant woman is zoned to attend the Mercy Hospital for Women—a major public hospital specifically providing obstetrics, neonatal and gynaecological care. Despite it being a major public hospital for women, she cannot obtain contraception, abortion or family planning advice there.

A woman who is prescribed the pill is knocked off her bike and rushed to emergency at St Vincent's public hospital. Her injuries cause her to be admitted for several nights. When asked about the medication she usually takes, she is told by the nursing staff that they do not have pharmacy stock to dispense the pill.

A terminally ill patient is admitted to the public system palliative care hospital Calvary Health Care Bethlehem. There they cannot access advice on voluntary assisted dying, despite that being their wish.

A patient undergoes a C-section for the birth of their third child. They request a tubal ligation. The Mercy Hospital refuses this procedure and the patient must wait to recover from their caesarean to undergo a second procedure at a different hospital.

In the public system, where patients do not have a choice of provider, public hospitals simply should not be refusing ordinary public health services.

Women and gender-diverse people deserve better. The terminally ill deserve better. The public health system should not be limited by the minority views of a religion—not in Melbourne, Victoria, in the year 2022.

This bill will change that.

The heart of the problem lies in the artifice of institutional conscience. It is a confection, and this bill makes that clear. An organisation does not have a conscience, it cannot think, which means it is ideology not conscience that is preventing access to contraception, abortion and voluntary assisted dying.

In practice it suppresses conscience. For example, a patient in good conscience may request a lawful medical service and a doctor may in good conscience be willing to provide it. However, if the institution's code prohibits certain procedures for religious reasons, both the patient and doctor's consciences are arbitrarily suppressed by the rule.

This occurred recently when a patient pregnant with twins found after a series of scans that at 20 weeks there was no amniotic fluid and both twins' lungs had not developed. They would not survive outside the womb and the patient had developed a dangerous infection from the leaking amniotic fluid. The only safe option for the woman was to be induced, but the woman and her doctor were forced to leave St Vincent's Hospital and go to another hospital to undertake this really sad procedure.

This bill will ensure that ideology has no place in the public health system and that individuals, not organisations, can conscientiously object. Nothing proposed in this bill interferes with an individual health practitioner's right to conscientiously object, and that is based on their own sincerely held beliefs or moral concerns. That personal right remains protected.

Turning to the detail of the bill, the purpose of the bill is to amend the Health Services Act 1988 in relation to contraception, abortion and voluntary assisted dying services provided by denominational hospitals and to make related amendments to the Abortion Law Reform Act 2008 and the Voluntary Assisted Dying Act 2017.

The bill is directed at denominational hospitals specifically, as it is only these hospitals in the public health system that are engaging in the type of institutional discrimination against women and the terminally ill that the bill seeks to remedy.

The bill nominally commences on 1 July 2023, if not proclaimed earlier.

The bill introduces an obligation to provide certain services in certain circumstances akin to the examples I highlighted earlier, and that is with respect to contraception, the supply of contraception from in-house pharmacies, abortion and voluntary assisted dying services.

The bill provides that a denominational hospital cannot direct or otherwise cause a registered health practitioner to refuse to provide these services.

The right of an individual doctor to refuse on the basis of a conscientious objection is not affected.

Victorians should have access to the same basic services in the public health system, whether they find themselves in a public or denominational hospital. It is a matter of equality. For too long women and gender-diverse people have faced barriers because of stigma, shame, or geography. Public hospitals should not be an added barrier.

We have achieved safe access. Now it is time for fair access.

I commend the bill to the house.

**Mr TARLAMIS** (South Eastern Metropolitan) (13:18): I move:

That debate on this bill be adjourned for two weeks.

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

### Motions

#### PARLIAMENTARY INTEGRITY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (13:19): I move:

That this house notes that the:

- (1) Independent Broad-based Anti-corruption Commission's (IBAC) and Ombudsman's joint report, *Operation Watts*, was tabled on 20 July 2022;
- (2) Ombudsman's report *Investigation of a Matter Referred from the Legislative Council on 25 November 2015*, tabled on 21 March 2018 and known as the red shirts report, drew attention to the theft by the Australian Labor Party (ALP) of \$388 000 of taxpayers money and that:
  - (a) the Premier, the Honourable Daniel Andrews MP, ordered the stolen money to be voluntarily repaid;
  - (b) despite no recommendation that the money be repaid, the Premier advised Parliament on 27 March 2018 that the ALP had repaid the full amount;
- (3) Operation Watts report shows \$1 348 750 of taxpayers money was misappropriated by the ALP, which was only a share of what was likely misappropriated, identifying:
  - (a) over \$110 000 paid to a factionally appointed political staffer;
  - (b) up to \$14 000 of stamp purchases misused for political purposes;
  - (c) almost \$30 000 paid to a political staffer who sent only one work email during his entire employment period;
  - (d) over \$1 million in grants awarded by former minister the Honourable Robin Scott MP to Labor-linked community organisations;
  - (e) \$194 750 in grants awarded by former minister the Honourable Marlene Kairouz MP to Labor-linked community organisations;
- (4) Premier has intransigently refused to repay the \$1 348 750 of taxpayers money misappropriated by the ALP;

and calls on the Premier and the ALP to immediately repay the \$1 348 750 identified by IBAC and the Ombudsman.

The motion we move today deals with the widespread misapplication of public resources within the ALP and the Operation Watts report, tabled this month, just a few days ago, on the investigation into allegations of misuse of electorate office and ministerial office staff and resources for branch stacking and other party-related activities. It is an extraordinary report. It lays out massive—massive—misuse of public resources that should have been applied for the benefit of the community but have been applied for the benefit of Labor.

I want to start with this particularly, and I want to make some very, very clear points up-front. Item 739 on page 158 of this report states:

As already stated, the unethical cultures exposed by Operation Watts are not confined to the ML faction. These unethical practices are embedded in the Victorian branch of the ALP and are systemic to all of the ALP's factions. The evidence adduced enables the conclusion that these practices have been approved or condoned by the party leadership for decades. Leaders must be willing to expose and denounce such activity regardless of their alignment. Without the rigorous participation of the leaders of the branch, the reforms proposed in this report are unlikely to be effective.

This is not just about one group within the ALP; this is about a pattern of behaviour within the Labor Party. It is a crooked Labor Party. It is a Labor Party that has actually not behaved properly. I think it is actually very important that the community understand what has happened here and the amount of money is very, very clear. It is a huge amount of money. When you look at the money identified formally and pointed to here, and this is clearly just the tip of the iceberg inside the ALP, it is a massive amount of money.

The motion points to the report tabled on 20 July. It points to the earlier red shirts report, which saw \$388 000 of taxpayers money taken by the ALP. Indeed it says despite no recommendation that the money be repaid, the Premier advised Parliament on 27 March 2018 that the ALP had repaid the full amount. In that case the ALP repaid the money. In this case the Operation Watts report in its various parts points to \$1.348 million of taxpayers money misappropriated by the ALP; \$110 000 was paid by a political operative. Let us just get on the record some of this. At item 441 on page 91 of this report—I think it is important to put this formally on the record—it says:

One example of a factional staff appointment identified by the investigation was Dr Hussein Haraco, a longstanding ALP member and recruiter ... The evidence established that Mr Somyurek employed Dr Haraco based on the number of ALP members he could bring to the faction and that, once employed, Dr Haraco carried out very little (if any) legitimate electorate ... work. Dr Haraco was paid more than \$110,000 for his casual and part-time work between 2017 and 2020.

It is important also to put on record from page 81, I am going to get these down very clearly so that people understand what is going on, and this is about Electorate Officer X, who was employed from early 2018. This is about stamps. He testified that:

... the purchases were made in increments of between 1,000 and 2,000 stamps each fortnight so as not to arouse suspicion. Electorate Officer X estimated that he spent between \$11,000 and \$14,000 on this activity.

There is a very specific identification. Again, this is not one faction of the ALP. The IBAC-Ombudsman report makes it clear that all factions of the ALP are involved in this.

The report at page 107 in chapter 5 makes a series of points here too, and it is important to get these down. It says:

Data regarding Electorate Officer Q's email account showed that he sent only one email during his entire period of employment. Electorate Officer Q acknowledged to the investigation that he was never required to send or receive emails or log in to any systems to perform his role. He said that no performance problems were ever raised with him and that tasks were not assigned appropriately.

It goes on to say, and this is a key point—

**Mr Leane** interjected.

**Mr DAVIS:** This is actually a key point. Yes, one Labor MP, but the point is it is a number of Labor MPs that are involved here. Let me be very clear, a series of Labor MPs are involved, but it is not just one faction of the Labor Party, Mr Leane; it is actually a series of factions of the Labor Party. The Ombudsman and IBAC make clear that it is not confined to one faction. It might be your faction, I do not know. But let me just say that at page 120 there is more. Again, I am putting this directly on the record out of the report. At page 120 it points to grants by organisations, and these are activities by the then Minister Scott, a Labor Party minister: Australian Light Foundation grants totalling \$677 500,



## MOTIONS

Tuesday, 2 August 2022

Legislative Council

2445

Cambodian Association of Victoria grants totalling \$228 593 and Somali Australian Council of Victoria grants totalling \$98 725. At point 497, it says:

Ministerial Staffer K, a ministerial adviser for Mr Scott between 2015 and 2020, gave evidence that—  
an organisation—

... applied for grants administered through Mr Scott's ministerial office, but that to his knowledge these were for smaller amounts. Ministerial Staffer K said that the biggest complaint he would receive from Dr Haraco was that—

the particular organisation—

... was receiving less grant money from the Victorian Labor government ...

than it did earlier. There you are. But he said, to his knowledge, there had been a series of these grants that were made. These grants were made in a way that does not bear close examination, and it says at a number of points in this report that these were done improperly. Many of these grants were improper. The clear findings that were made in the report make it clear that indeed improper processes were used and improper Labor activity was behind many of these points.

You would have thought after the red shirts report that there would have been a decision to have actually made a very clear attempt to clean up the Labor Party, an attempt to make sure that there was actually no involvement by Labor MPs or Labor ministers in these crooked and unsatisfactory activities. I mean, these are fundamentally corrupt activities—activities that ought not to have occurred, activities that ought to result in repayment by the ALP of this money. It is not unreasonable to ensure that the money is repaid. It is not unreasonable to ensure that money that has been inappropriately awarded in this way and inappropriately used be repaid and repaid in full.

High standards are required here. The Ombudsman and IBAC have proposed a way forward, and we are very amenable to many of their recommendations. We are working through those recommendations. We actually welcome those recommendations. We think they are very helpful and that they will improve integrity. But this is a prior matter. This is about money that was stolen earlier—money that has been misapplied, misappropriated by Labor MPs, by Labor ministers, and that money should be repaid and it should be repaid now. There is no reason why Labor cannot repay that money. That is a separate matter from what the police or others might do. They may well look at these things. But let me just say very clearly: Labor should repay the money in full. This money has been taken by Labor inappropriately, and the Ombudsman and IBAC have made it clear that this is an appropriate use of money. They have made it very clear that that money has been misapplied. I do not see any reason in the world why Daniel Andrews should not insist that the Labor Party repay that money.

That money is taxpayers money. Taxpayers have worked very hard to pay their taxes, to do what is right. They have worked very hard to contribute, and money that is being held in trust by government, money that is being used by government for public purposes, should be focused on public purposes. It should not be focused on party political purposes. It should not be focused on purposes that are directed in such a negative way. It should not be used for the factional purposes that have been outlined in this report. I mean, this report is actually a shocking read. The community are shocked when they read this sort of stuff. Some would say very directly that Daniel Andrews should insist today that all of the money, every cent of the money that is identified in here—and it is a huge amount of money, well over \$1 million—should be repaid in full by the Labor Party, which has misused that money. It might be that certain people are no longer Labor Party members, but they were doing all this when they were Labor Party members. In fact the truth of the matter is that every cent should be repaid, and it should be repaid today.

**Sitting suspended 1.30 pm until 2.04 pm.**

**Business interrupted pursuant to order of Council earlier this day.**

**Questions without notice and ministers statements**

**EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY**

**Ms CROZIER** (Southern Metropolitan) (14:04): My question is to the Minister for Emergency Services. Minister, how many 000 calls went unanswered during the code red that occurred on 28 June?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:04): I thank Ms Crozier for her question. In relation to the 28 June date, which coincides with the code red declaration, I guess, from Ambulance Victoria, I am advised that there were no major call-taking incidents associated with the escalation called by Ambulance Victoria during that period.

**Ms CROZIER** (Southern Metropolitan) (14:05): So are you confirming then, Minister, that there were no unanswered calls? You said there were none on escalation, but there were delays of up to 3 minutes for ESTA, so I am wondering how many unanswered calls. Could you confirm that?

**Ms Symes:** There were zero unanswered calls.

*Members interjecting.*

**The PRESIDENT:** Order! Ms Crozier, please, a question and a supplementary, not a question and a question and a question.

**Ms CROZIER:** I thank the minister for that confirmation, because I actually think it is very important. So thank you for saying that there were zero calls.

**A member:** She did—twice.

**Ms CROZIER:** She did not, actually. But anyway, Minister, how many times over the past two months have Telstra surge event scripts been used by ESTA?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:06): Thank you, Ms Crozier. I will just pick up on your comments before. My first response to you was I indicated there were no major call-taking incidents, and then I confirmed to you that that means there were no calls that were unanswered. There are no unanswered calls at ESTA. In relation to the surge script of Telstra, that is a national service that has been brought in across the country, and it is currently active. So every call to 000 is currently receiving the surge message from Telstra.

**PARLIAMENTARY INTEGRITY**

**Dr RATNAM** (Northern Metropolitan) (14:06): My question is to the Leader of the Government. When announcing, along with the Premier, the government's response to IBAC's report on Operation Watts, you suggested that by agreeing to implement IBAC's recommendations the government was committing to the largest overhaul of the integrity system in the country. But the reality is that Victoria needs a significant overhaul because we lag so far behind other jurisdictions, like New South Wales and Queensland, which are well ahead of Victoria in integrity laws and regulations. For example, they have legislated enforceable codes of conduct for lobbyists and banned political donations from property developers and the gambling industry. Will the government now introduce strong lobbying laws, like New South Wales and Queensland, along with its other planned measures, or will Victoria remain a national laggard in this area too?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:07): I thank Dr Ratnam for her question and her reference to the IBAC report on Operation Watts, which was tabled a couple weeks ago, and the commitment from the Victorian government to support the implementation of all 21 recommendations relating to integrity and ethical conduct of MPs, ministers and respective staff. You have swayed a little bit from issues in relation to

those direct recommendations and gone into some of the political donation commentary that you have actually been progressing today. I am not the relevant minister for donations; that would be Minister Pearson in his capacity as government services minister. In relation to the issues that you have raised, I have got carriage of progressing a lot of the recommendations from Watts, and I will be having conversations with members of this chamber about their views in relation to that. As we indicated, although government has accepted all the recommendations, there is an acknowledgement that a lot of those recommendations are a matter for the Parliament and cross-party collaboration and the like. So we will be progressing a range of measures underpinned by the recommendations of Operation Watts.

**Dr RATNAM** (Northern Metropolitan) (14:08): Just in response to my original question, while I did reference banning political donations and donations from the gambling industry, I was talking more broadly about integrity reforms, including legislated and enforceable codes of conduct like in New South Wales and Queensland, so I was talking about expanding and deepening the integrity reforms that have been promised in Victoria and asking whether you can go further. By way of supplementary, this government loves to remind everyone about ‘lobster with a mobster’, but what the Victorian public really needs to know about is who is paying or being paid to access government decision-makers. New South Wales and Queensland ministers must publish their diaries disclosing who they are meeting with when carrying out their duties. This integrity measure does not even need legislation. Will the government commit to making ministerial diaries public?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:09): I thank Dr Ratnam for her question. I get asked a lot about my diary in this place. We often get asked about when we are meeting who, and I think we have been reasonably forthcoming in explaining that we meet with a range of stakeholders as ministers. But in relation to the specifics of your question, I am certainly not in a position to make a government policy announcement in relation to that matter. It is certainly not something that has been a policy that we believe needed to be advanced at this point of time. But as I have indicated, there are a range of measures that we will be looking at in the near future and long term in relation to integrity, public perception and public confidence in relation to integrity of MPs and their staff.

#### MINISTERS STATEMENTS: FOOT-AND-MOUTH DISEASE

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (14:10): I rise to advise the house of the leadership being shown by the Andrews Labor government and Agriculture Victoria as we prepare for the escalating threat of foot-and-mouth disease. We have established an emergency animal disease planning task force to prepare and provide rapid response if an outbreak were to occur. The task force is co-chaired by Agriculture Victoria CEO Matt Lowe and emergency management commissioner Andrew Crisp AM, APM. They will take advice from Dr Graeme Cooke, Victoria’s chief veterinary officer, who has extensive experience in biosecurity management, having had a leadership role in the UK during the foot-and-mouth disease outbreaks in 2001 and 2007.

But let us be clear: foot-and-mouth disease is not present in Australia. I heard firsthand the concerns of the community whilst at Sheepvention in Hamilton over the weekend. I assured everyone that I met that we are working around the clock to protect Victoria. National biosecurity is top of mind, and Victoria is playing a big part by bolstering the biosecurity workforce to manage the potential social, economic and environmental impacts if this disease was to reach Victoria. Prevention and preparedness are this government’s absolute priority.

This government is focused on having a united and bipartisan approach to protecting livestock in Victoria. Yesterday we conducted a bipartisan briefing of all MPs, and it is our shared responsibility to ensure our farmers are informed and are able to implement best practice on-farm biosecurity. I am proud that Victoria leads the country in biosecurity management, and it is our shared duty to be united in our approach as we face this challenge together.

### CONSTRUCTION INDUSTRY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:12): My question is for the Minister for Small Business. Minister, I refer to the collapse of a number of property and construction industry groups, including Caydon, which was placed into liquidation last week. What steps is the Andrews Labor government taking to protect the many small businesses, suppliers and others impacted by the knock-on effects of these worrying collapses?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:13): I thank Mr Davis for his question and his interest in the pressures that are being experienced with escalating input costs by Victoria's construction industry. The response that I have given to Mr Davis on similar questions is largely unchanged. The department's response is as I have previously outlined to the house, which is that we work with businesses that are impacted. We work with the larger businesses, obviously not quite directly in the small business portfolio. But my department and my colleagues work with larger organisations that are facing the kinds of challenges that Mr Davis is referring to, and then for my part in the small business portfolio we make sure that businesses throughout the supply chain are fully aware of the support that is available to them. There has been also a constant dialogue between the government and peak industry organisations, including of course those in the construction industry.

Many of these cost pressures, as I think all members would understand, arise as a result of things somewhat beyond the control of the Victorian government. The cost of steel, the availability of timber and indeed gas prices are less impacting on builders as such but certainly impacting on some in their supply chain—brickmakers, for instance. We continue to work with the industry to provide them with support as needed, and we will continue to do so.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:15): I thank the minister for her answer, but the response was very nebulous in terms of what actual assistance is being provided. So I am just going to ask you very directly: what direct assistance is your department providing to small businesses left high and dry by these worrying collapses in the Victorian building industry?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:15): Mr Davis has asked an incredibly broad question and is seeking a really quite specific answer, so in terms of some of the larger organisations within the construction industry that have experienced difficulties, there have been discussions, including some that I think are probably less than ideal for me to go freelancing about in the Parliament around individual businesses' commercial situations and financial situations. Where small businesses are needing advice and support around the legal obligations of those that owe them money, that information is provided readily to them. Businesses are well aware of how to access available information and support. If Mr Davis were to give me a particular example of a particular insolvency or a business collapse as he is suggesting, then of course I could provide a more specific answer.

### KINDERGARTEN FUNDING

**Ms PATTEN** (Northern Metropolitan) (14:16): My question is for the minister for early childhood and relates to kindergarten. Back in June with some fanfare the minister announced free three- and four-year-old kinder for Victorian families, but I would have to say even a cursory look at the detail suggests that kindergarten will not be free or even low fee for most families, who will receive a \$2500 subsidy for sessional kinder or a \$2000 fee reduction for funded kindergarten in long day care settings. So my question is: can the minister please tell me how many families will actually receive free kindergarten?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (14:17): I am very, very happy to take that question, Ms Patten, and I thank you for your

interest in early childhood education. Of course you would be aware that kindergarten programs are delivered in a range of different provider settings. In the long day care centres it is predominantly the responsibility of the federal government and the subject of childcare subsidy arrangements. You will recall that in 2021 the government provided free kinder that year as part of our COVID recovery response, and we were able to reach agreement with the previous federal government to ensure that with the free kinder component of long day care—because of course kinder programs are embedded in long day care services—the full benefit of that free program was passed on to parents, and we are again in discussions with the new federal government about a similar arrangement this time when we introduce free kinder next year.

For our sessional kinders we have made a couple of different commitments. There is free kinder for three- and four-year-old kindergarten next year, and of course you would be aware that we are in the process of scaling up the hours that are funded for three-year-olds across the state, and that will mean that there will be different arrangements depending on what location you are in, because of the staged way in which we have been rolling out three-year-old. In some regional parts of Victoria they are already up to 15 hours of three-year-old, and in some metropolitan areas we are still in the process of building up towards 15 by 2029. The commitment that the government has made in respect of free kinder is that all the funded hours will be free for parents. That includes four-year-old kindergarten as well, which is currently at 15 hours, and over the next few years from 2025 to 2032 we will essentially build up to 30 hours for every four-year-old and the creation of that pre-prep year.

We are in the process of detailed consultation with the sector about the policy settings for free kinder next year. They have been pretty constructive discussions with the sector. I know the sector are very keen on the detail of this, because enrolment season for next year is almost upon us, and we will be in a position to be announcing those policy settings in the not-too-distant future.

**Ms PATTEN** (Northern Metropolitan) (14:20): Thanks, Minister. I think probably the headline should have been ‘Subsidised kinder’, maybe not ‘Free kinder’. However, by way of supplementary—and I thank you for your response, because it really was good and provided some good information—bearing in mind, as you said, that early education in Victoria takes place very often in long day care and that unmet demand has been incredibly hard for some families to even find a place in long day care at the moment, let alone a choice of provider, can the minister guarantee that that full \$2000 reduction will be passed on to families by long day care kindergarten services?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (14:20): What I can say, Ms Patten, is that that was definitely the arrangement that we arrived at in 2021 through our free kinder program and making sure that, regardless of what setting parents choose to have their children receive kindergarten programs in, they get the benefit of the government’s policy intent. We are in positive discussions with the commonwealth. We have not quite landed all the details yet, but I have got no reason to believe that we will not be able to land those arrangements. In 2021, for example, it was absolutely the case that it was a requirement of the funding arrangement that was arrived at that the full \$2000 was passed on to families. I have got no reason to believe that we will not be able to arrive at a similar arrangement, because we have been very clear about our \$9 billion commitment to early childhood education and care and the importance of the early years in Victoria.

#### MINISTERS STATEMENTS: MINISTERIAL VISITS

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (14:22): Please bear with me. There is a fair bit to get through today in the time I have available. I was sworn in as minister for regional development, water and equality on 27 June, and since then it has been an exceptionally busy time across the state. I want to outline a couple of the things that I have been doing, which those opposite may in fact also delight in.

I was recently in Tatura with extraordinary member for Northern Victoria Mr Gepp and also the Treasurer to open Flavorite’s newest 6-hectare expansion—extraordinary tomatoes, cucumbers,

capsicums, eggplant, you name it. It is a state-of-the-art, sustainable, water- and energy-efficient glasshouse. We have been pleased to collaborate with Flavorite to deliver this cutting-edge technology.

In Waaia I actually attended a water-efficiency project. We have passed the halfway mark in terms of delivering 15.9 gig in savings two months early, and it is on budget. These are excellent examples of delivering better efficiency and savings ahead of schedule.

I was also in a position to catch up with traditional owners alongside Catfish Billabong. This is a \$2 million investment to make sure that ebb and flow of water in this exceptionally important waterway is maintained. To sit with Aunty Janine and Aunty Rose by the side of Catfish Billabong was an exceptionally important opportunity to engage on the importance of water for traditional owners across the state and indeed in that part of Victoria.

I was also at the Cann Group recently—medicinal cannabis. That big pink glow over the sky in Mildura which has gone global is in fact something which is delivering state-of-the-art medicinal cannabis cultivation to the area, and we were proud to fund them to the tune of \$1.975 million.

Back in metropolitan Melbourne I was delighted to catch up with Labor's candidate for Albert Park, Nina Taylor, at the Pride Centre, to join Melissa Horne and in fact the member for Footscray, Katie Hall, on local government and also to celebrate the first lowering of the pride flag at the Shrine of Remembrance last Sunday.

#### FIREARMS LICENSING

**Mr BOURMAN** (Eastern Victoria) (14:24): My question today is for the minister representing the Minister for Police; I believe it is still Ms Tierney. There is considerable debate regarding legislation for the use of recreational firearms. One of the things I would like to hope we all agree on is the need for robust licensing. There is a need in Victoria for a legitimate and genuine reason when we are applying for a firearms licence. The reasons that are generally accepted are hunting and target shooting. Recently I have seen some screenshots of social media posts where it appears that anti-hunting protesters are conspiring to get a firearms licence to enable them to protest in duck-hunting wetlands without fear of prosecution. So my substantive question is: Minister, is evading prosecution a genuine reason for a firearms licence?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (14:25): I thank Mr Bourman for his question and his interest in this area, and obviously I will refer this to the Minister for Police, Minister Carbines.

**Mr BOURMAN** (Eastern Victoria) (14:25): I thank the minister for her answer. It appears that, although the protesters are somehow technically satisfying the genuine reason requirement by obtaining a game licence, it is clear their intention is to never hunt and never own a firearm but instead just use a licence to evade prosecution and make a laughing stock of our official processes, so my supplementary question is: will the minister immediately initiate the process to weed out those who are getting a firearms licence under false pretences?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (14:25): I thank Mr Bourman for his supplementary, which of course will be referred to the Minister for Police for follow-up.

#### TRENCH AND CONFINED SPACE RESCUE EQUIPMENT

**Mr GRIMLEY** (Western Victoria) (14:26): My question is for the Minister for Emergency Services, and it relates to operational equipment and trained staff for the Lucas fire station in Western Victoria. In 2018 there was a tragic incident that saw two men lose their lives in a trench collapse in Delacombe. The local professional firefighters were only a few kilometres away from the incident, and they responded quickly. Unfortunately they were not equipped with the tools necessary to rescue these men. Professional firefighters have been calling on the government to supply the proper

equipment to enable the north-west of the state to have the ability to perform trench and confined-space rescues. The United Firefighters Union (UFU) believes that this equipment is available now; however, it is gathering dust in storage in Melbourne. Given the number of excavation equipment operating daily in the north-west of the state, which is well over 100, it should now be a no-brainer to have equipment and trained staff based in Lucas. Currently the nearest equipment is in Warrnambool or Richmond. Minister, will the government supply trench rescue equipment and staff for Fire Rescue Victoria professional firefighters to keep the north-west of Victoria safe?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:27): I thank Mr Grimley for his question and at the outset acknowledge the deaths of Mr Howkins and Mr Brownlee in relation to the incident that he referred to. Many people in this chamber met with those families because they were instrumental in changes to workplace safety laws and in relation to some significant reforms, industrial manslaughter reforms, that were a direct consequence of those families' stories. I personally met with those families, and the courage displayed was immense. We know that that was a devastating event that had a profound impact on many people, particularly the local community and emergency services.

In response to your question in relation to technical rescue, this is an important part of the service that our firefighters provide to the community, and that is why we have ensured that Fire Rescue Victoria continue to have equipment such as this. We have made significant changes to stop accidents such as what occurred on that awful day in relation to working with FRV and workplaces and backing the experts on how to respond to rescue situations so that people can learn from these experiences. As you know, we promised to reform our fire services and ensure career and volunteer firefighters are supported in keeping the community safe in relation to appropriate training and the like.

While the deployment of technical equipment is an operational decision for FRV, I have asked FRV to continue to work with industrial partners and other stakeholders on options to further supplement the technical capabilities across the state. That is a conversation that I have recently had with the commissioner, and I am receiving ongoing briefings in relation to the equipment and, as you have correctly identified, in relation to, if you have equipment, making sure you have got the appropriate staff on hand to be able to operate that equipment. Those conversations are certainly ongoing.

**Mr GRIMLEY** (Western Victoria) (14:29): Thanks, Minister. In a letter that you wrote to the victims' families of the 2018 trench collapse there were misleading assertions, according to UFU firefighters. This led to a statutory declaration being made to contradict these. According to the stat dec that was made, the minister asserted that the Ballarat city fire station was a technical rescue fire station with trench rescue capabilities. This is not factually correct as there is no equipment at that particular fire station, only the trained staff. These assertions could lead to the victims' families believing that the equipment and staff were available in the area during the 2018 trench collapse; however, we know this was not the case. I met with the professional firefighters at Lucas, and they would like to clarify with the minister why these assertions were made and why they are not being provided with the necessary staff and equipment to protect their community. Minister, will you commit to meeting the professional firefighters at the Lucas and Ballarat stations to discuss their professional needs prior to the November election?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:30): As I indicated in my substantive answer, Mr Grimley, these are conversations that I am having directly with FRV in a contemporary fashion. In the last two weeks I have met with FRV in relation to specifically this matter and have received ongoing information. What we said was there is technical rescue, not trench rescue, in relation to that correspondence, so hopefully that clarifies the point that you have just made. I do not agree that there was misleading information in relation to that advice. I wanted to make sure I was very direct with the family and very clear on the conversations and the equipment and capabilities of FRV and the ongoing conversations that we have had in relation to the necessary support to ensure that we have the appropriate equipment and people in place to ensure that we can respond to all the range of emergency services incidents.

**MINISTERS STATEMENTS: NEW SOUTH WALES FLOODS**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:31): Today I would like to update the house on the recent efforts of Victoria’s emergency services personnel in the latest devastating New South Wales floods. We all saw New South Wales tragically hit once again by a huge amount of rain, causing more damaging floods, and our thoughts are certainly with everyone that has been impacted. Some of these people have been through three major disasters in just a matter of months. Unsurprisingly Victorian first responders have shone through in the toughest of situations and are a source of pride to us all. I want to highlight the strong support these amazing Victorians provided during this difficult time. I worked with emergency services commissioner Andrew Crisp as requests were coming in for assistance from New South Wales. I want to recognise the amazing cooperation with the New South Wales minister, Steph Cooke, and the new federal government, particularly minister Murray Watt.

I continue to be so impressed with the number of Victorians who put their own lives on hold to help our neighbours. I also want to thank their families and employers for the time without them. In the July floods Victoria deployed a total of 105 personnel to New South Wales, including 46 staff and 59 volunteers. This includes people from SES, CFA, FRV and EMV, and despite all the challenges of the past two years they did not hesitate to put their hands up. These amazing Victorians have been on boats, performing rescues, coordinating relief efforts and working directly with affected communities. This takes the total number of Victorians deployed interstate to events this year to 446—a truly remarkable contribution.

As we continue to see the impacts of climate change, disasters are more frequent and intense, and it is the efforts of our first responders in cooperation across Australia that are vital to keeping all Australians safe wherever they are. I certainly want to thank those Victorians that continue to help when needed.

**FOOT-AND-MOUTH DISEASE**

**Ms BATH** (Eastern Victoria) (14:33): My question is for the Minister for Agriculture. Minister, following the 2014–15 Exercise Odysseus, which comprehensively examined the threat of foot-and-mouth disease in Australia, Victoria committed to developing a state response and livestock standstill plan. Will the minister release this plan?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (14:33): I thank Ms Bath for her question. It is a good question. In relation to Victoria’s response to the recommendations from that exercise:

... I can confirm that we have acted to significantly improve Victoria’s preparedness in line with the recommendations.

I am reading this from a letter that I actually sent to Roma Britnell a little while ago:

Following the Exercise, livestock standstill plans were created, including work on identifying the resources needed to implement the plans and developing training workshops for relevant staff. These plans are being continually updated to meet changing industry conditions, including the current context of increased risk of FMD.

Additionally, work to identify appropriate sites for holding and disposing of displaced livestock is well advanced, and significant training programs have been delivered in operations and incident management. We have also reviewed the Memorandum of Understanding for biosecurity, animal welfare and emergency management arrangements between New South Wales and Victoria, providing certainty around processes along the NSW border.

As I said in this letter to Ms Britnell:

As referred to in your enquiry, Victoria’s approach will be guided by the AUSVETPLAN disease strategy for FMD. This approach is supported by Emergency Management Victoria’s ... interagency response structures and the Victorian Government will act in a coordinated fashion to provide a whole of government



response. National emergency response arrangements will also be implemented in the event of an FMD incursion. These arrangements are well established and were implemented ...

in 2022, when we were threatened with Japanese encephalitis, and in 2020 with the avian influenza emergency animal disease responses.

**Ms BATH** (Eastern Victoria) (14:35): Thank you, Minister. You referenced a number of actions that you say you are doing, but again I am asking on behalf of the industry: will you table these plans so that industry and the community can actually see that you are doing what you say you are doing?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (14:36): As I have provided Ms Bath with a very detailed response on what we have done since that exercise was done and indeed we have adopted the recommendations, it is unfortunate that Ms Bath has refused to even listen to my response. I provided a very detailed response that is very action orientated, and it is not a report or a plan that is sitting and collecting dust on a shelf somewhere. It has been very proactive, because Victoria has been the leader in biosecurity, and we will continue to be because we have the capacity, the capabilities and the structures to do so, demonstrated by the task force that we have just established.

**Mr Davis**: On a point of order, President, the minister talked a lot about the report, but the very specific question of ‘Will she release it? Will she table it?’ she has completely ignored.

**The PRESIDENT**: Minister, have you finished? We will move on.

#### VICTORIAN REGISTRY OF BIRTHS, DEATHS AND MARRIAGES

**Mr LIMBRICK** (South Eastern Metropolitan) (14:37): My question is for the Attorney-General. My office was recently contacted by an employer in the disability services sector. Recent reforms have established a requirement for employees in the sector to go through a registration process. Intended to strengthen safety and trust, the Victorian process requires significant proof-of-identity documents. For many potential employees this requires the issuing of documents from Births, Deaths and Marriages Victoria (BDM). Due to the backlogs being experienced I have been informed that there are still regular delays of up to six weeks to receive these types of documents. This is in addition to delays in processing applications at Service Victoria. Applicants are further disadvantaged, as they are told the offices of Births, Deaths and Marriages Victoria are still closed to the public and they cannot seek assistance in person. Minister, what are you doing to address the backlogs that are being experienced by those who are seeking time-sensitive access to these important documents?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:38): I thank Mr Limbrick for his question. You have identified your constituent in relation to a disability support worker, so I suspect that they are seeking screening under the NDIS, which has moved to a similar system to how we operate our working with children check. You are right, it involves obtaining materials from births, deaths and marriages. As has been the subject of some questions in here before, we have experienced significant demand in births, deaths and marriages—effectively a lot of people coming out after COVID and seeking either documents for passports or indeed, where we are seeing a lot of pressure, the working with children check and the NDIS screening.

I am just looking for the latest delays. The current turnaround times are not six weeks. They have significantly reduced since that time, Mr Limbrick. The current turnaround for a normal certificate is 18 days. This is at 29 July 2022. Birth registration is 42 days, death registration is seven days and marriage registration is 28 days, and that is available on the website, actually. We wanted to be up-front with the public about how long these things are taking. If someone is experiencing an issue of six weeks or the like, there is generally a problem with the material that they have presented in that it is not a simple verification process—sometimes a change of name or the like. If you have got a particular incident involving a constituent, I am more than happy to follow that up. My office have got

the ability to check on individual applications and provide an update to individuals that might be impacted by what appears to be an unreasonable delay.

**Mr LIMBRICK** (South Eastern Metropolitan) (14:40): I thank the Attorney for her answer, and I will ask my team to pass that on to the constituent. My supplementary question is around the continued closure of the office in person. What is the justification for keeping these offices closed still? My understanding is that they were originally closed due to COVID.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (14:40): We have got the call centre operating every day from 8 to 2. In relation to the hours, what that enables them to do then is after 2 o'clock they are still working, but it is usually going and checking the messages and making sure that they are returning calls and the like, because to have it open full-time means they have not got the time to process the administration side of it. We are continuing to recruit more and more people. The number of staff we have got in BDM operations has increased from 76 full-time to 98 full-time compared to this time last year. So we are trying to get more and more people in. There have been a lot of people who have left through the pandemic. But also what is important to me is that the BDM offices in the city are not necessarily where everyone wants to access the material, so making sure we have got our regional offices staffed so that people do not have to travel into the city has been a priority of mine. Indeed, as I said, the call centre is open on a daily basis.

#### MINISTERS STATEMENTS: VETERANS EMPLOYMENT

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (14:42): Today I would like to update the house on the progress of the work that the office for veterans has done in partnership with Jobs Victoria on the *Employing Veterans* initiative. I would like to give a big shout-out to Minister Pulford, who has been an absolute driving force in establishing this initiative.

Since the launch of the initiative, which was not long ago I have got to say, over 300 veterans and their family members have registered on the Jobs Victoria online hub and more than 200 have accessed Jobs Victoria employment services. But more importantly 87 veterans and their family members have been employed through this initiative. It is fantastic. On top of the 40 veterans that have been supported into jobs via the Veterans in Construction initiative, which was a pilot a couple of years ago and continues to be a great thing, 87 veterans and their family members have been employed through this initiative. Obviously it also supports employers who are looking to employ a veteran or their family member to access great candidates through this initiative.

As we say in Victoria, we know ex-service men and women are absolute assets and we want them here, so this is just part of initiatives that we will embark on to make sure that Victoria becomes a destination state for men and women that are leaving the services. As I say, we want them here and we will be working in other ways, not just in employment but on other tangible reasons why ex-service men and women would want to make their homes in Victoria.

#### WRITTEN RESPONSES

**The PRESIDENT** (14:43): Regarding questions and answers today: Mr Bourman to police, Minister Tierney, question and supplementary, two days.

#### Constituency questions

#### WESTERN VICTORIA REGION

**Mrs McARTHUR** (Western Victoria) (14:44): (1878) My constituency question is for the Minister for Roads and Road Safety and concerns the Regional Roads Victoria Geelong office, which has lost at least 20 specialised, highly experienced staff in organisational restructuring. The budget revealed the Andrews government's cut in road asset management spend from \$807 million last financial year to \$780 million this year. We now see the consequences not just in crater-like potholes

on the roads today but in the loss of future capacity as senior and expert employees, engineers, geotechnical experts and project managers have departed. Minister, in this restructure how many employees with more than five years experience have left the Geelong Regional Roads Victoria office?

#### NORTHERN VICTORIA REGION

**Ms MAXWELL** (Northern Victoria) (14:45): (1879) My constituency question is to the Attorney-General on behalf of Conor Pall. Conor wrote to the Attorney in January and received a response from the department this week. Conor and his family spent months getting a final intervention order in place to protect himself, his mother and his younger brother. After 14 adjournments, this was granted three months before Conor's 18th birthday. Once he turned 18, after a breach he discovered there was a special condition that removed him from the family order, and he had to begin the long and traumatic process again to obtain a fresh order, all while trying to complete his year 12 VCE studies. Intervention orders made as a family order automatically transition to an individual order once an affected family member turns 18 unless they choose to apply for its removal. So I ask the Attorney-General: what will the government do to reduce this burden and stress from the plates of young survivors like Conor?

#### EASTERN VICTORIA REGION

**Ms BATH** (Eastern Victoria) (14:46): (1880) My constituency question is to the Minister for Roads and Road Safety in the other place. My constituent, Mr Brett Tessari, the Nationals candidate for Bass, recently met with many of my other constituents at the three-way intersection of Ballarto, Cardinia and Dalmore roads. The Cardinia Primary School is situated in the middle of this busy and dangerous intersection, which experiences particularly high traffic volumes at drop-off and pick-up school times. Parents and the community comment on regular near misses and are rightly concerned for the safety of students, parents and road users. Minister, on behalf of Brett and the community I ask: has there been an assessment of the intersection, and if so, what solutions have been planned and what is the time line for these upgrades?

#### WESTERN METROPOLITAN REGION

**Dr CUMMING** (Western Metropolitan) (14:47): (1881) My question is to the Minister for Public Transport in the other place, and it is from Daria Kellander, a councillor at Hobsons Bay City Council. Can a direct bus route from Altona North to Spotswood train station be provided once the building of precinct 15 and 16 is completed? Now, these developments are in North Altona and South Kingsville and when completed in a couple of years will add an additional 10 000 residents to the area. There is currently a bus route, the 432, that runs from Yarraville through to Altona Gate shopping centre and back to Newport, and there is also bus route 471, which is Williamstown to Altona Gate. With so many residents being added to this pocket, it makes sense for a bus route to be more direct and, once again, ease the pressure from Newport station and transport residents into Spotswood and the local immediate area.

#### EASTERN METROPOLITAN REGION

**Dr BACH** (Eastern Metropolitan) (14:48): (1882) My constituency question is for the Minister for Transport Infrastructure, and it concerns her proposed \$34.5 billion rail line from Cheltenham to Box Hill in my electorate. My question for her is this: why has the Andrews Labor government, why has this minister, consistently refused to provide the business case for this program to Infrastructure Australia? The Andrews Labor government has over many years espoused the view very strongly that every single transport infrastructure project should have a business case submitted to Infrastructure Australia. The Premier himself has been very strong on this point. He said in 2015 'never again'—never again would a business case not be provided to Infrastructure Australia. Mr Pakula said that to not provide a business case to Infrastructure Australia for a major project was economic vandalism. He said those on this side of the house would accuse the Labor government of economic vandalism.

should they ever do anything of the sort, and yet they have done it. If the project stacks up, as the minister says it does, why has she refused to provide the business case?

#### **EASTERN METROPOLITAN REGION**

**Mr BARTON** (Eastern Metropolitan) (14:49): (1883) My constituency question is for the Minister for Tourism, Sport and Major Events. I had a constituent reach out to me regarding the closure of the Boroondara Tennis Centre at the end of this year. This facility has allowed many to play social tennis every night of the week after work. Its closure means that there will be a few hundred tennis players who will need to relocate to surrounding clubs, none of which cater for social tennis every night. My understanding is that there is a new tennis centre opening at the Glen Waverley golf course in 2024. Apart from this being some time away, it is also quite a distance from the Boroondara facilities. So I ask: what is the government's plan to ensure that the Boroondara community can access social tennis after hours?

#### **SOUTHERN METROPOLITAN REGION**

**Mr HAYES** (Southern Metropolitan) (14:50): (1884) My question is to the Minister for Energy and Minister for Environment and Climate Action. Residents surrounding Wattle Park, local environment groups, the City of Whitehorse and the Astronomical Society of Victoria have raised concerns with me regarding a Parks Victoria planned upgrade for Wattle Park, expressing concerns that the proposed lighting will negatively impact local fauna, whose habitat should be protected. The lights will also increase light pollution for those members of the public who enjoy observing the night sky as well as those who share a passion for seeing nocturnal wildlife. I ask the minister to provide information on the proposed times for this additional outdoor lighting and a commitment to having this lighting turned off for effective periods at night.

#### **NORTHERN VICTORIA REGION**

**Ms LOVELL** (Northern Victoria) (14:51): (1885) My question is for the Minister for Health. In May I raised the need for state funding to be allocated to Numurkah, Cobram and Nathalia health for redevelopment of the Pioneers Memorial Lodge aged care facility in Numurkah. I raised this with the former minister. The need for this redevelopment remains, and the local Numurkah community have commenced a campaign to ensure the project becomes a reality. When opening the nearby Karinya nursing lodge in 2005, then health minister Gavin Jennings said pioneers lodge was next on the government's funding radar. Seventeen years later, the Numurkah community is still waiting. I recently toured pioneers lodge with the Liberal candidate for Shepparton, Cheryl Hammer, and it is clear the facility is no longer fit for purpose. Cheryl has asked me to raise this matter once again on her behalf. Will the minister commit funding of \$20 million to complete a full redevelopment of NCN Health's Numurkah Pioneers Memorial Lodge?

#### **NORTHERN VICTORIA REGION**

**Mr QUILTY** (Northern Victoria) (14:52): (1886) My constituency question is for the Minister for Health. The Wodonga-Albury community continue to wait for news of their new hospital. Instead of simply letting us know what is going on, we continue to be told to wait patiently like good children and that one day will find out. We do not want to wait. We want to know the truth about what, how, when and where a new hospital will be built. The people of Wodonga are not mushrooms to be kept in the dark and fed only bovine excrement. Recently the new head of Albury Wodonga Health said that people would never be allowed to see the apparently still incomplete master plan because it was commercial-in-confidence. Minister, how can it be possible that the plan for a new hospital, prepared by the department, paid for by Victorian taxpayers and existing for the benefit of Victorian residents is commercial in confidence? The people of Wodonga need to see the plan, and they need to see it now. This pathological secrecy needs to stop. Stop hiding behind commercial in confidence. If you continue to keep it secret, we can only assume the news is bad.

## NORTHERN METROPOLITAN REGION

**Dr RATNAM** (Northern Metropolitan) (14:53): (1887) My question is for the Attorney-General. Last month I was pleased to meet with the Northern Community Legal Centre, which provides much-needed, free and accessible legal services to residents in my electorate. NCLC operates in one of the fastest growing and most disadvantaged parts of Melbourne and is experiencing increased demand for its service. However, NCLC receives significantly less funding than other community legal centres operating in Melbourne—about \$3000 less per client than CLCs in the eastern suburbs. As a result of this funding imbalance, NCLC has the highest rate of unmet legal need of any generalist community legal centre in Victoria, and many residents in my electorate are unable to access legal services and support. Attorney, when will you rectify this funding imbalance to ensure NCLC has adequate funding?

## Motions

## PARLIAMENTARY INTEGRITY

## Debate resumed.

**Ms TAYLOR** (Southern Metropolitan) (14:54): I do find it astounding today that the Liberal Party would have the gall to put this motion forward. I was absolutely aghast to read in the paper this morning that the Leader of the Opposition and his now former chief of staff have been doing secret dodgy deals in private emails. On the issue of integrity, I have some very important questions for the Leader of the Opposition. When did Mr Guy become aware of the contract for secret payments to Mr Catlin's private company? And, given the correspondence to his private email is clear about a prior agreement, when did he authorise it? Who was the Liberal donor? Is it anyone linked with the infamous 'lobster with a mobster' dinner? What motivated the deal to describe the secret payments as 'supporting business interests', in parentheses? What business interests were to be supported with the secret payments to Catchy Media Marketing and Management?

**Ms Lovell**: On a point of order, Acting President, I have a copy of Mr Davis's motion in front of me here that refers to Operation Watts and the Ombudsman's investigation into the ALP. Nowhere in this motion does it refer to the Leader of the Opposition, and I struggle to find any relevance in the member's contribution that she is making, asking questions of the opposition leader, so I would ask that you bring her back to the subject of the motion.

**The ACTING PRESIDENT (Mr Melhem)**: Thank you, Ms Lovell. I understand your point of order. Whilst I am not going to uphold the point of order, I will say that part of your point of order is that I will ask Ms Taylor to go back to the motion, but because Ms Taylor is the lead speaker on behalf of the government I think she is entitled to have some leeway to talk about similar matters that could be somehow related. But I invite Ms Taylor for the next 7½ minutes perhaps to go back to the motion as well.

**Ms TAYLOR**: What other secret donor deals does Catchy Media Marketing and Management have with Liberal donors? Isn't—

**Mr Davis**: On a point of order, Acting President, it is a series of questions that the member is asking, nothing to do with the motion. They are to do with an entirely different matter and the member has not even tried to contextualise them. Indeed she has just launched off into a diatribe on a different matter altogether.

**The ACTING PRESIDENT (Mr Melhem)**: Mr Davis, thank you. Can I just remind members it is 10 minutes for speakers to speak. Mr Davis, I think in your contribution you were broad, and I do not uphold the point of order.

**Ms TAYLOR**: Yes, well, we are talking about matters of integrity. I perfectly understand why the opposition are uncomfortable with this subject matter. I do understand why—but we are on the topic

of integrity here, so we are pursuing that matter. Isn't this just a sham contract to receive illegal donations? Why was Mr Guy asked to forward the secret contract drawn up by lawyers to the Liberal donor—

**Mr Davis:** On a point of order, Acting President, yet again the member is just reading a set of questions about a different matter. They are not related to the motion, which is highly specific. It deals with exact paragraphs in the IBAC report. This is a matter of relevance, and she is straying very wide.

**The ACTING PRESIDENT (Mr Melhem):** I am having a problem. Whilst I understand where you are coming from, Mr Davis, when we talk about the events Ms Taylor is talking about my understanding is they relate to matters being referred this morning to IBAC. I understand you are talking in relation to Operation Watts. Ms Taylor, perhaps, whilst I understand where you are coming from, you can confine the further contribution in relation to Watts. But as I said, I am having difficulties asking members not to talk about recent matters. It is a very broad motion. If you look at your contribution, Mr Davis, you did stray beyond Operation Watts, if I recall—I was in the chamber.

**Ms TAYLOR:** Heaven forbid the opposition would try to gag debate of issues being discussed here today. I mean, I think that would be against the premise and the understanding upon which we engage in important discussions and matters in the chamber, so I pray that we continue.

Did Mr Guy pressure the donor to agree to the secret payments? What was the donor expecting in return for the secret payments, especially as the payments rise to \$20 833 a month for four months if the coalition wins the election? What undertakings did Mr Guy give to the Liberal donor in return for these secret payments? What leverage does the secret donor have over him? Given that Victoria's electoral laws limit donations to \$4320 over four years and this secret contract is around 30 times that amount, isn't it the case that this donation would amount to a massive breach of the law?

**Mr Davis:** On a point of order, Acting President, the motion is about Operation Watts and another Ombudsman investigation. It is hyperspecific, and she is now asking questions about an entirely different matter, a set of questions that have got nothing to do with this particular motion.

**The ACTING PRESIDENT (Mr Melhem):** Mr Davis, I accept where you are coming from, but also let me make this point to members: when members raise matters in this house, particularly in general business, in relation to other agencies and investigative agencies, I cannot force other members responding to them not to actually refer to similar areas which might be the subject of these agencies. I have got a problem gagging the debate on this issue, so again, Ms Taylor, if I can ask you to perhaps go back to Operation Watts, that would be helpful.

**Ms TAYLOR:** I think in light of recent matters that have occurred, it is certainly relevant in the context of the date today and where we are at. I do not think it is unreasonable to be pursuing matters which are highly relevant in the context of IBAC and integrity. I think we are well within the realm. Why won't Mr Guy and Mr Catlin come clean and release the secret contract, full lists of emails and any other correspondence between them and donors regarding this attempt to breach Victoria's—

**Dr Bach:** On a point of order, Acting President, the member is now openly flouting your remarks and your comments—indeed, your ruling. You specifically asked her to come now to Operation Watts; however, she is proceeding to read a long list of questions about a different matter. Of course we accept your broader rulings about the points of order that we raised. The member of the government, however, is directly flouting what you asked her to come back to in your recent comments.

**The ACTING PRESIDENT (Mr Melhem):** I did not make a ruling, I just made a comment, and I also commented that the lead speaker of the government is entitled to have a wider approach.

**Ms TAYLOR:** Is breaching Victoria's donation laws through secret payments standard practice in the Liberal and National parties? Do any other opposition staff receive secret payments from unknown donors? Finally, will Mr Guy cooperate fully with the integrity bodies to clear up even the perception of illegal activity? The Leader of the Opposition has a record of dodgy deals: lobsters with mobsters,

penthouse fundraisers, overnight rezonings in Fishermans Bend—this is just another dodgy notch in his dodgy belt.

The government is taking decisive action. Recently the Premier announced sweeping integrity reforms as part of the most significant overhaul of parliamentary oversight in this country. The government will support and implement, very importantly, all 21 recommendations from the IBAC's report on Operation Watts, relating to the integrity and ethical conduct of MPs, ministers and their respective staff. One of the most significant reforms is the establishment of a new parliamentary integrity commissioner to receive and investigate complaints—

**Ms Crozier:** God, you're holier than thou.

**Ms TAYLOR:** Well, if only you would come on board, this should be a bipartisan action; I would suggest you welcome this. They are to receive and investigate complaints about possible misconduct from MPs. The commissioner will be armed with robust powers and resources, including the power to recommend sanctions. We will also be implementing a new cross-party parliamentary ethics committee, something that I hope Mr Davis will welcome as well. It is a real shame the Liberal Party have gone down the road of playing cheap political games with a matter that is absolutely serious, and I hope they will start to take this seriously.

**Ms CROZIER** (Southern Metropolitan) (15:05): I am pleased to rise to speak to Mr Davis's motion, because it involves integrity around the Labor Party and the government and the roting of millions of dollars of taxpayers money.

**Mr Leane** interjected.

**Ms CROZIER:** I mean, we know there is \$1.348 million that should be paid back, Mr Leane, and this is what Mr Davis's motion is about. It is about Operation Watts. That is purely around the Labor Party and the allegations that have been made about the misuse of electorate office allowances. Mr Davis's motion, which I will not go into in detail, is very, very serious, because this involves taxpayers money, over \$1 million that needs to be paid back by Daniel Andrews. If we are talking about integrity, then that is what he should do. That is exactly what you should do, because that money is not Labor Party money. It is not your colleagues' money, Mr Leane. It is taxpayers money. On the day when this report was handed down Mr Redlich in a press release said:

... a catalogue of unethical and inappropriate behaviour ranging from the hiring of unqualified people into publicly funded roles, using those roles to support factional work, nepotism, forging signatures, bullying and attempts to interfere with the government grants process.

There was widespread misuse of public resources for political purposes. This is very serious—very, very serious. Those are the words of the commissioner himself. We know that this house referred red shirts to the Ombudsman. The lack of willingness by the government to comply with any investigations, with police investigations or any investigations into what has happened through that process—nothing from the lower house members. It is a damn disgrace what this government has got away with over the last eight years in relation to red shirts, and—

**Mr Leane** interjected.

**Ms CROZIER:** I am, Mr Leane. I am being very relevant, because red shirts started, as you know, with the roting of taxpayers money and forging of signatures. I mean, there were dozens and dozens of time sheets that were paid where the MP had not even seen the electorate officer for whom they were signing. This government, as Mr Davis has said, has got an absolute integrity issue. The report itself says:

Many witnesses gave evidence that they engaged in branch stacking and other abuses of the ALP's rules because it was the prevailing culture to which they were introduced when they joined the party.

The whole culture is rotten to the core, and it has permeated through the members, those MPs that sit in this house, sit in this Parliament, who have then gone on and rorted and misused taxpayers money. That is why Mr Davis has brought this important motion to this place calling for that money to be repaid. Over \$110 000 was paid to a factionally appointed political staffer who carried out very little, if any, legitimate work. I mean, that should be paid back. Up to \$14 000 of stamp purchases were misused for political purchases. Almost \$30 000 was paid to a Labor political staffer who sent only one work email during his entire period of employment. Grants were awarded by former minister Robin Scott to Labor-linked community organisations totalling more than \$1 million, and grants were awarded by former minister Marlene Kairouz to Labor-linked community organisations totalling \$194 750. This is taxpayers money. None of them think there is anything wrong with it. It is taxpayers money. It is taxpayers money that has been rorted and should be paid back, yet this government thinks that they are holier than thou, that there is nothing to see here—deny, deflect and move on. ‘We can wash over this’—they do not think anything is wrong. It is in your culture. It is how you operate. It is how you think. It is how you work.

You constantly do this in every aspect of how you govern, and it comes from the top—from the Premier himself. You know what they say, Mr Leane? A fish rots from the head. It starts with the Premier and infiltrates right through to you sitting here and those sitting on the back bench—current members, former members. They are a disgrace. That money is taxpayers money, it is not your money. It should be paid back, and you should say, ‘Yes, we’ve done the wrong thing. Yes, we will comply with any investigation’. You did not do any of that—forged signatures, in this report. I cannot believe that has not been investigated further. That is a crime—forging somebody’s signature—and nobody investigated it. The police—what the hell are they doing?

*Members interjecting.*

**Ms CROZIER:** Well, none of you would comply with the police when you needed to be investigated—through you, Acting President. This government is rotten to the core. Over a million dollars needs to be paid back. You wasted another million dollars fighting the red shirts in the High Court. That is taxpayers money; you should pay that back too.

**Mr Leane:** You are not being relevant to the motion.

**Ms CROZIER:** I am, because it is all about rorting and money being paid back. The Operation Watts report shows that \$1 348 750 of taxpayers money was misappropriated by the ALP, which is only a share of what was likely misappropriated. It identified, as I have already gone through, the stamps, the factionally appointed political staffer, the staffer who sent only one email in all of their time during the employment period, over \$1 million granted to community organisations with one grant and \$194 000 with another grant. This is rotten. This government is rotten, Acting President. Unfortunately I am not sure that you would agree with me, because you are part of it. It is rotten to the core.

**A member** interjected.

**The ACTING PRESIDENT (Mr Melhem):** No, you do not need a point of order. Ms Crozier, I ask you to withdraw. Reflecting on the Chair is not part of—

**Ms CROZIER:** Sorry, I did not mean to reflect on you. I will withdraw, Acting President. I was sort of looking at you as I said that, and I was meaning not to reflect. So I do withdraw, and thank you. But I make the point: there is so much money that has been misappropriated by the ALP, and it does need to be paid back. It is taxpayers money. Do the right thing, government. For once in your term do the right thing and pay this money back, because Operation Watts showed the extent of the stench within your party. And as we heard from Mr Somyurek, it did not look at all the factional issues. Thank God—

**Mr Leane** interjected.



**Ms CROZIER:** Mr Leane, I am sort of dismayed at the extent of what has been shown, but I am very disappointed that it actually has not gone into the extent of all of the factional operatives, all of the factional operations, all of the issues, because as Mr Davis has highlighted, this is only what we know. We do not know the full extent of the money that was misappropriated, because you were not all investigated. You refused to investigate. You refused to comply with the Ombudsman. You refused to—

*Members interjecting.*

**Ms CROZIER:** Yes, none of you would be investigated by the police. You stood behind your lawyers' defence. It is rotten to the core, this government. I will say it again: that money needs to be paid back. It is taxpayers money, and it needs to be paid back. I would urge all of you to do the right thing and support Mr Davis's motion, because it is important for the Victorian taxpayer to have that money returned to them. That money could be put into more issues in health, mental health—a whole range of services. It needs to be paid back. Mr Leane, I am looking forward to you standing up and agreeing with me. Finally, this is a catalogue of unethical and inappropriate behaviour, ranging from the hiring of unqualified people into publicly funded roles and using those roles to support factional work to nepotism, forging signatures, bullying and attempts to interfere with the government's grants process. They are the words of the commissioner, and I think they say it all.

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (15:15): Hearing the opposition's contribution, but in particular centring on Mr Davis's initial contribution when he spoke about branch stacking, well—

**A member** interjected.

**Mr LEANE:** He is talking about branch stacking. Just reading the outcomes of the preselection in the Liberal Party in the upper house—he spoke about branch stacking and he spoke about value for money for the taxpayer for certain positions. I thought after today's revelation that the opposition's CEO has been running a donation laundromat came out that in this debate and motion Mr Davis was going to refer the Liberal Party to IBAC. I thought this was about them referring themselves to IBAC, given that today's revelations are just astounding. It is just astounding to find ways to subvert the donation laws. I know the opposition—I cannot remember if they even voted for or against—

**A member:** They opposed it.

**Mr LEANE:** They opposed it. Well, no wonder they opposed it. They opposed it, but to find this novel way to get around the donation laws, I will hand it to them that for a group of people that have been running around and banging on about integrity, this is spectacular. This is spectacular. Then today Mr Guy, the Leader of the Opposition, says, 'Well, the chief of staff has resigned. He's resigned. Nothing to see here'—let alone that this concoction to get around the donation laws was actually run past him to the point that he was the one that was asked to run it past the wealthy donor via his Hotmail—

**Dr Bach:** On a point of order, Acting President, Mr Leane has been making his contribution for some time now—about 2½ minutes. Previously you have made the point to the government speakers that it would be a good thing if they could confine their comments to the motion, which refers to Operation Watts, so I would humbly submit to you, Acting President, that Mr Leane is not being relevant to the motion in his contribution and that he should be brought back to that motion.

**Ms Shing:** On the point of order, Acting President, try as Dr Bach might, he cannot erase what his predecessor speakers have said here today, which goes beyond the scope of the Watts report and has strayed into significantly broader territory. On that basis Minister Leane is well within his rights to in fact be afforded the same courtesy as far as breadth is concerned.

**The ACTING PRESIDENT (Mr Melhem):** As I said earlier in my comments, motions like this can start on one foot and then they can move on and have four legs. It is difficult to control the debate

and the contributions from various members. It is very hard for the Chair to tell members individually how far they can go in relation to this motion. I think it is very difficult for me to control that, and that is the reason I am not upholding the point of order, but I do remind members that perhaps we can focus on the actual motion itself instead of just solely focusing on this morning's events.

**Mr LEANE:** Thank you, Acting President. Getting back to my responding to the comments, there have been comments around branch stacking.

**A member** interjected.

**Mr LEANE:** I know, congratulations to a few people in here on the other side for their outcome. Good for them. Matthew Guy, when he was actually in government, had Fishermans Bend, which was just outrageous. He was sitting at a kitchen table at Ventnor until Miley Cyrus spooked him. So this is nothing new, but it is a really novel thing that the Liberal Party have found an opportunity to be corrupt in opposition. That is amazing. I mean, in government they stunk, time and time again. They were just rotten to the core in government. It was all there to see, and no wonder they only lasted one term. But this is spectacular—to be able to find a way to be this corrupt and to stink in opposition, like I said, is absolutely amazing.

Mr Davis and Ms Crozier can rant and rave and carry on. Mr Davis was saying, 'What about you? Did you comply with the Ombudsman and the police?'. Well, I did when it came to what he is referring to. I spent 3½ hours with the Ombudsman freely. She asked me to come. I spent 3½ hours with her. They had great coffee. We had a great discussion. The Ombudsman's report actually said that she thought my evidence was genuine and complete. Every couple of years the opposition go back and say, 'The police should look into this again'. I got a phone call from a lawyer that said, 'The police want to speak to you', and I said, 'There is 3½ hours of video of me with the Ombudsman. The police can look at that and then come back to me and tell me if there's not enough'.

This myth that we all did not comply is wrong anyway. They can run their myths. They can run whatever they want. But Ventnor happened. Fishermans Bend happened. Michael O'Brien, the member for Malvern, even put out a social media post in code today about what he thinks about Mr Guy. Between the two of them, these last few years they have been playing pass the parcel, and I am not too sure which one actually wants the parcel when the music stops. But I think it is about to start again. Mr Guy cannot run the line that he did not know what his chief of staff was doing to subvert these laws. There are very serious consequences under the act for subverting these laws. Mr Guy cannot just pretend he did not know what was going on. Of course he knew what was going on. It was the same when he was sitting at that kitchen table in Ventnor talking to Liberal donors about changing the planning scheme for a windfall for those people. So as I said—

**Dr Bach:** On a point of order, Acting President, I understand from your previous rulings that if the government wants to seek to try to talk about other matters that they believe are directly relevant to the matters highlighted in this motion, that is one thing. However, simply a recapitulation of the government's greatest hits from the time of the Napthine and Baillieu governments I would submit to you sits well beyond the bounds of the rulings that you previously made.

**Ms Shing** interjected.

**Dr Bach:** It is a point of order, Ms Shing. It is about relevance. Relevance under the standing orders is grounds for a point of order, so it is a point of order, Ms Shing. He is not being relevant, and he should be made to come back to the motion.

**The ACTING PRESIDENT (Mr Melhem):** I repeat exactly what I said earlier: I cannot confine members. It is within the broad framework of corruption and alleged corruption and talking about current investigations and old investigations. Whilst the motion itself may be mentioning one particular report or investigation, I cannot stop members, from time to time, going and talking about other matters. Also, I remind members, particularly members of the government: can you confine the

bulk of your contribution to Operation Watts and not stray too much into other areas. I underline that: do not stray too much towards them and focus back on the motion at hand.

**Dr CUMMING** (Western Metropolitan) (15:25): I rise today to speak on the report of the Ombudsman, the Operation Watts report. What I have heard from the community since this report has been published is that they wish for the full transcript of Mr Andrews to be given to the community for everyone to read. They want to know every single word that the Premier actually said within this inquiry. They want a full copy of the transcript so they know what their Premier actually had to say behind closed doors during this inquiry. It would be great if as part of this motion today the government would just automatically provide that—say, ‘Absolutely’. Mr Andrews was happy to go to the press conference and say that he supports all the recommendations that Ms Glass has put. Well, in the same way the community would love Mr Andrews to say that he is happy—more than happy—for his full contribution to that inquiry to be made public, for the full transcript to be provided to the community and to this Parliament for all of us to see. As the government were saying just earlier, they are all about transparency. So, please, be transparent, Premier. We would love to see every single word that was said at IBAC. My community want justice. They always want justice. They want people to be held to account. If there is any wrongdoing, all they want to see is people being held to account.

For me, I came into this place and put down a little piece of legislation that this government actually said they would take further and do more work on, which was the Members of Parliament (Standards) Amendment Bill 2021. I have requested numerous updates on that piece of legislation, and I have heard nothing back. This actually goes hand in glove with the Operation Watts report, because this would actually improve the standards of our members of Parliament by making sure that everything is transparent in the way of employment. For me, when I penned this bill, the Members of Parliament (Standards) Amendment Bill 2021, I penned it in such a way that it was a replica of what is expected of people in local government in the way of employment of staff and employment of family. So I put this last year. I was told by this government that they would look at it and that they would probably improve it and make it something that this government would actually put forward, seeing that we knew that this report was coming to us from Ms Glass and that there would be a whole lot of recommendations. I would hope that this government would put in as one of the recommendations a members of Parliament standards amendment bill. It would seem that our current parliamentary standards act for members of Parliament was written in the 1970s. It is so paper thin that it could be improved. It could have more put into it—more modern-day conditions that any kind of workplace would expect and especially members of Parliament would expect in the way of their standards in the view of the public.

It is a very lengthy report. Everybody enjoyed the public submissions last year. It was a wonderful thing that everybody got to watch during lockdown all of the public submissions, but I would say that the community would really like the Premier’s contribution, because it was not obviously a public contribution. It would have probably got high ratings if Mr Andrews actually went before the committee publicly last year, like Mr Somyurek. It would have got full ratings from the community. They would have loved to hear what Mr Andrews had to say. It would have been a wonderful balance of the left of the ALP and the right of the ALP in understanding the full spectrum, the holistic spectrum, of the ALP—both wings of the ALP, the left side and the right side and how they both did things together. Unfortunately we only got to hear from the right, and it would have been really great to hear from the left. It would seem that Ms Glass got to hear from the left and got to see a lot of contributions from the left, but the public did not actually get to see how the left runs itself as part of the ALP in a branch and how they actually gain memberships.

For me, having just recently gone through the process of putting up a political party and getting members, I would say that my process has been extremely transparent and that the members that I have attracted are all very transparent. It would be great for the ALP to actually do things not dissimilarly to a lot of these minor parties that are here, making sure that their member base is real people—real members of the community.

One of the things that I have also heard, which actually upset me, within the last week or two was that the ALP is recruiting by forcing people to become members via their workforce. So I would hope that that is not the case—that you have to be a member of a political party to actually get a job. That would be a horrible state of affairs here in Victoria if the only way you actually get a job, or a government job, is if you are a member of a particular political party. I would hate to see that be the case. It is not the first time in the last couple of weeks that people have actually come to me saying that they have been receiving pressure in their workforce to actually join a particular political party, otherwise they might not actually keep hold of their job. I have heard of such pressure in the way of unions—if you are not part of a union, ‘This is a union site, you won’t have a job here’. But it is interesting to hear that now political parties are doing it within—

**Ms Terpstra:** On a point of order, Acting President, I just think the member is straying quite broadly from the point of this motion. Talking about union membership is not remotely connected to Operation Watts and the context of the motion. I understand we are broadly talking about corruption in the context of this motion, but the last points that were made were just completely outside the scope of this motion.

**The ACTING PRESIDENT (Mr Melhem):** We have only got 1 minute to go, Dr Cumming, so I think I will repeat what I said earlier. We can start these motions, but we cannot control where people go—and it goes both ways. It is a double-edged sword. So, Dr Cumming, you have got 1 minute and 20 seconds to continue.

**Dr CUMMING:** I am actually in shock that the government would actually say the words ‘union’ and ‘corruption’ in the same sentence. It is actually quite shocking for me, because I obviously did not actually say anything to that effect. I only said that I felt that it is not the right thing to do to enforce that a person has to be a member of a political party to actually hold a job here in Victoria. That is all I said. I had not said anything about unions or corruption, but this government obviously said ‘unions’ and ‘corruption’, which I am absolutely in shock at.

For me, I do not believe that you should be a member of a political party to actually hold your job here in Victoria. It would seem a certain political party, maybe the government, is pressuring people to actually hold a membership with their party to hold a job. It would seem that there is a report coming out at the moment to check how much political influence is within the public service. I am pretty sure they were holding submissions and were closing submissions at the end of last week to have such an inquiry. So I look forward to the next inquiry that Ms Glass holds.

**Ms TERPSTRA (Eastern Metropolitan) (15:35):** It gives me pleasure to rise to speak on Mr Davis’s motion, which I will go to. In talking about this motion, I have listened to the contributions of Dr Cumming and others in this chamber today, and one of the things that disturbs me about debates, particularly on this motion, is that I take my duties as a parliamentarian pretty seriously when I come in here to debate motions. When I do stand up and am on my feet, I make sure that I am well informed about the content of what I am speaking about, and I take every step to ensure that I do not mislead the house or make comments that are completely extraneous or ridiculous.

It is disappointing that people like to get on their feet and actually say anything. I think that is disrespectful to the chamber and to members in this place, but also it is really taking extreme licence with our standing orders. I think that each of us in this place when we do come to debate things should make sure that we do not just come in here and say whatever we like. It might make a very nice sound bite on a Facebook post or on a tweet or whatever, but honestly some of the things that have just been talked about on this motion are fiction and completely made up. It is all designed to continue it as a political stunt, just continuing to bang the drum. It is not going to turn a hair on anyone’s head, nor is it actually going to turn some votes for particular constituencies that crossbenchers might want to court.

We should make sure as parliamentarians that we are actually sticking to the motion, are relevant to the motion and are well versed in what we are talking about, because clearly that has not been

happening today. And in terms of this motion, okay, it talks about IBAC, corruption, Operation Watts, the report, the Ombudsman's report and all of those things. As the Acting President did say earlier, there are times when we will get on our feet and make points of order and the like about relevance, and there is some licence in being able to talk around the edges about some things that may be slightly off centre to the motion or might be loosely related, and that is all fine. But honestly, the things that we have just heard are completely ridiculous.

Again, it is being used as a political pointscoring exercise, an exercise in smear. I really struggle to see that there would be any evidence of anything that Dr Cumming has just said about making people join a political party. I mean, honestly, those sorts of things are completely offensive, and for people to come in here and just make that stuff up, I think, reflects poorly on parliamentarians, all of us in here, that those things are said. Yes, okay, you have got parliamentary privilege. You think you can come in here and say anything. Honestly, our standards should be better than that and parliamentarians in this place should take things a little bit more seriously than that, because that is just completely offensive.

But I will return to this motion. We have heard a lot today from those opposite about integrity and why we need to have strong integrity agencies, and we do. Our government has no doubt read the reports that have come out of Operation Watts and the joint investigation between the Ombudsman and IBAC. Our government is committed to implementing the reforms that were recommended in those reports. As I said, the Premier and this government are committed to implementing all of the recommendations from Operation Watts in full, and we will go further by establishing legislation to better protect the integrity of political parties and ensure adherence to the rules.

People might want to come in here and point the finger, but I can talk about my own experience of being on, say, a polling booth. If you want to talk about staffers who might be on the public purse, well, I think those opposite should be pretty careful, because I can reflect on standing at polling booths and seeing political staffers of a different persuasion handing out during work time. So if we want to go there, then let us go there, because it is all very well for those opposite to point fingers at us. I have stood at polling booths with volunteers. In fact I might just reflect on a story from the recent federal election where I was standing at a polling booth on a weekend with Labor volunteers who were handing out how-to-votes for our Labor candidate in Menzies, and I am pretty sure there were people who were Liberal staffers handing out. In fact I was abused by one person who was handing out for the Liberal Party, and I have got that on video too, by the way. I felt threatened. I felt personally attacked for no reason and physically intimidated by these actions.

So for this motion to focus on us, on Labor—I always like to think that if you are going to ask for equity to do its work, you want to make sure you have got clean hands, because we have seen today what has been pointed out, and before someone jumps up and bangs on with a point of order, this debate has been very broad ranging. We have seen what has been said in the media today about the opposition leader and what has been revealed about this alleged secret deal of \$100 000, and it has been alleged that this was to subvert our donation law reforms. Those opposite were against those reforms, and we acted and we moved to implement those reforms, which are critically important because we want to make sure that there is transparency in election processes. We do not want to have foreign interference or other undue influences in our electoral processes. The government have acted, and we have referred these matters to Victoria Police, the Victorian Electoral Commission, the Victorian Ombudsman and the Australian Federal Police. What has been clearly articulated today in the media is that there was an email exchange—here we go.

**Dr Bach:** On a point of order, Acting President, not 10 minutes ago Ms Terpstra made a point of order when Dr Cumming was speaking, on relevance, and specifically what Ms Terpstra said was that Dr Cumming was 'straying' from discussion of Operation Watts. Word for word that is what Ms Terpstra said. That was a very good point of order. I would raise the same point of order here. She is not discussing this motion in any way, shape or form. She should be brought back to discussion of this motion.

**Ms TERPSTRA:** I am getting to a point that is relevant to this motion. What I am doing is pointing to elements of what has happened today to bring them back to the motion, and there have been other contributors in this chamber today—Acting President, I am not sure if you are necessarily privy to or aware of the previous Acting President’s ruling on this, but this is the same point of order that Dr Bach has raised all throughout this debate—

**Dr Bach:** You raised it. It’s your point of order.

**Ms TERPSTRA:** No, you just raised a point of order. So I am getting back to the point, but I am using this to illustrate my point. I would like to continue.

**The ACTING PRESIDENT (Mr Bourman):** Give me a moment. I would just like to phone a friend. I am going to let Ms Terpstra continue, but I was not here for the earlier ruling. I will make a general plea: keep at least in the ballpark of what we are talking about.

**Ms TERPSTRA:** I certainly am, because I will come back to the point that I was making, which is about what has been in the media today and how this feeds into the general context of what this motion is about. It is about alleged corruption and how various workings uncovered by Operation Watts into political operatives were seen, so again this is the same flavour as what we are talking about in the media today, which is that there was an email exchange between the opposition leader and his chief of staff about how this donation was going to be taken in and used. So we return to the point of the motion, which goes to corruption, and that is why—

**Dr Cumming:** On a point of order, Acting President, is the member actually talking about this motion, which is on Operation Watts, or is she talking about where the Victorian Ombudsman has requested submissions for its investigation into the politicisation of the public service?

**The ACTING PRESIDENT (Mr Bourman):** Thank you, Dr Cumming. But if you could go on, Ms Terpstra, you have only got a few seconds left.

**Ms TERPSTRA:** This is a ridiculous motion that deserves to be roundly rejected, and it should be.

**Mr FINN (Western Metropolitan) (15:45):** I rise to speak on this particular motion today, and I want to put out an appeal to members of all sides of this house on behalf of the people of Victoria, because the great mass of people in the suburbs and in regional Victoria see us in here and think we are all crooks.

**A member:** Just you.

**Mr FINN:** No, no, they think we are all shysters. That is exactly what they think we are. Do you reckon today has helped that at all? Does anybody think that the front page of today’s *Age* helped dismiss that perception? Does anybody think that the way that the Andrews government has bent the rules, broken the rules and rorted vast sums of money changes the perception that Victorians have about their political leaders in this house and in the other house? Does anybody think that what we have seen from the Andrews government and today even from the Guy opposition has helped our perception in the general community? Not a hope; not a chance. It has just confirmed what the overwhelming majority of people think. I want to make an appeal today to members of this house. We have to get our act together. We have to stop carrying on like this.

I could not believe it when I read this morning what was going on in the Leader of the Opposition’s office, where the opposition leader was actually aware of what was going on and came out and said, ‘There’s nothing to see here. There’s absolutely nothing wrong here, but I’ve accepted his resignation anyway’. That is pretty odd. I mean, if nothing has gone wrong, if nothing is odd, if nothing is out of place, (a) why would somebody offer their resignation and (b) why would it be accepted? It is very strange.

But of course it is minuscule by comparison with what the Andrews government has done in terms of corruption over the past eight years. This is undoubtedly the most corrupt government that this state

has ever seen and one of the most corrupt governments this nation, Australia wide, has ever seen. This is a government that stinks. It stinks to high heaven, and we do not know—and we will not know until perhaps a royal commission is held when this government is finally turfed out—exactly how many hands were in how many pockets and how many bags of money were passed around to the beneficiaries of that cash. We will not know that probably until this government is well gone. My view is that the sooner that happens the better, but unfortunately today has not helped the cause, because now, as a result of what has happened in Mr Guy's office, as a result of what Mr Guy has allowed to happen in his office and in fact was acutely aware happened in his office, we have a situation here where the Labor Party are let off the hook. They are let off the hook for all their corruption, all their shysterism—red shirts and rorts and all the numerous cases of corruption that we can talk about. They have been let off the hook, because now the people of Victoria are saying, 'You lot are all the same'. That is a tragedy for Victoria, and that is something that every one of us I suppose has to have some degree of responsibility for.

As I said earlier, we have to get fair dinkum about how we do our jobs here. The overwhelming majority of people come in here and we do work hard, we do care about our constituents, we do care about our electorates and we do care about these issues that we have come in here to fight for. But there are some who are dodgy, to say the least, and they give us all a bad name. They are on both sides of the fence. There is no need to try and point the finger either way, because they are on both sides, and that is something that perhaps the people across Victoria have to realise. We are not all like that at all. In fact it is a very small group who are playing games, who are rorting the system and who are taking us all for a ride. I mean, members here are being taken for a ride as much as the taxpayer in Gladstone Park or in Geelong. Members come in here in good faith, and when we see our leaders carrying on the way they are carrying on, we are tempted to feel the same way as the great mass of Victorians. We are tempted to have very little faith in them. If we as members of Parliament cannot have faith in our leadership, how are the people of Victoria supposed to feel? How are they supposed to throw their support behind political leaders? How, indeed.

I think it is a very, very sad day when we get to this point, and it need not have happened. Mr Guy, I have to say, has a fair bit to answer for on this occasion—not as much as Mr Andrews, not by a stretch, but certainly Mr Guy has a number of questions that he needs to answer. He needs to look into the barrel of the camera and he needs to answer, because until he does the great mass of people out there and indeed the great mass of people in here will not be able to have the confidence in him that he requires to become Premier of this state. He has not got long. The election is not far away. So I would urge him to do that, to take that on now—to answer those questions, to try and reclaim the faith of Victorians before it is too late.

I would like to think that one day we would have a government and an opposition that would not participate in the sort of shysterism that we have seen. I would like to think, I would like to hope, I would almost like to pray—I prayed once and got thrown out of the Liberal Party for that, so I will not do it again—that we will one day have political leadership in this state that we can have faith in, that we will know is doing the right thing by us and by everyone else. I would like to think, to hope and to pray that we will have a Premier and an opposition leader who are there for the right reasons. We do not at the moment. That is the truth of the matter: we do not at the moment. We know that Daniel Andrews and Matthew Guy are both there for the same reason: because they both want to be Premier. They have got huge egos, both of them. You could not fit them in the same room, I would not have thought. But they are there for exactly the same reasons, and unfortunately those reasons include themselves. That is a very sad fact, a fact that I think the people of Victoria worked out some time ago.

So I would hope that one day soon the people of Victoria would once again be able to have faith in their elected leaders, the sort of faith that they had in Bolte, the sort of faith that they had in John Cain—senior, perhaps junior to a degree. I would like to think that the people of Victoria would be able to actually look forward to an election knowing that their leaders are there for the right reason. I would like to think that that will happen. I would like to think it will happen soon. I do not have a great

deal of faith that it will, given the political leadership that both sides have put up prior to this election. I support this motion, but I ask the house to take into consideration the words that I have uttered this afternoon.

**Ms MAXWELL** (Northern Victoria) (15:55): I rise to speak on this motion with a real sense of disappointment. In the main the Operation Watts report goes to the heart of the integrity and ethical conduct of members of Parliament, ministers and their respective staff. I would like to read, if I may, a paragraph from the foreword of the Ombudsman and commissioner's report. It says:

This report illustrates a catalogue of unethical and inappropriate behaviour and concerning practices, and the environment in which such behaviour was able to flourish. They range from bullying to the hiring of unqualified people into publicly funded roles, using those roles to undertake factional work, rampant nepotism, forging signatures, and attempts to interfere with government grants to favour factionally aligned community organisations—who, in some cases, failed to use the funds as intended.

It goes on to say:

It is discouraging that so little parliamentary time—across parties and houses of parliament—has been devoted to finding a solution to this problem.

On 8 June in this very place I put forward a motion that was related to that type of conduct as it relates to bullying and harassment and to examine what support and oversight was in place. At the time I reflected that Parliament and its members should be exemplars of best practice. My motion was amended by the government to exclude the Legislative Assembly, even though the call to Parliament was to include all members, employees and other staff within the Parliament. It now sits with the equal opportunity commissioner for further consideration.

Reading the Operation Watts report further affirms my view that this review of the Parliament as a workplace is essential. I have hope that my motion will lead to installing the proper oversight that is clearly required in this place and providing for an external independent body to consider complaints, the appropriate right of reply and a robust but fair resolution process. The heads of the highest integrity bodies in our state say that Victoria is now a laggard rather than a leader in parliamentary integrity and that there is no framework in which breaches of ethical standards by MPs are investigated in a manner that is consistent or credible, and that is shameful.

I am bewildered that the Premier of this state can say he takes full responsibility for the conduct outlined in the report and that he supports the 21 recommendations from the report but then say that repaying taxpayers money, which was clearly identified in the inquiry, is not required, because it was not a recommendation. It is completely hypocritical to say that your response is going beyond the recommendations when it does not include repaying public money that was blatantly misused. Surely our Premier made a faux pas and meant to say that his moral and ethical duty was to ensure that taxpayers money would be repaid as his first priority and that he does not require a recommendation in a report to make that decision. So I say to the Premier: pay back the money. You said yourself that you need to do more than just offer words. It has to be about action. Be true to that statement and pay the money back.

**Sitting suspended 3.59 pm until 4.21 pm.**

**Mr GEPP** (Northern Victoria) (16:21): I rise to speak on Mr Davis's motion before the chamber this afternoon. I must say at the outset that Mr Finn talked about the reputation of politicians being probably lower than shark droppings, and I suspect that that is probably true. I suspect partly the reason why it is true is that we seem to spend an inordinate amount of time talking about each other rather than the issues that are confronting the people of Victoria. When the people of Victoria are struggling with things such as the cost of living, housing affordability, education or healthcare issues, as indeed people across all parts of this great country are, they are the problems that they expect their parliaments are dealing with and that their politicians are talking about, not inwardly looking at what we are doing and talking about each other and amongst ourselves but focused on the issues that are affecting all of



our constituents. I know that people in my electorate would urge everybody in this place to focus on the issues that matter to Victorians: that is, the bread-and-butter issues they are confronting as they go about their day-to-day lives.

I know that time is brief and there has got to be a bit of time for summing up, so I will not go through all of the material that has been covered off by so many people in this debate today, but I do want to talk about what the Ombudsman herself recommended in her report and some of the things that she said in her report. In effect the motion that we are dealing with today is saying, 'Well, that wasn't good enough'—that the report of the Ombudsman, who conducted the investigation, is not good enough. It is not good enough, it does not go far enough, according to Mr Davis—it has to go further. It has got to go further, despite the fact that the Ombudsman herself conducted the investigation and has written a report. Mr Davis has said, 'Well, that's not good enough; that hasn't gone far enough'. We know that she did not recommend these things, certainly in terms of the points that are made under particularly item (3) of Mr Davis's motion, (a) to (e), about the repayment of money et cetera and the assertions about where that money was spent. Despite the fact that the Ombudsman herself did not recommend that particular course of action, that is not good enough for Mr Davis.

I think it is important that we go back and we look at some of the things that the Ombudsman did say in her report, and of course we know that she has identified 21 recommendations and the government has already committed to accepting all of those recommendations. Indeed the government has said, 'We will go further than that'. We will go above and beyond the 21, but the 21 as a minimum will be endorsed and implemented by the government. The report actually says, for example, that the investigation—and there is a reference in number (3) of Mr Davis's motion about awarding of grants—did not receive or establish any evidence that grants were awarded improperly.

There is no evidence that grants were used to facilitate branch stacking.

It then went on to say that:

... the investigation did not find or receive evidence that any ministers overrode departmental advice on grants or sought to improperly influence departmental advice or decisions.

But that is not good enough for Mr Davis. Despite the fact that the independent Ombudsman has found this way, Mr Davis says, 'No, that's not good enough. I demand that that money be repaid, despite the fact that the independent Ombudsman has said to the contrary'. The report then goes on to say:

The investigation received little evidence relevant to whether ministers who were—  
moderate Labor—

... faction leaders, or their advisers, interfered in public funding processes to favour community organisations that had connections to the faction through some of their executive members.

Again, not accepted by Mr Davis—he rejects the report of the independent Ombudsman and brings in here a motion that is not dealing with any of the day-to-day issues that all of our constituents are confronting out there in our electorates. It does not deal with any of that. What it deals with is Mr Davis's rejection of the independent Ombudsman's report into this matter and indeed her very, very pointed recommendations.

What has she said in relation to the 21 recommendations? Well, what she has said in response to the government's commitment to implementing those recommendations is:

I welcome the government's commitment to implementing the recommendations in Operation Watts ...

She goes further to say:

I look forward to real reform in this area, and to a commitment across the political spectrum to achieving this reform.

## MOTIONS

So we have a report that has been handed down by the independent Ombudsman. She has made very careful and very deliberate and very considered recommendations. She has put those recommendations in the public domain, and the government has said, 'We will accept all of those things', and yet it is not good enough for Mr Davis. He says, 'I want to reject all of that. I reject the Ombudsman's findings. I reject the Ombudsman's recommendations. I reject her statements that there was little or no evidence presented that there was any criminality involved, because if there were, it would have been referred to the relevant authorities, and that is the appropriate place for it to be'. If Mr Davis has knowledge of some form of criminality, then he should come clean. He should go to the authorities and he should give them that evidence and get out of the way and let them do their job. But the reality is that he has got none and that he rejects out of hand the recommendations of the only person who has conducted a full and thorough investigation into these matters. He rejects out of hand her findings. He rejects out of hand her statements that completely refute the propositions that Mr Davis has brought before the Parliament today.

I urge members that what we should not do is come in here and continue to talk about each other, to continue to talk about ourselves. We have real issues that constituents in my electorate are confronting on a daily basis. They want us to be talking about health care. They want us to be talking about education. They want us to be talking about roads and rail. They want us to be talking about the cost of housing. They want us to be talking about the cost of living. And they want to hear the answers and the propositions that we come up with to deal with those things. What they do not expect us to do is come in here and take the time to reject the independent reports of the Ombudsman in this state, who has thoroughly investigated these matters, has put forward her recommendations and has congratulated the government on accepting those recommendations and indeed moving forward. She has done the investigation. There is no point having these bodies if we are just going to reject their recommendations. We should accept what she has put forward. Her report is her report, even if Mr Davis does not like what has been written. Therefore I urge this chamber to reject the motion.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (16:29): In reply, this is a very simple motion. The Labor Party did not do the right thing here. It is very clear that money was misused, and it simply should be repaid. In the same way as it was with the red shirts, it should be repaid. That is what this motion calls for, and I ask for the chamber's support.

### House divided on motion:

#### *Ayes, 17*

Atkinson, Mr  
Bach, Dr  
Bath, Ms  
Burnett-Wake, Ms  
Crozier, Ms  
Cumming, Dr

Davis, Mr  
Finn, Mr  
Grimley, Mr  
Hayes, Mr  
Limbrick, Mr  
Lovell, Ms

Maxwell, Ms  
McArthur, Mrs  
Quilty, Mr  
Ratnam, Dr  
Rich-Phillips, Mr

#### *Noes, 18*

Barton, Mr  
Elasmar, Mr  
Erdogan, Mr  
Gepp, Mr  
Kieu, Dr  
Leane, Mr

Meddick, Mr  
Melhem, Mr  
Patten, Ms  
Pulford, Ms  
Shing, Ms  
Stitt, Ms

Symes, Ms  
Tarlamis, Mr  
Taylor, Ms  
Terpstra, Ms  
Tierney, Ms  
Watt, Ms

**Motion negatived.**

**Business of the house****NOTICES OF MOTION AND ORDERS OF THE DAY**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (16:38): I move:

That the consideration of notice of motion, general business, 796, and order of the day, general business, 57, be postponed until later this day.

**Motion agreed to.**

**Motions****COVID-19 VACCINATION**

**Mr LIMBRICK** (South Eastern Metropolitan) (16:40): I move:

That this house:

- (1) notes that:
  - (a) a resolution of the Council on 14 October 2021 determined that members of the Legislative Council were required to provide proof of their COVID-19 vaccination to attend Parliament and perform their duties as elected representatives;
  - (b) this resolution resulted in four Legislative Council members being temporarily excluded from the parliamentary precinct and prevented from voting in the chamber;
- (2) calls on all members of the Victorian Parliament and political parties registered with the Victorian Electoral Commission to confirm that they will support the right of all people elected at the 2022 Victorian state election to sit in the Parliament and perform their duties as elected representatives, regardless of vaccination status;
- (3) further calls for the immediate removal of COVID-19 vaccine mandates for parliamentary staff and electorate officers; and
- (4) instructs the Clerk to destroy all existing vaccination records collected under paragraph (8) of the resolution of the Council on 14 October 2021.

The Liberal Democrats are strong believers in democracy. In fact we are such strong believers that we put it right there in our name. How the views of people are reflected in the Parliament is a very important component of democracy. By long-held convention there are only a few reasons that disqualify you from being an elected member of Parliament in Victoria. Firstly, you must be a citizen of Australia. You must be over 18, you cannot be bankrupt or have a history of criminal behaviour and you cannot have a job where you make money from the Crown.

Most of us agree that by and large these are sensible provisions that still allow for the will of the people to be reflected in our Parliament. However, last year, without a great deal of debate or thought for such a serious matter, another reason was introduced: medical status. With the government fully supported by the Liberal Party, I, Mr Quilty, Dr Cumming, Mr Somyurek and also Mr Angus in the lower house were excluded from Parliament for refusing to divulge our vaccination status. We all had our reasons for doing this, but I know for Mr Quilty and me, although we were fully vaccinated, it was important to take a stand for other people and to take a stand about privacy of medical information in general.

Some of you may remember that Mr Quilty, Dr Cumming and I spent a few sitting days in a nightclub here in the CBD. We were allowed to speak to legislation but not to vote. Whether or not the government intended this to be the case, there was always a question mark hanging over proceedings. Remember that the background here was the introduction of the highly controversial pandemic bill, which members who were suspended from Parliament had indicated opposition to. Had we not eventually handed in our medical records, passage of that legislation would have been considerably easier for the government. This was subversion of democracy. The *Hansard* for those days we were suspended will forever have an asterisk at the bottom as to whether or not the laws created were created under legitimate representation. Since that time it seems nearly everyone who is fully vaccinated and believed they would not contract or pass on the virus has contracted COVID one or more times. This

is contrary to some of the reasons given by the government when they first brought in their motion and suspended members of Parliament. The COVID-zero policy has been abandoned, and we are seeing more reasonable measures this year.

With this motion and this new information, and in the cold light of day, the Liberal Democrats are simply asking for a more reasoned approach. We believe it is time for human rights to make a comeback and in particular the right to participate in public life—one of Victoria's human rights that is articulated in the Victorian Charter of Human Rights and Responsibilities. Voters at the next election should expect that they will be represented properly regardless of the medical status of their elected MP. As it stands, this new imposition on democracy has a very real potential to be misused to the detriment of the people of Victoria, and we are seeking to obtain commitments that this will not happen.

There is a common saying that justice should not only be done but it should be seen to be done. The same goes for democracy. The Liberal Democrats want human rights to make a comeback. We commend this motion to the house.

**Ms TERPSTRA** (Eastern Metropolitan) (16:45): I rise to make a contribution on this motion, and again it seems like we are in Hotel California today—you can check out anytime you like but you can never leave. We just see the same themes going round and round and round in this chamber today—more about how this is terrible, our human rights have been infringed, this is terrible for democracy and all the rest of it. But what I will say is that in regard to the COVID-19 pandemic and vaccines most of the people I speak to in my electorate and beyond that in fact who are not involved in politics and who do not sit in this chamber just want to move on. They do not want to be reminded of this kind of stuff, because these were pretty hard years. Everyone had to make sacrifices. Everyone found it challenging.

The sort of commentary that came from Mr Limbrick today in moving his motion seems to be a fairly entitled worldview that somehow our human rights are still being impacted and that this is terrible for our democracy. I remind Mr Limbrick—I do not know, it must be bush lawyer week or something—about the Loielo court case, where the courts looked at whether human rights were impacted. This was in the context of vaccine mandates and the other measures that were introduced by the government. The courts ruled that there was no impact on human rights, because people were still free to do some things and move about in their everyday lives. They talked about human rights being restricted in the sense that if you go to jail or go to prison for something and you are unable to move freely about and do things because you are in prison, that is a different scenario. Mr Limbrick and the Liberal Democrats have learned nothing about that, choose to ignore the court's ruling on that and just want to keep banging this drum.

I think it is something you should caution yourself about, because, electorally, if you keep talking about these things then most of the people that I speak to have the common view that they do not want to be reminded about this. This is something that you think is going to benefit you at the ballot box, but I remind you of the federal election result, where the Liberal Democrat vote kind of tanked. Honestly, if you think this is going to get you anywhere, it is sad. Really you pay no respect to the fact that people have had very difficult years, and you want to keep reminding them of it. I do not think that it is going to do anything other than reflect poorly on you, your party and what you want to do, which is just play divisive wedge politics. So shame on you for doing that.

I look at what people in my electorate are telling me, which is that they feel that this government acted appropriately in keeping them safe. The reason why we had to move to lockdowns was that we did not have vaccines. Why didn't we have vaccines? Because the federal government did nothing about it. People know and understand that the safety measures that were put in place were to keep people safe, and that is what happened. We were able to make sure that the deaths that occurred were minimised, because had we not done that there would have been thousands and thousands and thousands of preventable deaths. We know that vaccination protects people from death from COVID,

severe illness and severe injury. I just had my fourth vaccine jab the other day. I was feeling a bit dusty for a day, which was not very good. But I have to say, ‘Yay for science. Go, science. Yay, science’, because it showed me that my immune system functions properly when it is stimulated to do so. I actually think it cleared up the cough that I had not been able get rid of for a couple of months, which I reckon I had overhanging from when I had COVID. The fourth jab I think helped me get over that, so I am actually thankful and grateful for that.

People talk in my electorate about vaccines and what they mean to them. They are grateful for the fact that we have a public health system that makes things freely available and accessible to them. We know the measures that the government has gone to to make sure that people with disability and others in special categories could access vaccines for free where necessary, and this was a situation where government had to act quickly. We had not had a pandemic for 100 years. This was a circumstance that the Labor government did not dream up and bring on itself. We did not conjure that up. I am sure that you would like to blame us for that, but it is something that we did not do. Again, people in my electorate are not expressing the extremist views that are being espoused by Mr Limbrick and the Liberal Democrats. As I said, people are grateful for vaccines.

Of course one of the things that Victoria did was talk about vaccine mandates, and we have moved on from that because we are in a different phase of the pandemic. I do not understand why we have to keep talking about this, because we have kind of moved on, but you want to keep dragging us back there because, again, you want to be cynical, you want to use wedge politics and you think it is going to help you electorally. Shame on you for doing it. There are people who are struggling still now with the after-effects of having to deal with COVID-19. They might have lost family members. They were separated from family members and people made lots of sacrifices during the pandemic, but you want to keep reminding people of it. I do not know how that is going to work for you. I just think that is very entitled and incredibly selfish of you.

There are many people who we know are grateful for being able to access vaccines in their community. This has been more difficult for others, depending on the areas that they have been in and worked in. Nevertheless employers, for example, when they are running a business—and you may not be aware of this; I do not know whether you know much about this—certainly have got to provide a healthy and safe workplace for their employees. That also then crossed into the rubric of making sure that if you went to work you were not going to catch COVID at work, so we went to working from home scenarios and we went to making sure that people when they came to work were vaccinated. Mr Limbrick talked about privacy and all this kind of stuff. Well, no-one’s privacy was impinged on. The fact was you had to show your COVID vaccine status, because obviously an employer who did not require that of their employees was actually being exposed to bearing some kind of liability if there was an outbreak at their workplace. So, again, these are things that do not occur to you over there, because what you want to do is just bang the drum, be divisive and whip up fear and anxiety in the community. It does not help. The community wants to look to parliamentarians with a sense of optimism and also a sense of being able to move on. What is moving forward for the future? What are we offering people? Not a reflection looking back to the past, which is all you offer.

I will sum up. I have got 3 minutes left on the clock. What I know is this: the majority of community members share our views about vaccines, because let us face it, 98 per cent of people have had their first dose. A similar, slightly lesser amount have had their second dose. A third dose is at around 60-odd per cent, and then people are well on their way to getting their fourth dose. If people did not agree with vaccines, we would see a very different scenario to that. So, again, you are pitching to a very small audience. People in the workplace generally thought well of vaccine mandates because it meant they could go to work—when they could return to work—and have some level of confidence that perhaps they were not going to catch COVID in their workplace, because their employer was required to put in measures to ensure that did not happen.

We know we are not out of this pandemic yet and we cannot afford to be complacent. Like I said, that is why I went and got my fourth dose the other day. I have had COVID. I do not want to get it again,

and I know people are getting second reinfections at this point. I was listening to the chief health officer the other day with his update. He suggests we have just peaked in this wave and we are on the way down. Hospitalisation rates for COVID are down by 10 per cent, which is a good thing to hear. But we have had a pretty nasty flu season as well, so we are still dealing with a whole range of challenges that winter has thrown at us while still with COVID. And now we have got monkeypox; it is there.

I think most people generally—fair-minded people—accept that science provides us protection by virtue of vaccines, and Victorians have done an amazing job in getting vaccinated. They have helped slow the spread of COVID-19 and helped to protect vulnerable Victorians, because that is the collective nature of Victorians. We know and understand that by getting vaccinated not only are we protecting ourselves, but we are protecting those people who are vulnerable. I, along with many people in my electorate and other Victorians, actually care. I do not want to go into an aged care home and infect some elderly person who could die, likewise a person with a disability or someone who is immunocompromised or has some illnesses that they might suffer from. Let us face it, there have been plenty of able-bodied and very well people who have died from COVID-19 as well, so the idea that I could just run around freely and infect people because I just care about me and what I want is pretty offensive to me and most Victorians.

Just in finishing, as I said, Victorians have done an amazing job. Almost 6.3 million vaccinations had been administered through the state-run system as of 19 July 2022. I congratulate all Victorians on their commitment and on sticking with us and staying with us through a very challenging period of time. As I said, we are on track nationally on third doses, and we are just at the peak of the third wave. I will conclude my contribution there. This motion should be rejected, and I encourage members in this chamber to join with us in rejecting this motion.

**Dr BACH** (Eastern Metropolitan) (16:56): I have a somewhat different view, although I do agree with some of the points that Ms Terpstra made. Early doors in Ms Terpstra's contribution she said that what we need to do is move on from some of the harsher restrictions that we saw in the early days of the pandemic—

**Ms Terpstra:** I didn't say that.

**Dr BACH:** and also from these debates. I take up the interjection from Ms Terpstra. She is correct; in particular she was talking about these debates. My mind went back to a very measured contribution from Mr Gepp earlier in the day where he said that what we needed to be doing in this place was to be focusing on things that matter to our constituents. I agree, and yet I do disagree with Ms Terpstra that there is something 'extremist'—her word—or 'shameful', another word she used, or 'divisive' about this motion. When I read this motion, to me it speaks about seeking to do exactly what Ms Terpstra highlighted at the outset of her contribution, and that is to move on. I represent the same electorate that Ms Terpstra does, and many people in that electorate talk to me about seeking confidence. The lead speaker for the government spoke about a desire for a sense of optimism and hope in the community, and I agree wholeheartedly, but I think if we can say to the Victorian people, 'We're not going to go back to the failed policies of 2020 and 2021', well, that will actually go a long way to instil a sense of hope and optimism. The implication that that somehow says that you are against vaccines is, with respect, a rather silly one.

Something else I agree with Ms Terpstra about is the side effect from the fourth dose of the vaccine. Like the honourable member, I went to have my fourth dose the other day. I did not feel particularly good for the couple of days after that, but I still felt that that was a good thing for me to do and an important thing for me to do. But I would have thought that the vast majority of members in this house could agree that we do not need mandates like the ones that Mr Limbrick has isolated in his motion through until well into 2023 and that the Victorian public need to know that we want to move on and talk about those sorts of issues that Mr Gepp highlighted in his earlier contribution. He highlighted health in particular.

The reason for the very strict measures, harsh measures, in some respects inhumane measures, that the Victorian community was subjected to in 2020 and 2021 was first and foremost to prepare the health system. That is what we were told time and time again. We were told that we needed to go so hard to put in place a curfew, for example, and to ban children from playing on playgrounds in order to make sure that there was time to put in place the 4000 new ICU beds, the vast majority of which have now never eventuated; to ready our 000 call centre—and yet we learn about more and more Victorians who tragically have died while on hold with 000; and to make sure that the elective surgery waiting list did not blow out. Well, there are now about 90 000 Victorians who are waiting for really important surgery. I oftentimes do not think that the terminology of ‘elective surgery’ fully communicates how serious the matters are that we are discussing—things like hip and knee replacements—yet so many Victorians are waiting in pain. But together as a community we did accept many of the harsh restrictions of those times, and Mr Limbrick is correct to point out that on this side of the house we did support many of those measures that we were told at that time by the government, the chief health officer and others were necessary, predominantly to prepare the health system for the moment when we got back to a more normal mode of working.

So I agree. I want to be talking about Victoria’s health crisis. I want to be talking about education standards, which Mr Gepp also spoke about. I want to be talking about transport infrastructure and the waste and blowouts that we have seen there, money that could have been far better spent on other things. And yet, if we continue to see measures like the measures that Mr Limbrick has discussed in his motion remain on the table for the government into the long term, that nobbles our ability as a chamber, indeed as a community, to carry out more fulsome and appropriate debate about the sorts of things that my constituents, who are the same constituents as Ms Terpstra’s constituents, contact me about daily.

I confess that I feel the lead speaker for the government went way over the top in asserting that this was somehow an extremist motion or it was shameful to be wanting to have these discussions. I had actually already noted here on my notes that I wanted to discuss moving on, and that was exactly the language that Ms Terpstra used. We want confidence and optimism in the Victorian community. We want businesses to know that they are going to be able to function as near to normally as possible, but for that to happen we do need more clarity from the government that these kinds of measures are not going to be resorted to again, that we are going to fix the health system that we were told would be fixed 2½ years ago, that we are going to continue to give sensible advice to folks and that the kind of heavy-handed measures we have seen in the past are a thing of the past to allow us to focus on the issues that Victorian people demand we now turn our attention to, to fix the problems, some of which have been brewing for many years and many of which have certainly been exacerbated by the COVID pandemic.

**Ms TAYLOR** (Southern Metropolitan) (17:02): It is kind of a shame in a way because, when you reflect on vaccines, really they are one of the greatest public health achievements—perhaps the single most life-saving innovation—in the history of medicine, and I feel with these kinds of debates there is a risk of actually casting a bit of a slur upon or putting down vaccines and modern medicine. It is disrespecting science and the many great outcomes and many people across the world, thousands and thousands of people, who have been saved as a result of life-saving vaccines. Up until the 1950s thousands of Australian children died every year from infectious diseases such as diphtheria, smallpox, measles and polio. We know that public immunisation programs have controlled and in some cases wiped out these diseases in Victoria and in Australia.

So the point I am getting to is that I think we have to be really, really careful about the signals that we send when in effect we are discrediting some of the, for want of a better word, marvels of modern science for the betterment of the whole community for the sake of the ‘Me, me, me, I, I, I—I’ll just worry about me and not worry about my impact on others or the fact that I live in a community or my relatives, my friends or otherwise’. I know myself when I had vaccines and the booster I did not only do it for myself. Yes, absolutely, I wanted to prevent the worst possible outcome from getting COVID-

19. I did it for my mum, I did it for my cousins and I did it for people in my community. I was thinking of others. That does not make me a better human being. I know that there are so many Victorians—and we can see by the statistics—who have done it for the sake of fellow Victorians. This is a wonderful thing and something that should be encouraged, and the risks that we have in this kind of debate, drawing it down to the minutiae, is that for the sake of the ‘Me, me, me, I, I, I—don’t care about anyone else’ motto we risk deterring people from taking positive action that can provide one of the best preventions from getting critically ill.

That is the risk I see. I do not know, maybe I am out on a limb with that, but I fear that we do not send a positive signal. It is not reinforcing modern medicine and scientists and doctors and the medical experts who guide us so carefully and diligently. It is just encouraging a fairly introspective focus that I would argue at its worst could actually put people at risk. I wonder if that is really the best possible outcome from a day in Parliament.

Is that what we really want to achieve here? I personally do not want to do that. I do not consider myself to be a medical expert, and I am happy to defer to those who know far better than me, who have years and years of professional experience with vaccines and other medications. I fear that these kinds of debates can grossly distort the very sound, well-studied and well-practised mechanisms and tools that our public hospitals and our medical and healthcare professionals have to keep Victorians safe. That is the risk when you go down this kind of fairly strange rabbit hole—‘Me, me, me, I, I, I, my rights, my rights’—and are not thinking about the greater good and public benefit in the short term and the long run, on all accounts. We have been here many times. I think that it was quite rightly said by my colleague Ms Terpstra that we have been here so many times, and I am not sure that it is kicking goals at the end of the day.

I fear that yet again it perhaps raises suspicion and unfounded concern about modern medicine in a way that I do not think enhances or is to the betterment of our wonderful Victorian community. I am being very candid in expressing that, but this is something I feel very deeply about. Everyone here, the collective, has been through the pandemic. We know how difficult it has been for everyone across the globe. It is only through the wonders of modern medicine that we have a number of mechanisms and tools in place, which have unfortunately been the subject of much, can I say, unfair conjecture that is not helpful for the purpose of goodness knows what. At the end of the day, what does that really achieve? Not a lot, I think. Sometimes we do not want to overstate the importance of ourselves as individuals in this chamber other than for furthering the best interests of the community as a whole, and this is something we can do as a collective. We have that power. We have the honour of representing our community, and I feel that in that regard we have a responsibility to put the best interests of our community forward.

A testament to Victorians, who I think on the whole see value in modern medicine and in our healthcare professionals, is that we know that Victorians have done an amazing job in getting vaccinated to slow the spread of COVID. After all, wasn’t that the purpose: to protect vulnerable Victorians and prevent our health system from being overwhelmed? In fact almost 6.3 million vaccinations had been administered through the state-run system—outstanding—as of 19 July 2022. We know that the vaccination mandates for first and second doses across a range of sectors, including health care, aged care and construction, were implemented in 2021 and have played a significant role in getting Victoria’s vaccination uptake to these high rates. I think that is another point that can get sullied in the chamber—literally sullied. What has been the purpose underlying these measures that were taken during the pandemic to get vaccination rates up high rapidly? Because otherwise it would have taken so much longer to get that protection across the community.

Literally expediting the uptake of vaccinations to protect as many Victorians as possible as expediently as possible—what is wrong with that? When we think of the underlying rationale, how terrible to want to protect as many Victorians as possible as expediently as possible. When you think about it that way, I do wonder why we are having this debate today, to be honest with you. I do not mind having a debate on any of the topics that come into the chamber; that is a healthy thing per se. But if we look in a



nutshell at the underlying premise of what has been driving the various measures that were undertaken from the outset of the pandemic, it was to protect as many Victorians as possible as expediently as possible against a pretty virulent and pretty profound pandemic which impacted the globe. So trying to sully that—I use that word, and it seems a pretty potent and perhaps cheeky word to use to some extent, but really the reason is—

*Members interjecting.*

**Ms TAYLOR:** Well, I would take exception to that because I do not think it is stupid to be protecting the welfare of fellow Victorians. So I do take exception to that inference, because at the end of the day that is what we are here to do, isn't it? We are here to do the best that we can to keep our fellow Victorians as safe as possible during some of the most difficult times in history, and I commend all Victorians who played their part in helping to protect each other through the pandemic, which is not over, which is continuing and against which we have to all be very vigilant in our behaviour in terms of managing our way forward and through. On that note we are opposing this motion.

**Mr GEPP** (Northern Victoria) (17:11): Firstly can I congratulate Ms Taylor on her new role as Parliamentary Secretary for Health. This is right in her wheelhouse, and she will do an outstanding job in that new role.

Ms Taylor is right to be cynical about the motion before the house today and the motives behind it. Mr Limbrick when introducing the motion talked and talked and talked about his commitment to democracy and in fact how committed his party is to democracy. 'We even put it in our name', I think is what he said. But of course Mr Limbrick is so committed to democracy that it was only a few short weeks ago that Mr Limbrick decided to absent himself from this place and deny his constituents a vote in this place so that he could go and try and get office in another place. How cynical was he in the whole exercise? He would not allow his party to fill his position behind him, because he knew he was going to lose, but he still did it anyway. That is how committed this bloke is to democracy. He denied his constituents a vote for about three times the length of time he was actually out of this place for not getting vaccinated—three times the length. He denied his own constituents himself. That is how committed to democracy this bloke is, so I think we are right to be cynical about the reason behind Mr Limbrick's motion here today.

What it is about is playing to his base. That is all that this is about, playing to his base. It is the same song on repeat. He must not have the premium version of Spotify, because he just keeps playing the same song again and again and again and again and again. Ms Taylor is absolutely right: what we ought to be doing is congratulating the people of Victoria for their outstanding commitment to beating this awful, awful, awful virus, for going out and getting vaccinated, rolling up their sleeves and doing their bit for public health in Victoria.

I find a bit amazing the people who walk in here and talk about vaccination mandates, how horrible they are and how they should not be a feature of the public health system. And yet in my time in here, which is drawing to a close—I am not coming back, you know, Mr Limbrick. I am not coming back. I am not asking the people of my constituency to have their vote denied for a period of time so I can come back. In all of my time I have not heard one member of Parliament stand up and say, 'Let's reverse the vax mandate for our children'. We have had a vax mandate for our children for a very long time here in this state: no jab, no play. If you want your child to be able to participate readily in society, unless there is a good medical reason why they should not be vaccinated, then they have got to get vaccinated. But you hear crickets on this stuff. I have not heard the Liberal Democratic Party (LDP) walk in here and say, 'Let's reverse this vaccination mandate for our children'. And again we are in here talking about ourselves.

The reasons for the vaccination mandates were very good scientific, public health reasons. That has been well established—very good public health, scientifically based reasons. And not just here—not just in this state, not just in this country—but indeed across the globe. All governments, certainly in

First World countries where they had the means available, asked people to go out and get vaccinated, particularly those in some of our most vulnerable areas. Because we knew—Ms Taylor touched on it, and I think Ms Terpstra did as well in her contribution—that if we were not vaccinated then those who were compromised with other health issues or were of a certain age group were at greater risk than us and it could rip through those parts of the community. Alas, we have seen example after example, both domestically and internationally, of where that has occurred.

So I am cynical about the motion that Mr Limbrick has brought forward today. I do not accept the guff about democracy and how this is an attack on democracy. Well, you should have practised what you preached, mate. You should have practised what you preached. If you wanted to go and be in another place, then you should not have denied your own constituents a vote for so long in this place to satisfy your own political ego. That is all you did.

Dr Bach talked about the electorate wanting hope and wanting optimism, and they do. When you look at the 6.3 million vaccinations that have been administered through this state, I think the majority of people in Victoria are very grateful that we have had in place a system that has required people to go and get vaccinated—that we have provided the resources to enable that to occur. At the core of this was keeping people safe. It was a public health initiative, and people have rolled up their sleeves. I do not like going to get needles. I do not know too many people that do. You know, they are not particularly pleasant things to receive, but we knew at the end of the day that that 2 seconds of uncomfortableness may well have a very, very real impact on the rest of our community. That is why we did it—not to deny liberty, not to infringe on human rights. Where are my human rights? Where are the human rights of people in my electorate to have decent public health policies in this state? Where is their right to actually go about their business and know that the people they are mixing with are also doing their bit—that they are not vulnerable, that they are not being put at risk by people who want to be fundamentally selfish?

Mr Limbrick and Mr Quilty and Dr Cumming—they did not have to not be in this place. They did not have to be in their nightclub while the rest of us were in here working. They did not have to do that; they could have been here. But it was a political stunt. It was a political stunt, because shortly after they were out of the nightclub, what did they do? They went and got the job to come into this place. If they were fair dinkum that it was such an outrage to their human rights, if they were so offended by this piece of public policy, they would still not be here today. But instead what we have got is a cynical proposition being brought forward by the LDP for no other reason than a bit of dog whistling to their base.

I want to congratulate the 96 per cent of Victorians aged 16 and over who have received a first dose, and the 94.5 per cent who have received their second dose. A total of 73.2 per cent of Victoria's eligible 16-and-over population have received three or more doses—contrast that with 68.5 per cent in New South Wales and 64 per cent in Queensland. This is I think one of the most impressive figures of all: of our five- to 11-year-olds here in Victoria, 60.6 per cent have rolled up their sleeves and received their first dose—it is less than 50 per cent in other parts of the country. Of those kids, another 45.5 per cent have gone on and got a second dose. They have done a magnificent job for this state, as have all of our healthcare workers, as have all of the people in this state who have voluntarily rolled up their sleeves and got their jab for the betterment of their fellow community members. I reject the proposition from Mr Limbrick.

**Ms PATTEN** (Northern Metropolitan) (17:21): I cannot say I am pleased to speak on this motion, but I am compelled to. This morning I second read a bill that was something really important—and it was really important to the majority of people in Victoria—around access to reproductive health from public health providers. I take my time in this chamber very seriously. I feel incredibly privileged to be here to represent my community, and every moment, including those precious 90 minutes that I get on a general business day—I get them twice a year—is precious. I think long and hard about what I am doing. I plan for them. I go out and speak to stakeholders. I take a lot of time.

This motion I do not think took a lot of time. I do not think it took a lot of thought. And I wonder what the Liberal Democratic Party (LDP) are going to tell their grandkids about their time in Parliament. What did they achieve? Well, they did get to go to Parliament from a nightclub. Now, that is kind of cool, and you could tell your grandkids that. Of course no-one else was at the nightclub. The music was not playing. The lights were going, so there were some lovely red and blue flashes on their faces as they joined Parliament from that nightclub. They could tell their grandkids that they drew a turd on the map of Victoria and called it Rexit. Interesting. Again, my grandkids would probably find that funny. But what did they do here?

It is a silly motion to ask us to say that we will not request people to be vaccinated in the future. Mr Gepp read out those numbers; that is impressive. The vast majority of Victorians very much believe in vaccination. In fact I would ask the question: do we ever want to elect someone into this chamber that does not believe in vaccinations? Yes, this is a democratic place and everyone has the right to be here—everyone, including the people over 70 and the immunocompromised that visit this place. I wear a mask today. I have the constitution of an ox. I do not get sick. I do not wear a mask to protect myself, although I think I should, but I wear a mask to protect others. I wear a mask because I do not want to harm someone else. I get vaccinated for that reason as well. I would be surprised if any of us did not think the same way. I also get vaccinated so that people who are immunocompromised can come to this chamber, so that people who are immunocompromised or older and more susceptible to various viruses and diseases can visit this Parliament, can take part in the parliamentary process and can give evidence face to face in our committees—that is why I do it—and so that people who work here are not at risk when they come here. Those are the reasons why I choose to get vaccinated, why I believe we all have a responsibility to be vaccinated. It is a great privilege to be in this chamber. It is a great privilege to represent our communities. I do not think that we should even consider not doing what we can to protect our community, and getting vaccinated is one of those things.

I recently, in fact just this weekend, went to Malaysia, where they are still asking for vaccination status when you go into a shopping mall. When you go to Malaysia you actually have to give them evidence of your three vaccinations, and they are very strict about it. They want to know the batch number. It was kind of over the top, and I have to say I spent a lot of time at check-in completing the documents that I had not done before I got there. However, the rest of the world understands the seriousness of this. I understand the seriousness of COVID. I understand the seriousness of viruses. I understand that this will not be our last virus. I understand that this probably will not be our last pandemic. As we are seeing, pandemics are becoming more regular.

I am actually stunned to hear that the LNP would support this motion, that they would say, 'If we're elected, we won't ask members of Parliament to be vaccinated'. Who else are they not going to ask? That to me is treading down a very dangerous path. We are considered leaders in our community, and we should lead. I suspect there are reasons why Mr Limbrick and the LDP have brought forward this motion—well, they are suspicions. But this is serious. COVID is serious. I take the job here seriously, and I do not think this is a serious motion. I do not support it.

**Ms BATH** (Eastern Victoria) (17:27): I have listened with interest this afternoon to the debate on Mr Limbrick's motion. On one side, on the government benches and indeed with Ms Patten, we have just heard a level of heightened drama about this motion that I actually do not read and do not see. We heard also from Ms Terpstra in her contribution about the level of optimism, and that is an interesting word in the context of a pandemic and the effects that COVID has had on Victoria and the effects of the Andrews government's decisions in relation to the Victorian population. She mentioned that the community—paraphrasing her—would want parliamentarians to be optimistic and to receive a level of optimism from them. Well, it is an interesting notion that in this state, in Victoria, which was globally known as the most locked down state in the world, many people, if they were in the city, sat at home for up to 23 hours a day with 1 hour off to go and exercise or do a 5-kilometre walk within a 5-kilometre radius. For various Victorians in regional Victoria we had a slightly longer leash, but certainly it was absolutely devastating. The ramifications of that lockdown are still being felt and will

continue to be felt. For some people, in terms of small business, they lost their small business; it was crushed with the lockdown. Again I go to rural and regional Victoria: some of the effects really put people under such pressure that they could not sustain their business or there was no business for them to go to. So it is sometimes a little bit galling when you hear they expect a level of optimism from parliamentarians when Daniel Andrews was actually the archetype of the dark days.

The government will say, 'It was all important. It was all worth it'. Well, I think that a measured approach is certainly worth it, and we saw a measured approach in other parts of our country. We saw a measured approach in New South Wales. Indeed my son lives in Sydney, and he is a nurse there. We spoke a lot, particularly over the phone, naturally, about the differences during that pandemic lockdown period. I remember, with irony now, that Daniel Andrews, the Premier, sat there on doughnut day with some doughnuts sitting on his desk and he was going to go off and have a special celebration. Well, we know that doughnut day is long gone into the distance and will never be again. Indeed I will quote some figures about our levels of coronavirus in the population—that is, the recorded levels, because we know now many people are not even bothering to go through the process of registering. Whether that is good or bad, that is a personal choice that they are making, and that is fine.

We have seen families dislocated. We have seen the hassle and the pain that those Victorian border lockdowns created in twin towns, the drama between those, with people working on one side and living on another and kilometres of roads and waiting in line. It was very, very distressing. We have seen schools closed and remote learning, and some of the children just have not recovered from that. No, I will not go and prosecute in my remaining time or go through each and every facet of it, but I think it is worth noting that those on the government benches talk about how we need optimism. Yes, we do. We absolutely do. Certainly we need a plan and a future, and it is important that we all look to that. But do not then give us hyperbole about the state of the nation and condemn Mr Limbrick for moving this motion when people have absolutely struggled throughout this pandemic and throughout the lockdowns caused by the Andrews government.

I remember during the COVID pandemic when the CHO—the chief health officer—would stand out there with Mr Andrews and say, 'Here's your next layer of restrictions and regulations'. All of us—I am sure all members of Parliament—were trying to decipher them for our communities. It was really tough, not for us—we should be doing that work—but for people to try and decipher what was in and what was out. And if you got it wrong, quite often you got a hefty fine or a visit from the authorised officers or both. Again, that was really challenging for people.

Tourism was smashed, and some of it has not recovered, particularly in Eastern Victoria Region. We know that there have always been people looking for staff throughout this, and we have seen those empty businesses.

I take on the government's position, and Mr Gepp was talking about the rate of vaccination. Overwhelmingly the population came and wanted to do the right thing and certainly did do the right thing in terms of reaching a high vaccination status, and we have heard that quoted. Almost 70 per cent of the population have now reached their third dose, and many are going around again for their fourth. We listened on the radio to epidemiologists speaking, and sometimes, in the cloud of crossfire of whatever the Premier was saying and others, it was important to listen to those epidemiologists who then tried to rationalise a very sensible path through.

When it comes to vaccine mandates I think all of those settings that we had have long needed to be gone, except in very high risk settings, and that is the Nationals and Liberals position: aged care and medical settings and people in vulnerable settings.

When we look at moving on and the importance of moving on, there are other significant dangers coming over the parapet. There are significant dangers to our state and to our food supply chains that I think could well be in the order of the pandemic in another realm. I speak of the foot-and-mouth

disease potential that is sitting north of us in Indonesia, and there are other countries certainly that also have foot-and-mouth disease prevalent in their cloven-hoofed animals. This is very dangerous territory. Again—and I note the minister is in the room—absolutely everything must be done to ensure from a federal perspective and a border security perspective that another threat does not come through the door and into our communities and onto our farms and to our livestock but also that states absolutely must do the maximum that they can to stop this, because on another level it will be of the same magnitude. It will absolutely decimate our livestock industry, our farms, our downstream, our food—this is not hyperbole, this is real. Again I implore the government to do all that it can in every extreme outcome to stop that threat and make sure that our food supply and our farmers exist.

Back to this motion, I do not see it as being incredibly outrageous. Noting the high level of vaccination status that we have—and congratulations and thank you to all those Victorians who came to the party and completed that—I feel quite sympathetic to Mr Limbrick's motion.

**Mr FINN** (Western Metropolitan) (17:36): I shall be brief—or endeavour to be brief, anyway. I support Mr Limbrick's motion, and I want to make it very, very clear to this house that I will never use my vote to support any mandate for vaccination of the sort we have seen over the last couple of years. I did not vote for the motion which banned Mr Limbrick, Mr Quilty and Dr Cumming from the chamber. I did not vote for that, despite my then party supporting it. I believed that it was wrong. I still believe it is wrong. The fact that 98 per cent of people are vaccinated is great. That is their choice. We hear a lot about choice in this place. We hear people talking about choice all the time. You can choose to do a lot of things. You can even choose to kill your babies, apparently. But you cannot have a choice as to whether you are vaccinated or not.

And it is not as if the vaccination actually does much to prevent the transfer of this Wuhan virus, because it does not stop you passing it on and it does not stop you from getting it. I reckon under those circumstances it is really hard to call it a vaccine at all. I think the federal government passed some law at some stage which legally allowed it to be called a vaccine, but it is not a vaccine. What it is is some sort of mitigation service that it provides for people who are vaccinated. I am vaccinated and I am quite happy to be vaccinated, but those people who for whatever reason do not wish to be vaccinated should not have to be vaccinated. They should not be locked out of society, and I know so many people—great people, good people—who have not been able to pay their mortgage. They have not been able to pay their car payments. They have not been able to get their kids to school because they have been thrown out of society, thrown out of civilisation, because they refuse to be vaccinated. I think it is just totally wrong. As Mr Limbrick said, I think it is a gross violation of human rights.

I remember, sitting over there—it must have been 45 years ago, I reckon—in this chamber when there was a debate on whether patients would have the ability to deny treatment, and that bill was passed. Here, now, all these years later we are telling them that they cannot. They cannot deny treatment. You have got to have your treatment. If Dan says you have to have your treatment, you have got to have your treatment. It is wrong. If people are unvaccinated and people get sick as a result of that, that is up to them. It is their choice, as it should be. It is, I think, one of the most dangerous things that we can do—to force people to be involved in any medical procedure against their will. It is something that I think we would see perhaps in communist China or North Korea, but it should not be happening in Australia. This is a free country and if people say that they do not wish to be vaccinated, if they say they do not wish to be involved in a medical procedure, then they should not be forced to or be punished by the government for holding that view. I think it is just appalling. I think we really hit a new low when this government and a number of other governments around Australia decided that they would punish people for sticking to their principles and sticking to their view that they did not want the medical treatment.

**A member** interjected.

**Mr FINN:** A new low indeed. I think it is particularly ridiculous now when we have such high rates of vaccination that we still have mandates. Why do we still have mandates? We have mandates

because we have a Premier who loves to tell people what to do, and he will punish those who do not do what he wants them to do and that is what he is doing now. That is what he is doing now. He is punishing those who refuse to be vaccinated. He is telling them that they cannot work. There are a number of places they cannot go; a lot of places they can go. It was only earlier this year that to get into the footy you had to queue up and show your QR code and all the rest of it. These days you just walk through the door, not a problem in the world. But there are still a number of people in a number of industries who are treated as second-class citizens, even third-class citizens, because they have not been vaccinated. I think it is wrong.

As I said before, I support Mr Limbrick's motion. I do not support mandates for anyone, including members of Parliament. Up to this point we have really not had much say in mandates because they have been dictated, and I use the word advisedly, by the government and by the chief health officer as far as we know. The Parliament has had little say over mandates, over who should be forced to have them and over who should have the right not to have them. I think that in itself is wrong. I think the Parliament should have had more of a say in all of that. As I said right at the beginning, I will not under any circumstances support or vote for a mandated medical procedure where people are forced to involve themselves in a medical procedure against their will. It is wrong. I will not support it. I support in fact Mr Limbrick's motion this evening.

**Dr KIEU** (South Eastern Metropolitan) (17:43): I rise to contribute to the debate on the motion by Mr Limbrick on the removal of vaccine mandates for parliamentary staff and electorate officers. I have been listening to some of the debate just now and unfortunately and sadly some of the arguments are false arguments. First of all, I have to say this motion is not based on any evidence or scientific fact. It is in fact wilfully ignorant, and it is also undermining all that we stand for. It is undermining the medical expert advice, undermining the extensive scientific evidence that supports the effectiveness of vaccinations on public health and also undermining the message you want to send about the protection of the public health of the people, of the system and of life. This is nothing more than political positioning.

People talk about human rights. Sure, human rights are universal. I know that because I come from a communist country. But with human rights go responsibilities. Imagine a society where everyone was out for themselves. What would that society, what would that community be? Imagine if a person with one of the most infectious diseases, not by choice of course, walked around and passed that onto others? This is not about one's rights; it is about others as well. We have to live in our society and we have to respect others' rights as well. Imagine a person in a society saying, 'I have the right to drive. I have the right to ignore traffic. I have the right to ignore traffic rules'. Imagine a society where everyone has the right to carry heavy weapons: bazookas and all sorts of things. We have to respect the rights of other people.

It is more than that. This is very hypocritical of the Liberal-National opposition. Remember that the first time the vaccine mandate was brought into this chamber the opposition supported it, and now they have flip-flopped and want to support the removal of the vaccine mandate for parliamentarians. We are the leaders of this society. We should send the right message and we should protect ourselves and others who come into this place and start working here. This is just a politicising motion, I have to say.

From two centuries ago, when Louis Pasteur, a great scientist, discovered vaccines, until now, we have progressed a long way. Now vaccines are not only based on some of a virus or a weakened virus, but there have been some new discoveries, with mRNA—messenger RNA—being made into a very effective vaccine, as we have seen. In fact the single most life-saving innovation in the history of medicine is the discovery of vaccines and their development with time into new and better vaccines.

The public immunisation program has controlled and in some cases wiped out totally some diseases, not just in Victoria but in Australia and elsewhere in the world. We can talk about iron lungs and leg

braces with polio, but thanks to vaccination, we can avoid death, limb amputation and even severe brain damage.

Thanks to the public of Victoria, we have one of the highest vaccination rates in the world. In fact in our country of Australia, compared to other states we have a very high vaccination for the second dose and even third dose. I myself had all four doses as soon as they became available. The proof that vaccination enables participation in public life is nothing new. It is nothing new in this country and in Victoria. In 2014 we brought in legislation to require children to be fully vaccinated in order for them to attend child care and kindergarten, with some exemptions on medical grounds. That was to protect the child themselves but also the other children, staff, teachers and the community. There is a statistic that almost 6.3 million vaccinations had been administered through the state-run system as of 19 July, about two weeks ago.

It does matter that vaccination has helped to protect us. Look at some of the statistics. The highest rate of death from the virus and its many different mutations is in Peru, with 5.5 per cent of people who got COVID dying. The US and Canada, other advanced countries, have 1 per cent, and Australia has 0.1 per cent—10 times lower. Thanks to what? Thanks to the high rate of vaccination in our country. In fact 95.9 or 96 per cent of Victorians aged 16 and over have received their first dose, and 95 per cent—1 per cent less—have received two doses. Also there are some very impressive statistics of people who have had third and fourth doses, just like me; I have done my part—I have had four doses. Being parliamentarians, we are not know-all experts. We have to rely on the advice of the experts. We have to be guided by the scientific evidence. And there was plenty of extensive evidence as to how effective, how necessary, vaccination would be, and that has been proven to be the case.

I want to take this moment to thank all Victorians who have done the right thing to protect themselves, to protect their loved ones and to protect the community by staying on top of their vaccinations. The best thing that Victorians can do to help protect themselves and our health system is to get their third vaccination dose as soon as they are eligible. We all here and elsewhere wish that COVID was over, but it is not. By encouraging a shared community responsibility to do our bit to look after each other, to look after ourselves, to look after vulnerable people in the community, to show our appreciation and to protect our frontline workers—the nurses, the ambos, the doctors—we need to take up the advice of the experts, to follow the regulations and to take up vaccination, the key strategy to fight pandemics in the past, the present and, as I am sure will be the case, the future. With that, I have to say that we cannot support the motion brought by Mr Limbrick.

**Mr LIMBRICK** (South Eastern Metropolitan) (17:52): I would just like to address—and thank you, everyone, today for your contributions to the debate—a few of the things raised during the debate. Ms Terpstra raised the point about getting back to normality, and that is exactly what this motion is seeking to do—to gain some sort of commitment back to normality. I note that when the mandate was first brought into Parliament one of the justifications was to bring Parliament in line with the rest of the community, and I note that no-one has actually addressed the issue of staff, including electorate officers. They are out of line with the rest of the community at the moment. General worker mandates have been removed but they have not been removed from our staff, and I hope that Parliament removes them soon, regardless of whether this motion passes or not.

There was also much talk about science and protecting others. I think it is pretty clear, and I know from my own personal experience after being vaccinated and then contracting COVID, that many people are able to still contract and transmit COVID regardless of their vaccination status, so really it is about the health of the personal individual and whether they want to protect themselves with vaccination or not. I note that many people, including the *Medical Journal of Australia*, have looked at vaccine ethics. It is very difficult to classify something as ethical when the vaccine itself does not protect against transmission, as we know is the case with the current vaccines for COVID.

I would also like to respond briefly to something that Ms Patten said about, ‘What have the Liberal Democrats done in their time in Parliament?’. I think that one of the main things that we have done,

and in fact the thing that our party exists to do, is defend the rights of Victorians. And many times during the pandemic we have been the only people defending their rights against some of the actions that the government has taken. I know that many people want to move on from what has happened during the pandemic, and I agree with Ms Terpstra when she says this, but those people that have been sacked and lost their jobs over these mandates have not forgotten. They do not want to forget. They were upset and they are still upset. There are many people.

The government talks about this high vaccination rate, and it is a very high vaccination rate. It was done through force. This 5 per cent of people that chose not to go along with the government's actions—they talk about this 5 per cent of the population as if they do not count, as if they do not matter, and I think that they do matter. I do not mind that they are a small number of people. They have rights the same as every one of us, and I think it is very important that their rights are defended as well. So I commend this motion to the house, and thank you to everyone that has spoken on this motion today.

### House divided on motion:

#### *Ayes, 14*

Atkinson, Mr  
Bach, Dr  
Bath, Ms  
Bourman, Mr  
Burnett-Wake, Ms

Crozier, Ms  
Cumming, Dr  
Davis, Mr  
Finn, Mr  
Limbrick, Mr

Lovell, Ms  
McArthur, Mrs  
Quilty, Mr  
Rich-Phillips, Mr

#### *Noes, 22*

Barton, Mr  
Elasmar, Mr  
Erdogan, Mr  
Gepp, Mr  
Grimley, Mr  
Hayes, Mr  
Kieu, Dr  
Leane, Mr

Maxwell, Ms  
Meddick, Mr  
Melhem, Mr  
Patten, Ms  
Pulford, Ms  
Ratnam, Dr  
Shing, Ms

Stitt, Ms  
Symes, Ms  
Tarlamis, Mr  
Taylor, Ms  
Terpstra, Ms  
Tierney, Ms  
Watt, Ms

### Motion negatived.

## VICTORIAN ENERGY UPGRADES PROGRAM

**Mr LIMBRICK** (South Eastern Metropolitan) (18:02): I move:

That this house:

(1) notes that:

- (a) the Victorian energy upgrades program (the program), previously the Victorian energy efficiency target (VEET) scheme, has set a target of 6.7 million tonnes of carbon dioxide (CO<sub>2</sub>) equivalent in 2022, increasing to 7.3 million tonnes in 2025;
- (b) the government and the Victorian Liberal Party have committed to a 50 per cent reduction in CO<sub>2</sub> emissions below 2005 levels of 128 million tonnes by 2030;
- (c) the 28 million tonnes of energy efficiency certificates that energy retailers will be required to purchase between 2022 and 2025 make up a significant component of Victoria's strategy for emissions reduction;
- (d) recent issues with the program, such as the refrigerated cabinets being dumped outside businesses earlier this year and the two businesses that were referred to Victoria Police in early 2021, demonstrate that we cannot be certain that claimed carbon emission reductions have actually occurred;

(2) supports the Auditor-General examining:

- (a) whether the carbon savings accounted for via the program actually reflect real carbon emission reductions;



- (b) if the methodology used for calculating carbon emission reductions is appropriate and was applied uniformly;
- (c) whether the program is robust enough to withstand a significant increase in usage, as will be required by higher carbon emission reduction targets; and
- (d) any other related matters.

There was a lot of media a couple of months ago when enthusiastic companies did their best to off-load refrigerators to various businesses to secure energy efficiency certificates. This was all part of the Victorian energy efficiency target scheme, now referred to as the Victorian energy upgrades program. The scheme is supposed to form part of Victoria's climate change strategy by creating a market for energy efficiency certificates which must be purchased by energy retailers and surrendered to the Essential Services Commission. People may be more familiar with this scheme from people knocking on their door to offer to change their light bulbs or supply chimney pillows to stop drafts or those very odd smart power boards that I suspect most people actually just threw in the bin as they did not really work very well.

This scheme has ambitious targets for the reduction of CO<sub>2</sub> emissions. In fact, if you look at the targets up to 2025 and assume that the scheme continues to operate at this scale, it would achieve the government and the opposition emission reduction targets by 2030—at least on paper. But how much of this activity actually represents any real reductions? Does changing an LED light globe with another LED light globe really do anything other than some fancy accounting? No doubt there are some genuine reductions achieved, but I think we should all be incredibly sceptical of the claims that the Victorian energy target regulations imply. Increased energy costs for all Victorians to subsidise free lights and hot-water systems for residents of Toorak or Brighton is not something that the Liberal Democrats would ever support.

This motion, however, does not call for the scrapping of the scheme. It is a request to support a referral to the Victorian Auditor-General. There are many members of the community and indeed members of this Parliament that are very passionate about action on climate change. I would assume that when these calls are made for strong action on climate change they actually mean real action, not accounting magic that looks good on paper but produces little meaningful outcomes. The Victorian Auditor-General is well positioned to examine both the previous operation of this scheme and the effectiveness of the government's proposed legislation should it successfully pass through the Parliament.

**Mr TARLAMIS** (South Eastern Metropolitan) (18:06): I move:

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

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

### VETERINARY WORKFORCE

**Mr MEDDICK** (Western Victoria) (18:06): I move the motion I gave notice of earlier this day, which reads:

That this house:

- (1) notes that:
  - (a) there is a vet shortage across Victoria, creating an animal welfare crisis;
  - (b) the closure of vet clinics and after-hours care is adversely impacting regional areas;
  - (c) injured wildlife is being left to suffer as care is voluntarily provided by vet clinics and must be managed between paying clients;
  - (d) rising veterinary care fees are also creating an accessibility barrier, particularly for animal rescue groups, pensioners and healthcare card holders;
  - (e) the Andrews government has taken the positive step of adding the certificate IV in veterinary nursing to the free TAFE course list from the beginning of 2022;

- (2) calls on the government to:
- (a) establish a stronger framework for the wellbeing of companion animals and wildlife;
  - (b) open publicly funded vet clinics across Victoria;
  - (c) create incentives for vets to join the industry through study opportunities and from overseas;
  - (d) upskill veterinary nurses into nurse practitioners who can undertake minor surgeries and surgery preparation to relieve the burden on vets; and
  - (e) establish specialty wildlife hospitals to close the knowledge gap on native animal care and to ensure wildlife receive treatment in a timely manner.

Despite growing up in a household where there was very little money, it was often the case that my siblings and I would take in animals in need of care. Indeed these are some of my earliest memories of a lifelong dedication to the protection of animals. The animals in our home were loved, but there was never any money for vet care. It was always a case of hoping that they would not become ill, because that would mean forking out money we simply did not have. Regular check-ups were just completely out of the question. How different things would have been if we had had access to a publicly funded system. That was the experience back then, and shockingly that is the situation today. Pensioners and those on healthcare cards will know this experience intimately, where they feel the pain of guilt as they are made to feel neglectful through economic circumstance.

It might be difficult to comprehend a vet shortage in Australia. So many of us grew up wanting to work with and care for animals. If you did not know better, it would be easy to imagine an inexhaustible willingness to train for and perform this job. Our companion animals bring so much happiness. Working with them every day is a dream held by many. Vets provide a frontline service, and their unwavering compassion under immense pressure is admirable. But there is a dark side plaguing the vet industry across Victoria—indeed across the country. Vets are burnt out and undersupported. Despite years dedicated to the intensive study of their profession, vets are walking away. The Australian Veterinary Association workforce survey in 2021 found that 31 per cent of practices advertising for vets were taking 12 months or longer to fill positions. Thirty-eight per cent of vets perform on-call duties, and despite the efforts of individual clinics to facilitate upskilling and support their dedicated on-call staff, these hours are unsociable. They lead to isolation and unfair to totally impossible expectations.

I need this to be clear: in Australia today over 45 per cent of veterinarians suffer from depression. Vets are almost four times more likely to die by suicide than the general population. These shocking figures equate to a veterinarian taking their own life on average every 12 weeks. Around the world crisis hotlines have been set up to deal with the specific issues facing vets. Lack of workplace support, financial obligation and high euthanasia rates beyond their control are contributing factors. Vets are often accused of only doing their job for the money, despite earning low incomes compared to other medical roles.

In one article Australian vet Anita Link said that she often has days in the clinic that are spent acting as shock absorbers for the emotions of their clients. Perfectionism among vets is rife. And how could it not be when you have the lives of loved ones in your hands? She goes on:

We marinate in guilt over taking sick days. If we take a day off, our work doesn't wait until we're back. It needs to be re-scheduled, cancelled, or (worst of all) it is dumped on our already hard-working colleagues. We are almost impossible to replace at short notice. So, we don't take a sick day unless we are totally incapacitated or extremely contagious.

The industry has dealt with staffing shortages for years, but the pandemic made them worse. As animal adoptions increased during lockdowns, so too did demand for vets. Today, when working from home is just part of life, we are spending more time with our furry companions. There is no doubt they love having us around, and it means health issues are being recognised more quickly.

Vets worked tirelessly and selflessly through the peak of COVID to meet demand, but it meant quicker and less personal encounters. The Victorian vets I know are heavily emotionally invested in the

outcomes of their patients, but many environments do not allow for the standards vets set for themselves. On top of this, vets have a good Samaritan expectation to treat our native wildlife for free. It is a critical feature of the veterinary service. But when vets are already overworked and having to juggle paying clients between wildlife, it weighs down on an already fragile system. Despite the best possible intentions, native animals across the state are suffering unnecessarily long lengths of time before being treated. During spring and summer Wildlife Victoria's emergency response service receives up to 300 calls a day. Most of these animals will need to see a vet, and right now appropriate care cannot be guaranteed.

Over the years my office has received increased correspondence about the crisis plaguing the veterinary industry. It is coming from vets themselves, vet nurses and members of the public. There have been multiple emergency after-hours clinics closing in my electorate in the last year alone. Those in this place who have gone through the stress of needing an emergency vet appointment know that every minute matters. But there are regional Victorians who are driving hours, as far as the CBD, to have their pets treated, and sometimes it is too late.

Rescue groups cannot secure desexing appointments, meaning animals are waiting longer to be placed in forever homes. Animals are staying longer in rescue, which means shelters are staying full. The shortage crisis is impacting the whole system from start to finish. And even in the circumstance where an appointment can be secured there are many Victorians who can no longer afford the growing cost of vet care. Nobody should be forced to give up their best friend because they cannot afford their veterinary care, especially when it is often through no fault of their own.

That brings me to our solution. It is called Veticare. We have a public health system for humans. It is something that we are all immensely proud of. We all know that, if we need it, that green card in our wallet will give us compassionate health care. It is time we offered the same to companion animals and wildlife. Creating a public veterinary health system will not just improve vet affordability and accessibility but help to attract more vets to the industry by alleviating workload, improving working conditions and offering a more sustainable workplace.

Our proposal includes opening public clinics for companion animal care but also for wildlife. Having vets dedicated to the specialised care of wildlife will not only relieve the struggle vets currently face treating injured native animals for free but provide better care for them, sooner. There are so many hardworking wildlife rescuers, carers and shelters across this state who in the current system are spending their own money to rehabilitate animals injured by road strike and other forms of human interference. It is a broken model, and their work must be recognised too. The least we can do is provide them with free or low-cost specialised care in return for their service to the community. By relieving pressures on the vet system we can ensure retention of both vets and nurses and play a part in reducing compassion fatigue, a phenomenon plaguing the industry and impacting the mental health of vets. But we must also do more to attract new vets to the industry, such as increasing wages of vets to reflect their skills and qualifications, offering subsidies on study opportunities and bringing in vets from overseas to Australia by having a world-class system.

In 2021 we worked with the Andrews Labor government to secure vet nursing on free TAFE. Vet nurses are the unsung heroes of animal care. They are passionate and hardworking, but too often they operate with minimal autonomy. To alleviate the pressure on doctors, the human healthcare system introduced nurse practitioners. Nurse practitioners do additional training enabling them to diagnose and treat illnesses, prescribe medication and do other tasks similar to a doctor that a regular registered nurse cannot. This can and should be implemented for vet nurses too. By upskilling vet nurses, animals with minor health issues or needing standard treatment, such as teeth cleans, can be seen sooner, allowing vets to reduce their workload and have sufficient time to deal with complex cases and emergencies. This change will also benefit the wildlife space, with more staff ready and on hand to assess, triage and administer treatment to wildlife when they are brought into clinics by members of the public. Not only will this play a role in reducing stress and burnout; it will also increase job satisfaction among vet nurses, another section of the industry with a retention problem. Importantly, a

world-class veterinary care system will complement and recognise the skills and experience in Victoria's wildlife and animal rescue sector and help to further professionalise and support their work, allowing them to take in more animals and save more lives.

Everybody deserves to experience the joy and companionship of an animal, no matter where they live or how much they earn. We are a state known for our love of companion animals, and we are known as a state that is being progressive in this space and in many others. We have the opportunity to set the benchmark for the best model of animal protection in the country and be the first to implement a public healthcare system for animals, the first in Australia and I believe the first in the world. I call on the government and colleagues across the chamber to support this important motion today.

**Ms TERPSTRA** (Eastern Metropolitan) (18:19): I rise to speak on this motion that Mr Meddick has moved, and I would like to thank Mr Meddick for his very thoughtful contribution in this space, his ongoing advocacy and commitment to pursuing justice for animals and his continued advocacy for all manner of animals, whether they are furry, feathered, scaled, domesticated, farm animals or wildlife. It is a very important contribution, and I thank him for his ongoing efforts in this area.

The motion highlights a number of things that I think are well known and not disputed on the government benches. We know there is a shortage of vets across Victoria. We know that vets are suffering through mental health conditions. We know that the suicide rate among veterinarians as a profession is something that is just not acceptable. It is a profession where vets are dealing with animals that are very loved by their owners, of course, and it can be stressful for owners, it can be stressful for pets and it takes an emotional toll on people. I thank all the veterinarians who work in Victoria under very difficult circumstances, whatever those circumstances are, for their dedication to their profession and for their ongoing work in caring for our furry, feathered or scaled kids, whatever they are.

On a positive note I note that the government has—and this was exciting; I remember speaking on it in this chamber, and I know the minister who sits in front of me, Minister Tierney, spoke on this as well and has spoken on this a number of times—taken the step of adding the certificate IV in vet nursing to the free TAFE course list from the beginning of 2022, and I know that even in my own region the vet nursing course on the free TAFE list has been incredibly popular. It has been amazing to see the uptake, especially amongst women. It has been incredible, and that is a positive step that we have taken in that as well. So there are some positives that are coming—but of course also workforce shortages. I know Mr Meddick talked about that as well. There are lots of shortages everywhere at the moment. It has been, I guess, something that the pandemic shone a light on; once we did not have the steady supply of international labour, it had a knock-on effect in a range of ways in a range of areas.

I note that there are a range of things that the motion sets out. It then calls on the government to take a range of actions as well, and animal welfare is absolutely a priority of the Andrews Labor government. Our community expects we will do the right thing by animals in our homes, out in our community, on our farms and within various industries. In 2018 the government committed to modernising Victoria's animal welfare legislation to replace the Prevention of Cruelty to Animals Act 1986 as it no longer reflects the needs of animals, industry, our community or government. We have been developing a new act, and this takes time. It takes time to get the laws right. Modernising Victoria's animal protection legislation will also help the welfare of our animals. A directions paper was released in October 2020, and it highlights key reform areas, which include recognising the sentience of animals, introduction of minimum standards for care of animals and formalising a role for scientific knowledge and expert opinion to inform decisions under the act. The draft legislation is currently being informed by feedback, and we have undertaken extensive stakeholder and community consultation and engagement. Further detail on that will be released in the coming months. We are committed to making sure that the legislative reforms are right, and we will fund the ongoing modernisation of Victoria's animal care and protection laws with significant investments in the 2022–23 budget.

I might just say, talking about animal sentience for a moment, I was having a conversation with Mr Meddick earlier today about my dog, Skye. I just tweeted something the other day about this. I

know absolutely that animals feel pain. They know when you are suffering. They seem to have a sense of what they need to do to be close to you. I was commenting that while I was sick with COVID and even when I had my fourth jab the other day and was a bit unwell, my dog, Skye, lay right next to me on the bed, put her head across my chest and stuck with me the whole day. She did the same thing when I was sick with COVID. Of course my poor girl Skye has got an upset tummy at the moment. She cannot tell me what is going on, but when she does not go to eat her dinner then I know something is definitely up. I am fortunate to be in a position to say that I can afford to take my dog to the vet, because I can see when she is unwell, she is suffering. If anyone in the chamber knows what staffies are like or for those who might be playing along at home and own a staffy, you know that staffies are the clowns of the dog world. They are funny, they are loving and they are gorgeous, but they are also very emotional and they are very perceptive. They have emotional reactions. I know that if we mention a particular word Skye gets embarrassed, but she also reacts to other words that make her run or chase things. This is what we come to know and love about our animals as pets. I know that when she is not feeling well I am concerned for her. As I just said, I am fortunate to be in the position of being able to get her the vet care that she may need right now. Finding the time is another thing, but I know that it is a priority for me and my family to make sure she gets the vet care that she needs. But that is not the case for everybody.

The 2022–23 budget included a total of \$18.6 million in funding for animal care and protection over the next three years. We have invested in the Ballarat animal hospital. The previous Minister for Agriculture, Mary-Anne Thomas, announced \$11.5 million to build the new hospital. The City of Ballarat mayor said that \$11.5 million will help deliver the biggest improvement in animal welfare in the Ballarat region in more than 100 years.

We are also delivering on the first pet census. I will have to find out more detail about that. I want to know how I can take part in the pet census, because we have got a cat, a dog, a chicken and a lizard. I think we need to inform the government about our pets, because we are not the standard dog and cat family. We have got other things there, and I reckon we will find that there will be a fair swag of Victorians that will also have similar scaly pets, not just your usual feathered or furred kinds. The pet census will collect data across a range of areas relevant to pet ownership and include the demographics of Victoria's pet owners, general matters relevant to pet health, diet and exercise, the costs and services associated with purchasing and caring for pets, the social and wellbeing impacts of pet ownership and more.

Can I say, my daughter has a lizard called Tilly the reptile, and we go to great lengths to make sure that Tilly in its enclosure has a range of enrichment items, that it can burrow and it has rocks that it can bask on and warm its tummy on to help digest its food. We make sure that in the enclosure the temperature is right and that there is the right amount of humidity so when it sheds its skin it can do so in a fashion that does not impinge on its functioning in other ways. So, as you can tell, there is a great deal of thought that gets put into it. Some people might think, 'Well, it's only a lizard', but we want to make sure that the lizard is living its best life in the best way that it can. So I look forward to seeing and participating in the pet census. There is a lot we can tell government about how we put a lot of time, effort and energy into caring for our animals at home.

I could go on; there are lots of things that we are doing. We are looking at Victoria's cat management strategy. We have got the Taskforce on Rehoming Pets, which I know Mr Meddick participated in. He did a power of work and assisted us greatly on that. We have got the Victorian pet exchange register—I know there will be other speakers that will no doubt speak in more detail on some of this—and of course our animal welfare grants program as well. The 2021 state budget committed \$7.5 million to animal welfare grants. That was \$5 million to support rehoming of dogs and cats, \$1.5 million to support pet desexing and \$1 million to support equine rescue and rehab, and there is loads and loads more.

I think I will leave my contribution there other than just to quickly say that over 115 000 Victorians have enrolled in free TAFE since it was introduced, and a fair swag of those people of course

participated in the uptake of the certificate IV in vet nursing, which was added to the free TAFE list, as I said earlier, so that is over \$281 million saved in course fees for Victorians for TAFE. I will conclude my contribution there. There is lots more that I could say. I will leave more notes for others to say. We are undertaking significant work in this space. As I said earlier, and in conclusion, the protection of animals and wildlife in Victoria is a priority of the Andrews Labor government.

**Ms BATH** (Eastern Victoria) (18:29): I am pleased to rise today to speak on Mr Meddick's motion and indeed vets and the issue around companion animals, wildlife and also large animals that we use both for recreation and as our food source—and very valuable it is. I must admit to the house that as we only saw this motion today at lunchtime I feel that I would have much preferred to be able to have some deep discussions with both my local vets and also the Australian Veterinary Association. I have actually just put in a very brief call to Dr Hugh Millar, and I thank him for interrupting his afternoon to have that discussion about some of his thoughts. I certainly will not tie him down to his position, because he is flying blind generally on this Veticare motion, but I will make some comments based on our discussion in a moment.

Certainly we know that owning a companion animal is a wonderful thing and for most families brings about a sense of mental health, a sense of looking after something that is not yourself, a caring environment that can reduce levels of depression. That companionship is very important, and on many occasions for various reasons we do not have human companionship. If people live alone, then a pet can be an absolute godsend and an enhancement to people's lives. If you do have a family setting or a couple where the family has moved out and left the family pet, it certainly also can provide a very warm and joyful experience to own companion animals. What we do know is that through the COVID period in the last two years pet ownership across the nation has gone up by about 8 per cent, or nearly 10 per cent. We also know that it is now nudging 70 per cent of the population that has a pet of some form. I am not going to drill down species by species, but we also know that unfortunately—and I am hearing this from a dear friend of mine who is a vet nurse—post COVID we are seeing more pets being relinquished or people going back to work and not feeling that they are able to look after that pet, and in not wanting to neglect a pet, putting it up for adoption. I will speak to that a little bit later in my contribution.

We do know that certainly—and I agree with Mr Meddick on this one—our vets are under the pump. Certainly there are workforce shortages, and that has been very clear again speaking with my local vets throughout the pandemic. There has been this surge of pet ownership. Also people have been home and looking at their pets and finding things wrong with them and then taking them off to the vet. I know that to get in has been a very big challenge, and also having staff that are furloughed through illness potentially is really putting pressure on our veterinary practices, both small animal and indeed large vet practices. I know when you talk about large vet practices, certainly in regional Victoria—and I live in South Gippsland—they really are under the pump. They are 24/7. If you have got an animal down for whatever reason, if you are calving or the like, that vet comes out 24/7, and that is also putting pressure on them with this post-pandemic environment.

I would like just to talk on a few issues that can impact on workforce shortages. First of all, there is a very high bar set—and there should be—for becoming a vet, becoming a doctor of veterinary science. It takes up to six years to be a registered veterinary practitioner and then many years of experience to really put yourself into that very high calibre. I know that our local vets do as well have a very great training procedure about nurturing new vets that come into the practice. Indeed in our particular one I know that they are often having people from overseas, from South Africa and from India from time to time. Attracting people to come from overseas of course stopped during the pandemic as well—it was a no go. So there is an attrition rate with those students, and also reduced or low entry numbers into university. That pathway of committing for six years is a challenge, and all of the fees that go along with that. There was reduced capacity during COVID and greater demand for services, and indeed speaking to my dear friend, she talked about fatigue—both fatigue of the vets and of the vet nurses

and staff. Also unfortunately she spoke about customer unrest, we will say, or even customer abuse, and having those unreal expectations about that pet that you have brought in.

A Melbourne vet clinic has cited suicide as one of the most significant reasons why vets leave the industry. It is indeed somewhere between two and four times higher than in general practice. I think Mr Meddick might have made reference to that. I congratulate the Australian Veterinary Association on providing support for veterinary practitioners from their angle. It really does need to be a whole-of-practice support network.

In terms of the closure of vet clinics and after-hours care in regional Victoria, I take up Mr Meddick's point: as I have just said, particularly large animal vets have to be called out at all times and with all levels of pressure. Indeed, speaking with Dr Millar about the extra lengths that vets go to in terms of wildlife support, if somebody brings in an injured animal, whether it be from a road injury or the like or if they find an injured animal, I know that vets go above and beyond on many, many occasions. But of course it still costs them, so there is that cost imposed into the bargain. When I first moved into the place where I am living—my home—very soon afterwards a kangaroo came right up to our front door and curled itself up on our doorstep to die. My street had a fantastic vet in it, so we brought her down and she euthanised it on my front doorstep. It was very sad for the animal, but we think the joey survived.

Going on, one of the other comments that has been relayed to me by a constituent is in relation to animal rescue—the cost of desexing, microchipping and vaccination. They also put constraints on people, and there are the added pressures that can play out.

One other comment, with the limited time that I have, in relation to wildlife and hospitals: one of the biggest killers of wildlife, undisputedly, is bushfire. We saw that in the 2019–20 bushfires, when 1.5 million hectares of our bush was incinerated. It is probably almost unquantifiable, but they were absolutely in the thousands upon thousands. One way we can stop the decimation of our wildlife is to do all the proper practices—Indigenous firestick cool burns and preparatory burns. Really active management of our bush will have a positive influence on the life and wellbeing of our wildlife.

Finally, in terms of the potential for foot-and-mouth disease, the former Nationals member for Benalla is Dr Bill Sykes. When the outbreak occurred in the UK many years ago, he went over there and participated in the euthanising process, and quite devastating it was. What he is doing right now is connecting with old veterinary colleagues, or retired vets, to bring them out and have that conversation: if there is—and, please, we hope that there will not be—an outbreak in Australia, how those vets will be able to support the community and their farmers, because it will be gut wrenching for farmers to have to put down animals due to foot-and-mouth. We hope that does not need to happen. I again call on the government to do everything it can.

In relation to Veticare, I spoke briefly with Dr Millar. I think we had a discussion around the need to have consultation about this. The devil is always in the detail. Something may sound good on a piece of paper, but there needs to be a whole lot of workshopping around who pays for it and how and what it looks like.

**Mr BARTON** (Eastern Metropolitan) (18:39): I rise to speak on Mr Meddick's motion. Mr Meddick's motion contains two main propositions. The first deals with addressing the issue of affordable vet care, and the second promotes the training and education of veterinary nurses to give them both the training and the experience to perform minor surgeries and procedures. I will address affordable care now.

Despite their willingness, vets are often unable to provide a high level of care to all animals who pass through their doors due to a range of reasons such as staff shortages, resourcing and the financial constraints of their owners. The crisis has been exacerbated by the pandemic, with more Victorians taking on a pet than ever before coupled with vets choosing to leave the industry and seek out other opportunities. This has mostly impacted regional and rural areas, with a number of regional centres no

longer having access to the veterinary care they need and the closest emergency vet clinic being located in metropolitan Melbourne.

The mental and physical health benefits of having a pet are widely recognised, yet often the ability to have one is restricted to only those who can afford it. We believe all Victorians should have the opportunity for and the privilege of the companionship of animals. Many vet clinics are corporate owned, and the expectations from their shareholders mean that vets are often forced to prioritise their paying customers to stay open, which can be at odds with animal welfare. Pro bono work is often at the expense of individual veterinarians. So Mr Meddick's plan is to establish government-funded veterinary hospitals similar to the human health care system, which would implement a bulk-billing model for veterinary care across Victoria with priority for concession card holders, pensioners and animal rescuers and carers for both pets and wildlife. To a limited degree we have fun places that have been proven to work—for example, the Healesville Sanctuary, the Lort Smith Animal Hospital and Zoos Victoria. Established dedicated wildlife hospitals in regional areas with wildlife-skilled vets to reduce the burden on other clinics would be a welcome step.

Mr Meddick's second proposition looks to increase the opportunities for veterinary nurses. Because of long-term employee retention challenges for both vets and nurses due to compassion fatigue, the government has added vet nursing to free TAFE, which will help attract some to the sector. But more needs to be done to address retention issues and barriers to prioritising both paying customers and community expectations. Vets are expected to accept injured wildlife from the public for free. However, staff and resources shortages and priority of paying clients often result in them being unable to treat wildlife immediately, resulting in prolonged suffering and rising vet fees to meet shareholder expectations in privately owned veterinary clinics. On top of this, vet wages do not equate to their training when compared to medical doctors.

There is difficulty in attracting new vets to the industry. There are fewer university enrolments as well as regulatory and legislative hurdles for vets from overseas being able to practise in Australia. There is a need to supply extra training and upskilling for vet nurses to become technicians and nurse practitioners. In human medicine nurse practitioners and technicians are allowed to do minor surgical procedures. Applying the same principles in the animal healthcare sector would reduce the patient load burden on vets and surgeons, reduce costs in the industry, enable more animals to be cared for and increase patient access to needed medical and health care. There would be improved retention of current vet nurses due to more professional responsibility, improved pay and greater workplace satisfaction. This system already exists in the United States and works well both for professionals and for animal welfare.

There is a need for improved pay and conditions across the veterinary sector to address the retention challenges and for the implementation of better mental health support across the veterinary sector to address compassion fatigue and the high rates of suicide. This industry is one of the most suicide-prone professions. This is a terrible thing.

In closing, there are a range of challenges facing the veterinary industry across Victoria. This is ultimately impacting animal welfare, vet retention and adequate care for native animals. We need to consider solutions that will lead to a more streamlined system, improved affordability and increased job satisfaction for those who work in the industry. Victoria has an opportunity to lead the way on pet welfare. That is why I will support this motion from Mr Meddick.

**Ms WATT** (Northern Metropolitan) (18:45): I rise to speak on this motion from Mr Meddick, and I do so proudly as a member of the Andrews Labor government, which has time and time again demonstrated its commitment to upholding the rights and welfare of animals in our state. Our government's record pertaining to animal welfare is extensive. Most significantly we banned puppy farms in 2017. Perhaps I should not say it with such enthusiasm—puppy farms—given what happens there. We delivered nation-leading reforms which ended the cruel practice of lining up hundreds of dogs in a row with the sole purpose of pumping out puppies to sell them off. In addition we are



supporting the RSPCA in fighting illegal breeders, funding \$5 million for their dedicated special investigations unit. It seems like that is a pretty significant thing—worthy maybe of a television show at some point in the future, I must say—to stamp out this practice for good. Our significant rental reforms have legislated that every tenant now has the right to own a pet, because everyone deserves to be able to own a pet. This to me is so significant and very close to my heart.

So we have delivered Victoria's first *Animal Welfare Action Plan*, which was developed by the former minister, Minister Pulford, and we established Animal Welfare Victoria, bringing together all aspects of domestic animal and animal welfare research, policy, education and indeed compliance into one dedicated agency. We have reformed the Animal Welfare Advisory Committee to ensure the government receives expert advice to support our busy animal welfare agenda. It is a very busy animal agenda indeed, because the Andrews Labor government is investing unprecedented amounts in ensuring that animal welfare in this state is protected and preserved.

I will just take a moment here in my remarks to give a personal shout-out to the Lort Smith Animal Hospital and all their incredible, remarkable, fantastic and fabulous volunteers. The Lort Smith hospital in North Melbourne holds a very special place in my heart. I have spoken about it before. Indeed this is where my beloved Bootsy came from. Lort Smith is an absolutely iconic Melbourne institution and has been providing comprehensive treatment for animals since 1936. I was delighted that through Animal Welfare Victoria this government was able to provide a \$50 000 grant to Lort Smith for a new animal adoption centre in Campbellfield in the Northern Metropolitan Region. This purpose-built, brand new animal adoption centre will take over from the services and facilities currently provided by the North Melbourne adoption hub. It will be a safe haven for surrendered animals who are already ready for adoption, where they can play freely and let their true personalities shine. Indeed I was very happy to recently visit Lort Smith with my colleague Mr Meddick, alongside Minister Thomas, for the announcement of the Andrews Labor government's acceptance of all 17 recommendations of the Taskforce on Rehoming Pets. I also got to meet some particularly adorable, cute kittens while I was there. The task force made 17 recommendations to improve the rehoming of dogs and cats in our state, including those used in medical research. All recommendations are supported by the Victorian government.

Unlike shelters and pounds, the rehoming sector is not currently required to meet specific standards of care or operation. The task force recommended regulating the rehoming sector to establish consistent standards of care and operation and improve transparency in the movement of animals between shelters, pounds and rescue groups. As part of the implementation activities, the Labor government will improve collaboration and information sharing between the shelters, council pounds and rehoming groups.

I was tempted on more than one occasion at that session, and I think Mr Meddick could see it in my eyes, to take off with one of those little kittens. One was called Peaches or Pumpkin, I think. But some would know from my contributions in this place that I already have my hands full with Pickles. I have spoken about Pickles before, and I will just say that Pickles is a very, very special part of my life. I did appreciate some time over the winter break to see him grow big and strong and to make sure also that he got all of his required checks with our local vet. So can I just do a shout-out to the folks that look after Pickles up in Thornbury: thanks for doing what you do to keep our beloved Pickles strong.

Look, I could go on about the tunnel and all sorts of things about Pickles, but I will not because I would not stop. So I will instead talk about the recent 2022–23 state budget and what that delivered for animal care and protection over the next three years, including a very significant budget commitment of \$18.6 million. In early May 2022 the previous Minister for Agriculture, Mary-Anne Thomas, announced the \$11.5 million investment to build the new Ballarat animal hospital. The City of Ballarat mayor, Cr Daniel Moloney, said the money will help deliver the biggest improvement in animal welfare in the Ballarat region in more than 100 years. Given I have got some loved ones up there who also have loved ones in their family that will seek the support of an animal hospital I assume at some point over the next little while, this indeed was very much welcomed by our family. This is what

government really is all about. We are always supporting our regions and are committed to protecting the welfare of animals.

We have also committed to invest in Victoria's first-ever pet census. This investment will strengthen the government's understanding of the companion animal sector, including its volume and social and economic impacts, to develop and prioritise reforms and programs that will support and enhance Victoria's high animal welfare standards.

Unlike my colleague Ms Terpstra, who will make quite a significant, I think, contribution to the pet census, mine will say not much—in fact nothing at all as I am not a current owner of a pet—but I will say that members of my family will be very delighted to participate in whatever form that comes out. So I too am eagerly awaiting the arrival of the pet census, which will collect data across a range of areas relevant to pet ownership and pet welfare, including the demographics of Victoria's pet owners; general matters relating to pet health, diet and exercise; the costs and services associated with purchasing and caring for pets; and the social and wellbeing impacts of pet ownership. This data will provide the government with a clearer understanding of the pet population and pet owners.

I wonder how some of those questions will be asked. I am kind of interested in that—'1 to 10, how much do you love your kitten?'. I reckon that will be somewhat skewed data. It will allow the government to better prioritise and develop reforms or supports that will genuinely benefit Victoria's pets, their owners and the Victorian animal welfare sector so that we too can make sure we are doing some very proactive planning into the years ahead. This pet census, the first ever, is well supported throughout the animal welfare sector, with the CEO of the RSPCA, Dr Liz Walker, saying:

Pets matter to people, so we support the implementation of a pet census knowing it will provide vital data to support targeted initiatives that will help Victorians better care for their pets ...

I have just got some final remarks regarding cat management. The Andrews Labor government has recognised the need to develop a cat management strategy to promote responsible cat ownership, and the budget has included funds to support just that. The cat management strategy will reduce the burden for local councils and improve the toolbox for best practice management techniques as well as data collection and sharing. It will protect biodiversity and animal welfare with a focus on shared responsibility across local communities, councils, stakeholders in the animal welfare sector and public land managers, resulting in less wildlife killed by cats and fewer cats impounded and euthanised. It will reduce the cost of shelters and pounds through lower cat impoundment and euthanasia and improved adoption rates and reduce nuisance cat issues such as spraying, fighting and trespass through improved levels of responsible cat ownership and cat containment as well as registration and compliance. There is more to be said on that, but I know that other speakers here in this place are waiting eagerly to make very considered contributions to this important piece before us today, so I will leave it at that.

**Ms TAYLOR** (Southern Metropolitan) (18:55): I am very pleased to speak on this motion today. Without a doubt Mr Meddick is certainly incredibly selfless when it comes to the protection of animals, and I commend him for his incredible work in this space. It is relentless in the best sense, and his devotion is profound. So, well done to him. We are all the better for it.

In thinking about vets I was thinking about the many times in people's lives when they take their pets to them. In my case currently it is Ruby and Sophie. They are delightful. They are now 14, and I am grateful for every day that I have with them because you do not know, they are getting to that upper end. I do not want to think about that, so I just think about every precious day I have with them and how much they mean to me personally. I can therefore relate to how much animals mean to so many people in so many ways. But I think, as has been shared, it is not so much about how much they mean to me but their precious right to be who they are as pets and to be honoured and to live happy lives. Thinking about the animals, it is the fact that they do not have to earn their value as such; they are valuable because they exist. I wanted to clarify that point as well. But they bring me incredible joy.

I will get to some further and perhaps more significant points with regard to the motion, but I think of those very precious times at 2 in the morning, 3 in the morning when you take your pet to the vet and there they are in that vet's hands, and there is just so much responsibility. They can feel your emotion and the intensity of it, and when they can bring about an outcome that literally saves the life of your pet, it just means so much. So I very much appreciate, as I think and hope everyone here would, just how important it is that we do the right thing by animals across our state and across the globe as well.

I know that certainly animal welfare is absolutely a priority for our government. We know the community expects us to do the right thing by animals in our homes, in our community, on our farms and within various industries. I think the way the relationship between animals and human beings is evolving is a good thing. That is not to say there has not always been love and affection for animals, but I do believe that probably even as a result of people like David Attenborough, who really talk about nature and also that symbiotic relationship with animals and species, that really is perhaps moving, shaping and ameliorating the way that we relate to animals and species and respect their very precious place on our very delicate planet.

There are a couple of points that I want to raise. Firstly, I commend the Taskforce on Rehoming Pets. I would like to thank Mr Meddick as chair along with our esteemed colleagues Mr Gary Maas and Ms Maree Edwards, who have spearheaded this task force and provided 17 recommendations to government on how to improve pet welfare in Victoria. This is certainly a terrific step forward. We know the 2022–23 budget investment will support the implementation of the task force's 17 recommendations, which is a really important outcome, including developing a regulatory framework for the sector. Regulation of the pet rehoming sector will ensure pet welfare is protected at every step of the rehoming process. It will also ensure government appropriately supports the rehoming sector to provide consistently high standards of care, keeping pace with community expectations. We come back to that theme of the way people as a whole are viewing animals. I do not want to overgeneralise here because obviously there are different perspectives, but on the whole I would like to think we are moving forward in the relationship between humans and animals. Growth of the pet rehoming sector has reached a point where government regulation and oversight are now required. This is a good thing. The Victorian government is committed to working with the sector to deliver reforms that will improve and better support animal welfare and rehoming outcomes.

There are a couple of other points that I do want to raise. It is interesting how far and wide free TAFE goes and what it can really translate into. There are benefits and elements that even I had not considered. But when you think about what it can mean even for enhancing veterinary care—yes, we know that over 115 000 Victorians have enrolled in free TAFE since it was introduced in 2019, and I will explain the relevance to this subject matter very quickly—that is over \$281 million saved in course fees for Victorians, so it is making it affordable and accessible. We know free TAFE is delivering a pipeline of skilled workers in Victoria, and this government will continue to review the list each year to make sure it is aligned with what the economy needs. How does this relate to the motion and the subject matter that we are talking about right now? In response to economic and skills needs the certificate IV in veterinary nursing was added to the free TAFE list from 2022, so that is certainly very significant. Also, in recognition of the importance of having highly skilled workers in this space we are making sure it is truly accessible and that people are able to afford to study this very important skill. That means more students getting the skills they need for the jobs being created within the animal welfare sector. An added bonus of having the policy of free TAFE is really targeting the skills that our community needs. Obviously with regard to the motion we know there certainly is a demand and it does need to be met, so it is good to see that free TAFE is helping to meet some of those aspects of what is being discussed here today.

I know that both the Minister for Agriculture, the Honourable Gayle Tierney, and the Minister for Environment and Climate Action, the Honourable Lily D'Ambrosio, are keen to see the modernisation of legislation that will protect and care for Victoria's animals and wildlife. Hence we can see there is a continuing theme in the discussion today about the evolution of the way that we—and when I say

‘we’ I should be fairly careful with that, because we are all individuals—human beings relate to animals, and this is very important. We obviously have invested in a number of initiatives, but there is a lot more work to do. That is probably understating it to say the least, because obviously there are too many cases of animals who are maltreated, and certainly it is heartbreaking. It is heartbreaking when you hear about it or see it—see it on social media or see it in real life—and it is always a relief and I feel heartened when I see people who take genuinely good care of animals, whether it be in more of a farming situation or whether it be in their personal lives at home, because it is a win-win. Obviously the animal is being honoured, and that is the most important thing. But secondly we are all much happier as a result, because if we see happy animals it makes us feel good too, doesn’t it? It is a symbiotic relationship. First and foremost, prioritising the animals, their welfare, their safety and their happiness has flow-on effects, and of course balancing the various species on the planet is critical when we are looking at the connectivity between animals and our precious planet in order to keep the balance of our ecosystems as well.

It goes without saying that we recognise the importance of the role that animals play, and I think also it is that unconditional love. It makes them extremely vulnerable as well, which is a precious thing, but it is that unconditional love. Humans can learn so much from animals.

**Ms Shing:** Hear, hear!

**Ms TAYLOR:** Well, it is true, isn’t it? You come home at the end of the day—and I am over-personalising it a little bit, but I just look at my animals sometimes and I think, ‘You’re so lovely’, and it makes you feel like—

**Ms Shing:** Perspective.

**Ms TAYLOR:** Yes, it is perspective. That is right. And I think it inspires you to be a better person as well. And they have to survive, so I know that there are times when they are cheeky and they do things they probably should not. But it is a survival mechanism, and I respect that. But at the end of the day there is that sense of innocence and purity. I am going on a tangent, aren’t I? I am getting distracted because I am thinking about my animals, which I really love. I know that Mr Meddick would probably like to sum up, so I think if I just tidy up right there, everyone is going to be very happy. I commend the motion.

**Mr MEDDICK (Western Victoria) (19:05):** Firstly I want to thank all members for their very thoughtful contributions this afternoon. I just wanted to make one quick point, though, first of all. Initially I was quite upset to hear that Minister Shing would not be making a contribution this afternoon, but then I had the thought and the realisation that that is because those on the government benches understand that if we allowed Ms Shing to talk about it then we would be here until next week, because we would not stop hearing, and quite rightly, about the love that she has for her donkeys and her greyhounds, and that would be perfectly understandable.

**Mrs McArthur:** Get to the point, Andy.

**Mr MEDDICK:** I will.

**Ms Shing:** On a point of order, Acting President, I take issue with the way in which Mr Meddick has characterised my zeal for animal welfare as being something that would only take a week to discuss were this chamber to continue to sit, so on that basis I would ask that you withdraw or perhaps couch it in more enthusiastic terms, Mr Meddick.

**The ACTING PRESIDENT (Mr Bourman):** Thank you, Minister Shing. Whilst we all know that is 100 per cent true, that is not a point of order.

**Mr MEDDICK:** It would be true to say that today I have spent a significant amount of time on the phone fielding media questions about this motion from all over the country. One of the questions that they have asked me is, ‘Well, surely this is going to cost a significant amount of money?’. And I

agree—yes, it will. Yes, it will, but we are trying to fix a broken system. The cost of doing nothing would be significantly greater, especially when we try to project down the track three, four or maybe even five years. This would be a system that then would need rebuilding right from the ground up, and the cost would be hundreds if not thousands of times higher.

In summing up, the final message I would like to make is that we have a social obligation to society where the taxes of all contribute to the services provided to all, regardless of whether they access that service themselves or not. A caring society does so without hesitation, without reservation, because when one is uplifted we are all uplifted. In a moment in our history where the cult of us versus others is growing, in a climate of increasing division, this motion is a chance, an opportunity, for us all to grasp the concept with both hands that it costs us nothing by comparison to doing nothing when we simply afford others the same that we afford ourselves. These non-human animals are not divided along political lines. But they certainly are affected by them, and they do not have to be.

**Motion agreed to.**

### TRENCH AND CONFINED SPACE RESCUE EQUIPMENT

**Mr MEDDICK** (Western Victoria) (19:08): I move:

That this house:

- (1) recognises:
  - (a) trenches and confined spaces are a unique and highly dangerous work environment;
  - (b) trenches and confined spaces have been responsible for injury and death due to collapse, atmospheric poisoning and suffocation;
  - (c) that Fire Rescue Victoria (FRV) in the western and north-western regions of Victoria do not possess the correct equipment to conduct timely and safe rescues in both trench collapse and confined space emergencies, putting both workers and first responders at risk;
  - (d) that without the correct equipment, emergency services workers and first responders are forced to make potentially dangerous decisions while waiting for rescue equipment from Warrnambool, Wangaratta or Richmond;
  - (e) that the population growth in regional Victoria is increasing along with the risks and potential need for technical rescues to be conducted;
- (2) calls on the government to:
  - (a) immediately identify strategically placed regional cities and towns, such as Ballarat, to equip FRV and other emergency responders with trench and confined space rescue equipment;
  - (b) establish, as a criteria, that emergency services are strategically spaced to ensure that the responders are able to attend with trench and confined space rescue equipment within a minimum of 15 minutes and a maximum of 30 minutes;
  - (c) provide the necessary resources to allow FRV first responders to undertake critical skills maintenance training; and
  - (d) do this as a matter of urgency.

Trenches and confined spaces are dangerous workplaces, and I know they are because I have worked in both. Despite all the training, experience and precautions, we still see workers caught in trench collapse or atmospheric poisoning, tragically resulting in serious injury, suffocation or death. Unbelievably, in my electorate of Western Victoria the rescue equipment needed in these situations is in most cases over an hour away. If a worker is caught buried in a trench collapse in Ballarat, rescue equipment must come from Warrnambool, Wangaratta or Richmond. Every second—every minute—counts to save a life. This motion today calls on the government to rectify this terrible situation and to make sure this equipment is at a maximum only 25 minutes away. It comes after I met with Jack Brownlee's mother and the partner of Charlie Howkins. Both Jack and Charlie were killed in a tragic trench collapse at Delacombe in March of 2018. Jack was just 21 and Charlie only 34. Since then other workers have died, just as they did before, because the right rescue equipment operated by trained

personnel is just too far away. This motion is self-explanatory, it is common sense, it will save lives and it should be easy for all sides to support.

**Mr TARLAMIS** (South Eastern Metropolitan) (19:10): I move:

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

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

**Business interrupted pursuant to order of Council earlier this day.**

### Statements on reports, papers and petitions

#### CHILD SEXUAL ABUSE

##### *Community petition*

**Mr GRIMLEY** (Western Victoria) (19:11): Recently I tabled a change.org petition as a paper, with over 12 500 signatures. The e-petition is titled No Wrong Door and addresses the suboptimal approach we still have in Victoria in dealing with survivors of childhood sexual abuse. I thank members for providing me leave to table such an important document and, more specifically, for continuing to allow survivors and their loved ones a voice.

A ‘no wrong door’ approach is one where victim-survivors of childhood sexual assault are not turned away when they disclose their ordeals and are given more effective pathways for recovery. It is recommendation 9.1 of the Royal Commission into Institutional Responses to Child Sexual Abuse for an accessible, integrated model. The Victorian government’s submission to the Royal Commission into Victoria’s Mental Health System recommended:

... service reform initiatives indicate it is important that:

- intake into services is *person-centred*, with multiple entry points and a ‘no wrong door approach’.

Unfortunately this has been neither accepted nor implemented by Victoria—we do not know why—despite its success in New South Wales. Integrated health and care systems such as New South Wales’s integrated prevention and response to violence, abuse and neglect framework increase accessibility to specialist services for survivors and their families. This is done by creating safe, trauma-informed places for disclosure of abuse and means staff are trained to go beyond, ‘What’s wrong with you?’, to ask, ‘What happened to you?’. Staff can then provide or link people to specialist services as a ‘no wrong door’ for disclosure of sexual abuse. Increasing accessibility to trauma-informed services and supports for survivors will save lives and reduce pain and suffering for many Victorians, their families and the community. Integrated service systems also create significant economic benefits, should we even need to touch on the financial side of things.

In short, this petition asks the Victorian government to pilot the implementation of integrated service systems in two communities devastated by institutional child sexual abuse, those being the Ballarat and Bayside communities. The New South Wales model has been implemented with great results. In fact an interim review of the scheme showed that two-thirds of respondents participating in the new approach agreed or strongly agreed that their system integration had led to improvements in health and wellbeing outcomes. A full evaluation by NSW Health will be published in just a few weeks. Basically the New South Wales framework sits alongside others in the USA that are specifically integrated systems for forms of sexual abuse, domestic violence and other trauma.

The UK is leading the world in implementation of integrated systems of health and care at scale for all citizens, and now is the time for Victoria to do the right thing by victim-survivors of childhood abuse and implement this pilot. Karen, the principal petitioner, makes a great point that the very sensible push for national healthcare system reform could be partly addressed by primary prevention strategies earlier on. Learning from the UK is a no-brainer as they have proven it reduces the burden on the National Health Service, reduces cost and increases health and care outcomes. We need to learn

from the New South Wales framework, which can be integrated into a citizen model of integrated care. We need to learn from Victoria's own Better at Home initiative from the recent budget, which integrates allied health care and subacute services into a single service model.

We decided to table the signatures and names only, instead of the comments page, as there were quite a few recounts of traumatic abuse. I would like to reflect that this petition allowed many survivors to share their story. In some comments, people shared sympathies for lost loved ones, including 'In memory of my cousin, Trevor' and 'I love you Dad'. Others reflected on their own experience:

I need to find out why we had our innocence taken from us by convicted paedophiles being placed at Beaumaris primary

And also:

I also was a victim of institutional abuse

One of the comments really highlights my thinking when I first spoke to Karen. The comment is:

Why on earth is this not being dealt with? After a national Royal Commission!

This is a great question. I would like to thank Karen Walker for her incredibly tireless advocacy on behalf of not only her late brother Ian but her partner and all other survivors. Ian's story is one that I will not share here today due to timing, but I am sure members in this place can only assume the troubles he had after his abuse. This is where Karen's motivation and passion comes from. I would also like to thank the other survivors that my office and I spoke to in preparation for this petition to discuss this issue in more depth. You are the definition of 'brave'. Lastly, thanks to the 12 000 signatories who gave their name to a great cause. Know that I and Derryn Hinch's Justice Party are fully committed to supporting you throughout your journey. I commend this paper to the house.

## DEPARTMENT OF TREASURY AND FINANCE

### *Budget papers 2022–23*

**Ms LOVELL** (Northern Victoria) (19:16): I rise to speak on the budget 2022–23, which raises the budget for the housing portfolio. This week is national Homelessness Week, and we acknowledge the work that needs to be done in this region and the hard work that I did as Minister for Housing to actually improve issues surrounding homelessness. We drove down the number of people who were sleeping rough and made sure that they had places to live. We also started the very successful youth foyer program. But what we have seen under this government is a complete and utter failure. We have seen the number of homeless people who are sleeping rough increase, and even more importantly what we have seen with the social housing waiting list is an absolute explosion in the number of Victorians who are waiting for housing in this state. New data that has been released by the government shows that the waiting list has increased from 34 618 when we were in government to 55 097. That is a 60 per cent increase in the total new applications. But even worse than that is the priority housing list, which is those people who are homeless, who are escaping domestic violence, who are living with a disability and who have special housing needs. This has increased from 9990 in September 2014 to 30 669. That is more than triple the amount of people on the priority waiting list. Of those 30 669 applications—and I should say these are not people, these are households; these are families actually, 30 669 families—15 302, half of that list, are homeless, and yet this government is leaving them there to languish on the social housing waiting list. In fact the homelessness portion of that list has increased by 1150 families in the past 12 months alone and continues to increase.

The government bragged that they are building 12 000 new homes across the state, but of course when you have got 55 097 families on a housing waiting list, those 12 000 homes are not even going to house a quarter of them. In Shepparton, which we know has the state's highest homeless rate of 372 in a regional centre, the government are only building 130 properties. What is going to happen to the rest of the people on that list? Currently there are 2383 families who have nominated Shepparton as

their preferred location. With only 130 properties being built, that leaves 2253 families still languishing on that list.

This goes on right around country Victoria. There are 3069 families who have nominated Bendigo as their preferred location. The government have said they will build 120 new homes, but when you read the government's media release about that they acknowledge that 64 of them are actually replacement homes, so there are only 56 new homes. That leaves more than 3000 families languishing on the social housing waiting list. As I said, we do see that right across my region.

In Mildura, another important district in the Northern Victoria Region, there are 976 families who have nominated Mildura as their preferred location. There are around 115 homes, we think, being built in Mildura, but that still leaves 861 families without any hope of getting housed in Mildura. This is a real problem right throughout our state, and this government is not doing enough to address it.

The government actually said that they would build 25 per cent of these new homes in regional Victoria. The only problem with that is that more than 38 per cent of the families on the priority waiting list are actually waiting for homes in regional Victoria. So why is only 25 per cent of the investment going into regional Victoria when there are more people waiting for housing in regional Victoria than there are in metropolitan Melbourne? This is just not good enough. We have a new housing minister now. Hopefully he will do a far better job than the past housing minister, who I took over from when he was the former minister and there were 10 000 homes about to reach the end of their life span because he had not invested in maintenance—and that is happening again.

## OMBUDSMAN

### *Investigation into Complaint Handling in the Victorian Social Housing Sector*

**Mr BARTON** (Eastern Metropolitan) (19:21): I will be speaking on the *Investigation into Complaint Handling in the Victorian Social Housing Sector*. I rise to speak on the investigation into complaint handling. Housing is a human right. In Victoria social housing plays a critical role in ensuring that the most vulnerable have a roof over their head. Unfortunately it often falls short. Social housing is more than just providing shelter; it is essential to the dignity and wellbeing of a person. In Victoria's housing market more and more people are unable to afford private rents. This means a greater demand for social housing to shield people from homelessness.

This report was needed because repeatedly renters in public housing have reported a broken complaints system. They have been given the run-around, reporting constant delays and sometimes even an unwillingness to do anything. There are many stories in this report that speak to challenges for tenants in public housing, but one stood out to me as particularly distressing. Hannah lives in public housing and had raised multiple urgent maintenance issues. There was no electricity in her laundry or her kitchen. As a result, Hannah was forced to cook in the living room with an electric frying pan. Child protection became involved as her kids were not attending school, partly because Hannah could not wash their clothes. Despite Hannah filing complaints, nothing was done until her daughter was electrocuted. This is appalling.

Unfortunately when it comes to the flaws in the social housing system those most vulnerable in our community are the most affected and, as the Ombudsman pointed out, the least likely to complain. Complaints regarding public and community housing have increased consistently over the past five years. Even so, renters are reluctant to complain, fearing they might lose their homes or face other consequences. Others are unaware of their right to dispute decisions.

This report outlines just how complex, confusing, under-resourced, ineffective and inconsistent these complaint mechanisms are. It is damning. Demand for social housing is high. We have tens of thousands of people on waitlists and homes cannot be built quickly enough, but the Ombudsman has made some recommendations that will alleviate the daily stress on social housing tenants today. This report proposes a two-tiered system for all social housing complaints based on the principle of local



resolution and central escalation. Tier 1 is where the frontline housing staff continue to manage complaints but with more resources, support and training. Tier 2 would be a single external escalation point for the unresolved housing grievances. This would go to a new social housing ombudsman.

I absolutely support the recommendation for a social housing ombudsman. This would not just create a clear avenue for housing complaints but also significantly reduce VCAT's tenancy load. It is my understanding that the proposed social housing ombudsman could be established quickly and efficiently within the Victorian Ombudsman's office, which is already the ombudsman for public housing. Change cannot come quickly enough for these social housing tenants. These improvements are long overdue, and I urge the government to adopt the Ombudsman's recommendations. Social tenants deserve to be safe in their own homes.

### **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE**

#### *Review of pandemic orders*

**Ms CROZIER** (Southern Metropolitan) (19:25): I want to make some comments regarding the *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders* report conducted by the Pandemic Declaration Accountability and Oversight Committee, which I have been a member of. In this morning's proceedings around that I made the comment that there were findings throughout our inquiry that the orders were confusing for so many Victorians but also those working in the very critical areas of health, whether that be aged care or the acute health system. It was very confusing for those facilities, especially around visitors to hospitals and care facilities. What we know is the real devastation for people who were unable to see their loved ones as they were dying, not being able to spend time with them, and the impact for those families is still very significant, especially around people who were at the end of their life. It was very distressing that not everybody could spend the period of time that they could have or should have, considering what was happening in Victoria.

We also found that not only were the orders very confusing, but there were other profound impacts. I am talking about the mental health impacts. I spoke briefly on the elective surgery impacts this morning, which again I have just checked. The government still continues to refuse to release the number of Victorians on the elective surgery waitlist. It is around 90 000. Well, what is it? Why won't the government release this data? Why are they just keeping this stuff hidden from Victorians? It is a damn disgrace.

Again, what we found here were some of the very profound impacts to children especially, but also the alarming numbers of women fatally overdosing from alcohol. The biggest number on record occurred during the lockdown in 2020, and the highest number of overdoses where alcohol was the sole contributing drug occurred in women through lockdown. I heard this from pharmacy friends of mine who said they had never given out so many antidepressants to young women. Well, these are the impacts for so many Victorians and, of course, for schoolchildren—kids who had to do the remote learning. The lockdown impacts to young children of playgrounds being locked up—who will ever forget those images of playgrounds being taped up and the terrible, terrible burden that put on families who could not allow their toddlers to even play, to even have some time outside?

Of course the public housing towers were locked down, and we know that the Ombudsman found breaches in human rights. Also the border closures—really terrible decisions, I believe, to lock citizens out of their own state. The unbelievable heartache and the distress for those people who were fully vaccinated, double vaccinated, and could not even come back to Victoria to go to a medical appointment or be with a loved one who was dying—those mental health impacts and that trauma to those family members who have experienced these types of issues are still there.

We heard from Shadow Pandemic Victoria, who spoke of the huge group of parents and mothers—20 000 I think they have in their group—talking about the many, many issues for teenagers and kids that they were dealing with. These mental health impacts are going to be with people for a very long time. That is why we need a royal commission. That is why we need to see the government's response,

because the failures in this COVID response are many, and we know that through the disgraceful display by the Premier at the Coate inquiry—‘I can’t remember, I can’t recall’.

But I have to say that while we are waiting for a royal commission into this COVID response, while the pandemic declaration remains in place the chief health officer needs to come before that committee. He needs to come before the committee on a monthly basis. We have not seen the CHO since January. We have a pandemic declaration in place and the CHO is nowhere to be seen. What is more, the Labor Party members do not even turn up to committee meetings. I could say so much more, and I will next week.

### OMBUDSMAN

#### *Investigation into Complaint Handling in the Victorian Social Housing Sector*

**Dr RATNAM** (Northern Metropolitan) (19:30): I rise to speak to the report on the Ombudsman’s investigation into complaint handling in the Victorian social housing sector. It is apt that I have the opportunity to speak to this during Homelessness Week. It is a week to reflect on the dire state of housing in our state and to call on governments to develop a plan to end homelessness as a matter of urgency.

On any given night over 25 000 people experience homelessness in Victoria, and we have 125 000 people on the state waiting list for public housing. Yet not only aren’t we building the amount of housing we know is needed to end homelessness, as the Ombudsman’s report confirms, we are running our existing stock into the ground, with inadequate maintenance, and treating our public housing residents like second-class citizens. This investigation has been the result of years of advocacy by public housing residents, who have been demanding better from the state government, their landlord. I want to thank those residents who have contacted my office and the offices of my Greens colleagues when they have had nowhere else to turn. I also want to acknowledge the work of our electorate staff, who have worked tirelessly for years to support residents to get even the most basic of maintenance support from the department.

A good government would be a model landlord to its public housing tenants, but this report has highlighted what we have known for years: that this government is completely failing its public and social housing residents. Residents struggle to get basic maintenance requests met, safety fears are dismissed and too many concerns are delayed or ignored altogether. The report describes the complaint system as broken and as complex, confusing, under-resourced and in many places ineffective and inconsistent. It also points out that while the complaint system was broken across the board, for community housing tenants the system was particularly dire. The quality of the complaint system depended on the individual housing provider, and community housing tenants had few opportunities for escalation and even less certainty that they would have their complaints resolved.

I was pleased see the Ombudsman recommend a new social housing ombudsman to act as an external review point for all social housing complaints, public and community housing alike. Public housing residents have been calling for a new specialist public housing ombudsman for years, and the Greens have helped to amplify their advocacy, including by introducing a bill to create a public housing ombudsman back in 2020. I would encourage the new Minister for Housing to act on these recommendations as a matter of urgency.

I think it is quite stark that while the government was quick to respond to the Ombudsman’s joint investigation with the Independent Broad-based Anti-corruption Commission into Operation Watts and to accept all recommendations, it has been completely silent on the social housing complaints investigation. It is not surprising, though, as this government takes every opportunity to avoid criticism of its failure to act on our housing crisis, particularly its complete neglect of our public housing system and its steady privatisation of public housing.

We know that publicly owned, publicly managed housing is more affordable and more secure than community housing and that it offers its tenants greater protections. This is clearly demonstrated by this investigation, which found that while both the public and community housing complaint systems were inadequate, the latter was especially poor. If anything, this report should sound an alarm about what happens when you outsource what should be a core responsibility of governments.

Public housing residents are afforded some rights and protections through established legislation and regulations, but instead of doing the work to strengthen that framework and prevent the scenario that the Ombudsman uncovered, this government is going in the opposite direction and abandoning public housing in favour of community housing. It is embarking on a mass privatisation agenda, transferring public homes into private management and demolishing existing public housing estates to replace the homes with community housing and privately owned homes.

At estates like Barak Beacon, where the public homes are still in good condition and where residents have formed a tight-knit community, the decision to demolish the homes and evict residents makes little sense. The question now is: where will these residents go? The government wants them to enter community housing, but as the Ombudsman found, they would have even weaker protections and fewer rights than they would have as public housing residents. No wonder residents continue to tell me that they feel completely let down by this government.

Victoria is in a housing crisis. This government should be massively investing in our public housing system, creating tens of thousands of new public homes. That is the way we can create a Victoria where everyone has access to a safe and secure place to call home. That is the way we can end homelessness. I urge the government to heed the Ombudsman's recommendations immediately and invest in our public housing system.

#### **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE**

##### *Review of pandemic orders*

**Dr CUMMING** (Western Metropolitan) (19:35): I rise today to speak to the pandemic orders and the reports that were tabled today. It is quite insane actually. I was looking back at some of the contributions I made in this house last year around the pandemic orders—some of the pandemic orders such as lockdowns and curfews and not going near a playground or a sunset. They were last year's pandemic orders—exactly 12 months ago, when we were locked down for the sixth time in August—such as being locked down until we were mandated to have two doses and then the vaccinated economy that we were told during Christmas we absolutely needed, which ruined nearly everyone's Christmas. I was looking back at some of the contributions that I made last year arguing about the stupidity of some of these orders, which were things like square metreage and only 10 people at a funeral.

But these pandemic orders that we have now, during the middle of winter, are almost shambolic. They do not meet the community's expectations, and in lots of ways they are not truly representative of what the community actually wants. Currently the government will say that there are not any mandates, but it is quite clear that the vast majority out there are still mandated to have two vaccines before they can go to work. Some of the orders, as the report explains, were almost impossible to keep up with, almost impossible to understand, and created such a huge amount of mental strain that was unneeded. They could have been simplified. The health messaging could have been quite simple around washing your hands, keeping a safe distance and staying at home.

But within the printed orders we are still talking about quarantine and isolation, which we have not got right. Around the world, isolation has gone—it is virtually five days, if that, and checking your own RAT until you are healthy enough to go back into the community. Even now people do not understand, if they are COVID-positive, how to report it. Most people do not even report. They just do their own self-isolation. They do not even go through the rigmarole of reporting it, because there is no need to.

If we get to a point where we can realise that we can all live with COVID—COVID has been around forever—then we never need to actually quarantine healthy people. How about when you were quarantining for two weeks just because you crossed a border—healthy people, again. For some of these ludicrous pandemic orders or emergency orders that we have been living under for the last two years and we continue to have, when will this government let the community make their own health choices and health decisions? Why can't they leave the community alone to understand how to work with and live with COVID? I think we have all got to that point; I believe that we have all got to that point. But for whatever reason now, people are still being denied a GP if they are not vaccinated. They are still being denied medical care or treated like a second-rate citizen if they are unvaccinated, when they are actually going to hospital for a broken leg. It has become a ludicrous situation, and I want to know when the government will stop with the messaging.

I have been told by members of my community who have travelled overseas that they love going overseas because they do not even hear the word 'COVID'. It is only here in Australia that you are bashed over the head non-stop with the word 'COVID'. Go overseas—I have been told that people have gone to America or to Bali or to Europe and they do not even talk about COVID, but we are bombarded here on the news every day. We cannot stop talking about it. When will this government stop talking about COVID?

### Adjournment

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (19:40): I move:

That the house do now adjourn.

### FOOT-AND-MOUTH DISEASE

**Mrs McARTHUR** (Western Victoria) (19:40): (2021) My adjournment matter is for the Minister for Agriculture and concerns the catastrophic consequences an outbreak of foot-and-mouth disease would have for Victorian agriculture. I joined a protest in Colac last week where, with just 48 hours notice, hundreds of concerned people gathered to beg the federal and state governments to take the threat more seriously. Farmers are quite rightly concerned that the 260 weekly flights from Indonesia represent a real threat to their livelihoods.

I was intrigued to see a piece in yesterday's *West Australian* newspaper—an account from an MP of his briefing from that state's department of agriculture. He revealed that at least 10 per cent of travellers entering Australia from Indonesia are failing to declare prohibited foods in their luggage and that 30 undeclared items are found for every 300 that people declared. Worse still, he was told that officials are weighing the convenience of passengers above the need for absolute border security and are cutting corners to avoid long queues. At one point the arrival into Melbourne Airport of four planes from Indonesia, Minister, within a 90-minute period meant that not every bag was screened. It is a disgrace. How can this be good enough? Nobody wants long queues at the airport, but serious action needs to be taken to increase staffing resources, to reschedule flights and to reassess priorities. I sincerely hope the minister is doing everything in her power to persuade her federal colleagues that this is not just a niche issue but could see the decimation of one of our nation's biggest industries and the devastation of tens of thousands of farmers, let alone the animals that will be slaughtered.

As the minister certainly knows, farmers' livelihoods are utterly dependent on biosecurity. It is not a matter of choice; it is the difference between business and bankruptcy. Yet the Andrews government continues to roll out a scheme giving unlimited numbers of the public unchecked and unrecorded access to camp on licensed riverfrontage in Victoria. Even with perfect compliance, this access introduces serious biosecurity risks, and we all know that not everyone will behave properly. This represents an enormous hazard at any time, but given heightened present concern about the transmission of foot-and-mouth disease, failing to cut out this risk is surely utterly negligent. As farmers face ruin—the potential catastrophic reduction in incomes, the loss of their stock and of

centuries of genetic breeding—surely now is the time to suspend this scheme. So the action I seek from the minister is a thorough review of the biosecurity risks of extending the present access and a decision which demonstrates— *(Time expired)*

### HMS COLLECTIVE

**Mr MEDDICK** (Western Victoria) (19:43): (2022) My matter tonight is for the Minister for Health, and the action I seek is for the minister to meet with representatives of the HMS Collective community paramedics to see how this not-for-profit, community-based health service can support our health system, the hospital staff who are carrying the burden and the patients who have been until now missing out on skilled community-based health care.

This initiative was started by a registered paramedic and registered nurse. HMS fills a crucial gap in our health system by providing acute and chronic community-based health care. HMS Collective employ a highly skilled and under-utilised workforce of retired or unemployed paramedics and nurses to provide high-quality health care for people at home, keeping them out of ambulances and hospitals. The community health model is based on proven and successful models in Canada, the USA, Europe and the UK. This not-for-profit initiative provides a circuit-breaker in our health system, which is currently overwhelmed.

For many people who can be treated at home, an ambulance call-out or hospitalisation are currently their only options. These people then line the corridors of hospitals for hours because they are considered low-priority patients. Having rows of patients in hospitals who could have been successfully tended to in their own homes and communities also affects the mental health of hospital staff who do not have the capacity to look after them in our understaffed hospitals.

HMS Collective are led by registered paramedics and nurses, allied health professionals and support partners who are particularly skilled and experienced at working in out-of-hospital environments. I hope the minister will meet with representatives of HMS Collective to discuss the potential implementation of this highly successful model to help relieve the current pressures on our healthcare system.

### MELBOURNE MEDICALLY SUPERVISED INJECTING FACILITY

**Ms CROZIER** (Southern Metropolitan) (19:45): (2023) My adjournment matter this evening is for the Minister for Health, and it is in relation to the second injecting room and the refusal of the Andrews government to release the Lay report. Reports today—

**Mr Leane:** Scaremongering now?

**Ms CROZIER:** I take up the interjection. This is a serious issue. As we know, the amenity around North Richmond has been incredibly impacted. There has been drug dealing in the North Richmond injecting room by staff. There has been dealing in the schoolyard. There have been overdoses in the community. Children have had to put up with antisocial behaviour. There have been large amounts of drugs found outside houses just 100 metres from the school. This is a serious issue, and the government is planning a second injecting room. We know that because the sector is openly talking about it, but the government will not release the report. So it is not scaremongering, Mr Leane, it is a fact.

**Mr Leane** interjected.

**Ms CROZIER:** It is not scaremongering.

*Members interjecting.*

**The PRESIDENT:** Order! Ms Crozier to continue without interjection.

**Ms CROZIER:** I know this issue is very sensitive to Mr Leane and his government because of the ongoing secrecy of the government, which will not release this report. It was commissioned years ago.

It was due out 18 months ago, and yet today we have got the minister saying that she has not seen the report:

I'm not aware of the status of the report so I'm not in a position to make any commitments ...

But:

I've had a conversation with Ken Lay in relation to this review and we will continue to work with him and his findings ...

So which bit is it? This is absolutely the government again hiding the truth from Victorians, and I think Victorians are sick to death of this government obfuscating and denying what is going on. Why won't they release this report? Victorians deserve to understand where this second injecting room is going. That is what you are doing, because the sector are saying they are already working on the services that it is going to provide. Businesses in the CBD and residents who live in the CBD deserve to understand what the intentions of the government are now, not after an election. You are so arrogant. You will not release this report. It needs to be released. It needs to be released this week, not hidden—

**Dr Bach:** At least read by the minister.

**Ms CROZIER:** At least read by the minister—she has not read it. She is struggling in her portfolio, let us face it. So the action I seek from the minister is that this report be immediately released in the interests of transparency and for Victorians to understand where the second injecting room is going.

#### FAMILY VIOLENCE

**Ms MAXWELL** (Northern Victoria) (19:48): (2024) My adjournment is to the Minister for Prevention of Family Violence, and the action I seek is for the minister to update me on the government's response to my motion that passed the Legislative Council on 17 November 2021. This motion called on the government to review the legislative and procedural frameworks relating to coercive control and how our justice system utilises evidence of this behaviour to support victims and hold offenders to account. At the time of my motion I spoke of the heartbreaking murder of Hannah Clarke and her three children in Queensland in February 2020. I had the absolute privilege recently to meet with Sue and Lloyd Clarke, and I do not think my words can sufficiently express the level of respect and appreciation I have for them and their advocacy for change in memory of their daughter Hannah and their three grandchildren.

Over time I have spoken with many victims of family violence who consistently note coercive control as part of the pattern of abuse inflicted on them. We know that understanding the effect of coercively controlling behaviours on family violence not only fails to support victims of crime, it fails to protect them. When the full picture is not presented in court it impacts on sentencing, it affects community perceptions, it further traumatises victims and it ultimately denies justice. Incorporating coercive control into the broader context of violence helps to capture and present the true picture of a perpetrator's actions. It helps us understand risk, inform behaviour change, educate the public and support victims, and it should be used to hold offenders to account, particularly in our justice system. I am told that police can incorporate tendency evidence now into proceedings for some offences, such as burglary, so it baffles me why I continue to hear from victims that the full picture of coercive control is not being presented in evidence or is redacted from a victim's impact statement or seemingly disregarded in intervention order proceedings.

The Queensland task force that considered how best to legislate against coercive control came up with three recommendations. They did not shy away from recommending criminalising coercive control and have sought to proactively respond to concerns of unintended consequences. The New South Wales government has committed to criminalising coercive control in intimate partner relationships following their early consultation with stakeholders and New South Wales police. The New South Wales government has now released an exposure draft of legislation for public consultation.

As I said last November, whether coercive control or a course of conduct offence is introduced in Victoria or not, we can take steps to ensure that any evidence of coercive control is presented and considered, and it is something that the Victorian government simply must do now.

### YARRA RANGES PLANNING

**Ms BURNETT-WAKE** (Eastern Victoria) (19:51): (2025) My adjournment matter is directed to the Minister for Planning. The action that I seek is for the minister to intervene and amend what is considered a moderate risk under the erosion management overlay in the state planning scheme. I recently visited Natalie and Lee Guest at their block of land in Kalorama. Their home was destroyed in the 9 June storm last year, and they are now facing the very real prospect that they may not be able to rebuild on their own property. This is due to the state erosion management overlay. Because their Kalorama property falls within the erosion management overlay, Natalie and Lee were required to get a geotechnical assessment before applying for a planning permit. This geotechnical report concludes that the risk to the property has been assessed as moderate based on the rare one-in-100 000-year probability that the house will be destroyed by a landslide. Yes, you heard that correctly: a one-in-100 000-year probability of a landslide is being considered a moderate risk preventing a rebuild from occurring. The dormant volcano underneath Mount Dandenong has a higher risk of erupting. Yarra Ranges council has advised Natalie and Lee their planning permit is unlikely to be approved as this moderate risk does not comply with the current Victorian planning scheme. I have seen the geotechnical report, and it states:

... there is no greater risk associated with the developments onsite than were present prior to the storm damage ...

This means that there is no greater risk to a new build than there was to the previous home before it was destroyed. There were 76 homes destroyed in the Dandenongs during the 9 June storm, and many others suffered significant damage. If action is not taken, this erosion management overlay has the ability to prevent all of these home owners from rebuilding on their own land. I know there are at least 28 homes waiting to be rebuilt. This is another case of the bureaucracy making lives harder than they need to be. The fact that a one-in-100 000-year risk would be considered moderate is just completely nonsensical.

It should also be noted that back in November 2021 the Yarra Ranges council provided the Andrews government with a business case for storm recovery. Council predicted the influx of building permit applications and the required geotechnical reports. Council requested funds to undertake geotechnical assessments of all properties within the overlay that had homes lost in the storm. This was not agreed to by the state government. If council had been provided with the funds, residents of the Dandenongs would have known about this planning issue a long time ago. Instead they are finding out just now that their homes cannot be rebuilt.

The Minister for Planning has the power to expedite an amendment to the planning scheme to update the existing erosion management overlay to resolve this issue and amend what is considered a moderate risk. The minister can also call in a planning permit yet to be decided. I am calling on the minister to intervene to assist Natalie and Lee's case and to amend what is considered a moderate risk under the erosion management overlay before other residents are also prevented from rebuilding on their land.

### ST ALBANS LEISURE CENTRE

**Mr FINN** (Western Metropolitan) (19:55): (2026) I wish to raise a matter this evening for the attention of the Minister for Tourism, Sport and Major Events. The minister may be aware of the ongoing saga of the St Albans Leisure Centre, something that has got up the snout of many a person in the western suburbs for quite some years, because whilst the St Albans Leisure Centre has needed an upgrade—no, it has not needed an upgrade, its need is to be flattened and rebuilt—there has been very little money forthcoming from either federal or state government.

The Brimbank council have done a magnificent job in supporting the rebuilding of this particular centre. My good friend Cr Maria Kerr of Brimbank council has, with a number of others, started a campaign to raise \$10 million to build an outdoor pool at the St Albans Leisure Centre. It seems to me that that is a pretty reasonable sort of thing. Outdoor pools are the norm in the eastern suburbs, the southern suburbs or any of the suburbs where there are margins that could be overcome. That is what we are talking about here. We are talking about safe Labor seats being ignored yet again. This is a classic example of the ALP neglecting the west. Minister Leane over there frowns at me from behind his mask, but the fact of the matter is it is true. If you want to go out to St Albans and do a survey—you can do a survey too—go out to St Albans and ask a few people, and they will tell you exactly what they think of the Labor Party and how they treat them out there.

So what I am asking the minister to do is to provide the \$10 million that is necessary to build the outdoor pool, because we are hoping that by summer this year—it is fast approaching—we will have an outdoor pool so that people from St Albans and surrounds can go to the leisure centre and enjoy lazing around the pool on a sunny day, all slipped, slopped and slapped, of course, particularly slapped. The people that we are talking about are ones who enjoy a day at the pool, and I think it is absolutely imperative that the government come up with the money to ensure that people in St Albans and people in the areas surrounding St Albans in Brimbank are able to get to the pool and enjoy the outdoor pool this summer. If the government does not come up with the money, I doubt it will happen, and that would be a very, very sad thing indeed. So I ask the minister to come up with \$10 million for the people of St Albans.

#### ***WESTERN RAIL PLAN***

**Dr BACH** (Eastern Metropolitan) (19:58): (2027) The good punters of Brimbank will need some way to get to their new pool, and I would put forward to the house the idea that it would be jolly nice if they could get there on public transport. Mr Finn and I have not necessarily been colluding here; however, I am going to carry on with his theme. For so many years the people of Melbourne's west have been forgotten, have been overlooked, and I do agree, quite frankly, with the proposition Mr Finn has put forward that, of course, when you look at the margins in so many seats in the west, they are pretty big margins for the ALP. I spent the day a week and a half ago with the mayors of both Brimbank and Melton councils and also the senior leaderships of those councils talking about the *Western Rail Plan*. So my adjournment matter tonight is actually for the Minister for Transport Infrastructure, and the action that I seek from her is for her to provide a time line of the plan's development.

I had the great privilege and pleasure of spending an evening with the Deputy Premier last week. She and I addressed a transport forum. I want to thank the Metropolitan Transport Forum for putting this on at the town hall. The Lord Mayor officiated. Together we were asked so many questions about our plans for Melbourne's west, and the folks in that room, many of whom came from Melbourne's west, were not necessarily best pleased with the responses from the Deputy Premier about how highly she regards the *Western Rail Plan*. Questioner after questioner agreed with what was put to me by the mayors of Brimbank and Melton, which was that it is all very well for the government to say that the *Western Rail Plan* is a good thing, but when is it going to happen? Where is the funding? Where is the plan from the government to actually get this going?

There are so many elements of the *Western Rail Plan* that are incredibly meritorious in my view. There is the electrification of the rail lines out to Melton and to Wyndham Vale. There is Geelong fast rail and the airport rail link. Only the airport rail link has seen any progress whatsoever, and even then that progress has been minimal. Government is about priorities, and this government's priority is to forge ahead with a rail line from Cheltenham to Box Hill at an astronomical cost of \$34.5 billion. It just so happens to run through five marginal seats, but folks in growth corridors, folks in the outer suburbs, folks who cannot afford to live in the leafy inner east and the inner south-east have been forgotten for so long and have so few transport options. Well, this election may be the election when the very good folks of Brimbank and Melton decide to tell the government that it is high time that they were



remembered and it is high time that they were given access to the basic services that people Mr Leane and I represent have access to every day.

### LEVEL CROSSING REMOVALS

**Dr CUMMING** (Western Metropolitan) (20:01): (2028) My adjournment matter is for the Minister for Transport Infrastructure in the other place, and the action that I seek is for the minister to release the criteria and the officer recommendations used to prioritise level crossing removals. This matter has been raised with me by a constituent, Brian. In his own words:

For many months I've been determined to find out how the Andrews government determined which level crossings to remove as I am annoyed how they treated the people of Essendon and Moonee Ponds. They claim to have recorded and used metrics such as number of trains, number of vehicles using the crossing, proximity to schools etc. So I asked them for the data. They refused. I served an FOI ... they refused. I appealed to the Office of the Victorian Information Commissioner ... last October. They agreed with me and ruled that LXP had to hand over the data. The LXP has now, at taxpayers expense, taken it to VCAT.

Brian has been advised by VCAT that a preliminary hearing will take place in September but a full hearing will not be heard until after the election. He has simply asked the government to provide the information on how the level crossings have been selected. Brian initially approached the minister. In her response she advised:

The Victorian Government has adopted a framework for prioritising the removal of the level crossings. The framework assesses sites on safety, congestion, how level crossings divide communities and restrict access to local facilities, and the efficiency in removing sites ...

While the removal of every level crossing around Melbourne would be ideal, the Level Crossing Removal Project is focused on getting on with those that have been prioritised for removal. You can read more about the prioritisation framework on the LXP website at [levelcrossings.vic.gov.au](http://levelcrossings.vic.gov.au)

I looked at the website this afternoon, and the only thing that I could find was the following. 'How do you remove the crossings?' was one question.

It all depends on the site!

Each design solution is based on a range of factors that are specific to that level crossing, which are determined through extensive engineering assessments.

The government is purporting to be open about the criteria, stating that they are on the website. Well, they are not on the website, and they will not give the information to Brian. They are, rather, trying to suppress it through VCAT. Just hand it over. The commissioner told them to hand it over. I would have thought they would be happy to hand this over and prove that it is not a selective exercise. Please, where are my level crossings in the west?

### RED CLIFFS FOOTBALL NETBALL CLUB

**Ms LOVELL** (Northern Victoria) (20:04): (2029) My adjournment matter is directed to the Minister for Community Sport and concerns the redevelopment of the clubrooms and the change rooms at the Red Cliffs Football Netball Club. The action that I seek from the minister is for her to commit funding of \$575 000 to Mildura Rural City Council for the construction of an extension to the Red Cliffs Football Netball Club's clubrooms and their change rooms at Quandong Park to allow the club to provide adequate facilities for both their male and female players as well as their members and supporters.

The then Red Cliffs Football Club was founded in 1919 and joined the then Mildura and District Football League, which became the Sunraysia Football League after the Second World War. The Red Cliffs Tigers now field 12 netball teams and 10 football teams in the local competition, including the recently formed under-14 team for the youth girls football competition. The club's current clubrooms and change room facilities were built in 1955 and have had no significant redevelopments since their original construction. A redevelopment of Red Cliffs' facilities was included as a priority action in the Mildura Rural City Council's Quandong Park master plan, which was released in July 2020. During

the parliamentary break I visited the Red Cliffs Football Netball Club with the Liberal candidate for Mildura, Paul Matheson. With Red Cliffs being the Tigers of the Sunraysia league, I felt right at home, and it was great to meet club president Tony Marciano and vice-president Joe Pileggi to discuss the importance of this project. There is no doubt the redevelopment of the club's facilities is desperately needed, particularly with the increased popularity of girls and women's football at the club and the girls currently having nowhere to get changed for training on match days.

The redevelopment has been costed at \$1.5 million, with both council and the football netball club contributing funding to the project. Mildura Rural City Council is seeking a state government funding contribution of \$575 000 for the project, which will ensure the club will be able to properly cater for its growing female football program. I know that this redevelopment is an important issue for the entire township of Red Cliffs and for Paul Matheson, the Liberal candidate, who has asked me to raise this issue on his behalf. I urge the minister to support this grassroots country sporting club and provide the funding required.

### MILDURA PASSENGER RAIL SERVICES

**Mr QUILTY** (Northern Victoria) (20:06): (2030) My adjournment matter tonight is for the minister for transport. The new trains for the north-east line are, from all accounts, poised and waiting to run in a month or so's time when the track is fixed and the old N-class carriages have made their last runs to the border. But wait—are the N-class sets really done? We have another standard gauge line in north-west Victoria crying out for a train service; Mildura and the other towns on the Mildura line still wait for a train 29 years after services were cancelled.

We know from past questions that the government is really strongly opposed to passenger trains on the Mildura line—passionately opposed. I sometimes wonder if senior government members somehow suffered childhood trauma caused by Mildura trains. I am left wondering if the real issue with bringing back train services is an attempt by this government to palm off the Mildura line onto the Australian Rail Track Corporation, who do not want any passenger services cluttering up their freight lines.

We need to put aside the standard gauge carriages and locomotives from the north-east line for possible future use on the north-west lines. We know the Parliamentary Budget Office has said the Mildura train service can run as revenue positive rather than loss making. We should look at all the alternatives for running the trains. Perhaps the future Mildura rail service will not be provided by V/Line; perhaps instead a community based and funded company staffed with local train crews and not subject to public service restrictions will be able to fund and operate the rail service at a profit. Whatever the model, Mildura and the north-west need a passenger rail service, and we should not close the door on delivering this cheaply with the N-class standard gauge train sets from the north-east line.

Minister, the action I seek is for you to not dispose of the old N-class cars and engines in the coming months but instead mothball them for a future Mildura service. We can look at how to deliver that service going forward, but it is crucial that we do not slam the door shut. We need to keep future options on the table.

### TECHNICAL SCHOOLS

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (20:08): (2031) I wish to raise a matter for the attention of the Minister for Education in the other place, and it relates to the lack of availability of technical schools in Victoria. One of the many challenges Victoria and Australia face is a critical shortage of people in trade occupations, whether it is mechanical trades, building trades—across the suite of trade occupations. We for many years have not been attracting enough people into technical trades. We have seen the number of apprentices commencing and completing in Victoria plummet in recent years. In some fields or industries where people work in technical trades the workforce is ageing one year every year. As that population gets closer to retirement age we face a critical situation where large numbers of technical tradespeople in particular industries are going to retire and we are going to

have an absolutely critical shortage in various technical trades areas. This is across the board—in aviation trades, automotive trades, building trades.

One of the big problems is the pipeline of young people to commence apprenticeships, and one of the problems that has been highlighted there by businesses who seek to recruit young people into apprenticeships is that they are unable to attract, firstly, young people with exposure and interest in technical trades, but they are also unable to attract people who have any basic skills to make them usable by an employer. Yes, employers want apprentices, to train them, but they also need people with some basic skills, and it has been raised with me on a number of occasions now that in some areas and some fields—automotive, aviation—in seeking to recruit apprentices, it is impossible to attract young people with the most basic technical skills. The ability to pump up a tyre was cited as an example. The ability to use a drill and the ability to use a hacksaw are skills which are lacking in people seeking apprenticeships. The reason for this is the lack of technical education at a state level. In the 1990s technical schools were abolished under the Kirner government. We no longer have a technical stream of education, and therefore there is no longer an opportunity for people who have a technical inclination to pursue technical education at a secondary level and make themselves employable at the apprenticeship level.

The action I seek is for the Minister for Education to revisit the way in which technical education is provided at a secondary level in Victoria. What we have now, with a couple of so-called tech schools, is not working. We do not have a pipeline of people who are interested in going into apprenticeships. We do not have a pipeline of people who have the basic skills to start an apprenticeship. This is now a critical issue for this state, and it needs to be fixed quickly.

### UBER

**Mr BARTON** (Eastern Metropolitan) (20:11): (2032) My adjournment this evening is for the minister for transport. More than 124 000 confidential documents have been leaked to Britain's *Guardian* newspaper that outline Uber's aggressive and illegal tactics, which involve dodging police, undermining inept regulators and undisclosed meetings with politicians. None of this comes as a surprise to me. These documents reveal that Uber planned to spend \$90 million in 2016 on lobbying and public relations alone. Victorian taxidriviers recall that time well. 2016 was the year this government announced plans to legalise Uber, deregulate the taxi industry and decimate licence values. What a success that has been. The *Guardian* reported one Uber executive joking they had become pirates and also found that internal emails among staff referred to Uber's 'other than legal' status. This is Uber's playbook. The Uber files merely confirm what we already knew. Uber bulldozed its way into cities around the world with little regard to the taxi regulations while lobbying aggressively for those same laws or regulations to be changed to accommodate it.

The then regulator, Commercial Passenger Vehicles Victoria (CPVV), was played off a break. Despite Australian state laws requiring taxis and hire cars to obtain a licence prior to operating, Uber set up shop in Australia in 2014 without the required permits. Uber was able to operate illegally and did so without consequence while regulators were asleep behind the wheel. Taxi families lost everything. They could not compete against the illegal operator. The value of taxi licences was decimated. Homes were lost, superannuation disappeared and we pay the price to this day. If Uber, with its business approach, is the poster boy for the gig economy, we do not need it.

The whistleblower behind the leak, Mark MacGann, Uber's former chief lobbyist, believes Uber's senior executives knowingly sold people a lie about the economic benefits to drivers of the company's gig economy model. He said:

It is my duty to [now] speak up and help governments and parliamentarians right some fundamental wrongs. Morally, I had no choice in the matter.

The revelation of the Uber files is a timely call for a serious, considered evaluation of the way the local taxi and hire car industry was allowed to unravel. We cannot reverse the past, but we can repair it. As

in the case of Mr MacGann, time and reflection have brought this matter to the fore. So I ask the minister: will you conduct an independent inquiry into the role of our regulator, then known as CPVV, in allowing Uber to operate illegally in Melbourne from 2014 to 2017?

### RESPONSES

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (20:15): Tonight's adjournment debate has been an absolute pleasure. During the debate 12 members of this chamber have addressed 12 matters to nine different ministers, and I will ensure that those ministers receive these adjournment matters and they respond accordingly.

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (20:15): Can I just seek from Minister Leane follow-up on a matter I raised with the Attorney-General in late May relating to the government's publishing of the cabinet decision register as required under the Freedom of Information Act 1982. The Attorney-General was to follow that up, but I have not received a response from her.

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (20:16): Just to clarify, that was an adjournment matter?

**Mr Rich-Phillips**: Yes.

**Mr LEANE**: I will follow that up in the next day, Mr Rich-Phillips, to see where that is at.

**The PRESIDENT**: On that basis, the house stands adjourned.

**House adjourned 8.16 pm.**