

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**WEDNESDAY, 17 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
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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
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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 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, 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, Mr Fregon, Ms Sandell, Ms Staley and Ms Suleyman.

### 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 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**

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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	McIntosh, Mr Thomas Andrew <sup>9</sup>	Eastern Victoria	ALP
Bach, Dr Matthew <sup>1</sup>	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Meddick, Mr Andy	Western Victoria	AJP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Melhem, Mr Cesar	Western Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	Mikakos, Ms Jenny <sup>10</sup>	Northern Metropolitan	ALP
Burnett-Wake, Ms Cathrine <sup>2</sup>	Eastern Victoria	LP	O'Donohue, Mr Edward John <sup>11</sup>	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Dalidakis, Mr Philip <sup>3</sup>	Southern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Davis, Mr David McLean	Southern Metropolitan	LP	Quilty, Mr Timothy	Northern Victoria	LDP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Erdogan, Mr Enver <sup>4</sup>	Southern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas Christopher <sup>5</sup>	Western Metropolitan	DLP	Shing, Ms Harriet	Eastern Victoria	ALP
Garrett, Ms Jane Furneaux <sup>6</sup>	Eastern Victoria	ALP	Somyurek, Mr Adem <sup>12</sup>	South Eastern Metropolitan	Ind
Gepp, Mr Mark	Northern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Symes, Ms Jaclyn	Northern Victoria	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Tarlamis, Mr Lee <sup>13</sup>	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne <sup>7</sup>	South Eastern Metropolitan	ALP	Taylor, Ms Nina	Southern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Limbrick, Mr David <sup>8</sup>	South Eastern Metropolitan	LDP	Vaghela, Ms Kaushaliya Virjibhai <sup>14</sup>	Western Metropolitan	Ind
Lovell, Ms Wendy Ann	Northern Victoria	LP	Watt, Ms Sheena <sup>15</sup>	Northern Metropolitan	ALP
McArthur, Mrs Beverley	Western Victoria	LP	Wooldridge, Ms Mary Louise Newling <sup>16</sup>	Eastern Metropolitan	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> Appointed 18 August 2022

<sup>10</sup> Resigned 26 September 2020

<sup>11</sup> Resigned 1 December 2021

<sup>12</sup> ALP until 15 June 2020

<sup>13</sup> Appointed 23 April 2020

<sup>14</sup> ALP until 7 March 2022

<sup>15</sup> Appointed 13 October 2020

<sup>16</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



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**Wednesday, 17 August 2022**

**The PRESIDENT (Hon. N Elasmr) took the chair at 9.35 am and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The PRESIDENT (09:35):** 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.

**Petitions**

**Following petition presented to house:**

**ALBERT STREET, SEBASTOPOL**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that road upgrades along Albert Street in Sebastopol are causing excessive financial damage to businesses in the roadwork zone. Some incomes are down 75 per cent and a car wash has gone from 150 cars a day to just three. Vehicle and pedestrian access to business traders has been hugely limited. Water has been cut off on multiple occasions without warning, explanation or an apology. Other plants and equipment have been damaged during the roadworks.

These roadworks will continue for many months and businesses may not survive the financial burden.

The petitioners therefore request that the Legislative Council call on the Government to provide financial assistance to businesses impacted by the roadworks along Albert Street in Sebastopol, speed up the rate of works and ensure efficient communication is provided to businesses during the road construction.

**By Mrs McARTHUR (Western Victoria) (1392 signatures).**

**Laid on table.**

**Papers**

**PAPERS**

**Tabled by Clerk:**

Subordinate Legislation Act 1994—Documents under section 15 in respect of Statutory Rule No. 67.

**Business of the house**

**NOTICES**

**Notices of motion given.**

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

**Members statements**

**HEALTH SYSTEM**

**Ms BATH (Eastern Victoria) (09:41):** Regional Victorians deserve their fair share and a health system that works. The Nationals and Liberals will fix Victoria's health crisis. We have had eight long years of Labor's mismanagement and neglect. Before the pandemic Daniel Andrews provided the lowest funding of any state in the nation's history. Today surgery waitlists are at 87 000. Victorians are waiting in pain and in limbo for critical surgery. Seven out of 10 emergency calls to 000 are not being answered on time, and more than 35 people each and every day are stuck in emergency departments for more than 24 hours. Our first priority is to fix the health crisis. I congratulate Matthew

Guy and Peter Walsh for this immense contribution to rebuilding Victoria's health system and protecting us.

Our plans include shelving the \$34 billion Cheltenham to Box Hill rail line and reprioritising every cent to Victorians and how they need it. This rail line is the most expensive and yet unscrutinised in Victoria's history—indeed in Australia's history. We will construct and upgrade hospitals across regional Victoria, including in West Gippsland. We will attract and retain staff in our health system, and we will have a regional infrastructure guarantee. Twenty-five per cent of the population deserve 25 per cent of the infrastructure spend. We will do it when we are elected on 26 November.

### DONWOOD COMMUNITY AGED CARE SERVICES

**Ms TERPSTRA** (Eastern Metropolitan) (09:43): I rise to make a members statement today on a wonderful outing that I had with Minister Ingrid Stitt when we both visited the Donwood community aged care centre in Croydon. What was really special about this visit last week was that it was a pleasure not only to visit the Donwood community aged care centre but also to see the children from the Maroondah Pre-school visit the aged care home as part of their intergenerational program. What this meant was the children got to mix and interact with the elderly aged care residents, but they also got to practise their Auslan skills. Part of this intergenerational program has been running for three years, and every three weeks the children visit the community aged care home to share their new Auslan skills with residents and to teach them how to sign as well. So it was fabulous to be able to watch the children interact with the residents and then also to see both the children and the adults mirroring the Auslan signs that were being done.

Teacher Zee and her fantastic team of teachers and educators are doing an amazing job teaching our youngest learners important social and emotional skills. It is really good to see the children develop empathy and consideration and understanding of people with different needs, and at a young age it is so critically important. It was clear to see that everyone from the youngest participant to the oldest participant were all benefitting from spending time together. It was a wonderful thing, and I think we all really need to see more of those sorts of programs.

### TORQUAY RSL

**Mr MEDDICK** (Western Victoria) (09:44): I have been a resident of Torquay for over 32 years now, and one of the things I am most proud of is our Anzac Day dawn service. It is iconic and known around the world for being simply spectacular. It has been a credit to the RSL sub-branch that they have continued to run such an impressive event for so long, and I have been proud to march and take part in it since the passing of my father. Now it needs help. Safety issues have meant the event has had to be scaled back.

I was immensely pleased, not just as a local MP but as a full affiliate member of the RSL, to host the Honourable Shaun Leane, Minister for Veterans, at the sub-branch recently to discuss the options to restore the service to its former glory. I know that president Bob Tyler, secretary Daryll Topp and committee member Andy Badelow were chuffed to sit down with Minister Leane, and we all came away with a hope that with Minister Leane on board things will happen.

### HEALTH SYSTEM

**Ms CROZIER** (Southern Metropolitan) (09:45): I understand that the government, from their response to Ms Bath's excellent contribution in her members statement today, are very touchy about the announcement that we have made today. It is a clear priority of the Liberals and Nationals to fix Victoria's health system. There is a health crisis in this state that has never been seen in this state before, not like it is now.

**Ms Symes** interjected.

**Ms CROZIER:** The Leader of the Government interjects, but I say Victorians are dying. They cannot get through to 000. They cannot get ambulances. They cannot get elective surgery. They are dying and they have died, and this government has not been transparent about the facts of what is happening in this state. We need to rebuild Victoria's health system. We will rebuild those hospitals that have been neglected for years under Labor. They are crumbling. The infrastructure is crumbling. In some instances it is unsafe for both staff and patients. This government has neglected Victoria's health system for too long. Our priority is to fix Victoria's health crisis so that Victorians can get the health services that they deserve and they need. Unlike Labor, who want to put \$34.5 billion into a rail line from Cheltenham to Box Hill, we will reprioritise that money and put it into Victoria's health system, because Victorians deserve a health system that works. Victorians deserve a health system where they can get the care that they need when they need it, on time, and not die tragically waiting for services.

### **SOUTH MELBOURNE LIFE SAVING CLUB**

**Ms TAYLOR** (Southern Metropolitan) (09:47): I was very happy to be able to attend the South Melbourne Life Saving Club's presentation night. They presented a whole stream of awards—they had to catch up from 2021 to 2022. It was extraordinary. Can I call out Andy Graham, the president, and also Dinah Boswell, the outgoing president, for being so welcoming. I attended with Martin Foley. It was just overwhelming to think of the hundreds and hundreds of volunteer hours that these local community members put in for us, keeping everyone safe, including visitors, because apparently in our beautiful bay—it is glorious—when the sandbank hits the open water that can be a trap and people do not recognise that disparity there. These wonderful, wonderful volunteers give so much time, and they have to be so precise with their training to make sure that when they go out in the water they can do the job they set out to do. I was just so inspired by the teamwork and the collectiveness. And also in all weather—you know Melbourne weather is a shocker; we have some beautiful days, but we have some pretty cold and bitter ones—rain, hail or shine, they are out there for us. I was so proud and so happy to be there. What a great inspiration to everyone else in the community. Thank you to those volunteers, and keep up the great work.

### **CHILD SEX OFFENDERS**

**Mr GRIMLEY** (Western Victoria) (09:48): I rise today to reaffirm Derryn Hinch's Justice Party's commitment to a public child sex offender register. This was the impetus for the formation of the party. Who can forget Derryn's infamous jail time for breaching suppression orders by naming a paedophile priest and convicted child rapist who was still running camps for children in Victoria and sexually assaulting them while Derryn was getting locked up. He took this drastic action because many others, including religious leaders, had failed to protect children in the community.

Unlike other violent crimes, sexual offences frequently result in suppression orders. These suppression orders are frequently introduced under the guise of protecting the victim, but they are actually intended to protect the identity of the offender. We continue to urge the state government to pass legislation establishing a full public sex offender registry as soon as possible or, at the very least, investigate the establishment of a limited disclosure scheme as recommended by the sex offences inquiry which I initiated. Sexual predators rely on anonymity. We need to be doing all we can to protect children from these creatures, and a public registry is just one weapon that we should be using. Now is the time to step up. Now is the time to protect our most vulnerable. Derryn Hinch's Justice Party will continue to support and protect the children of this state now and into the future.

### **AUSTRALIAN SPORTS TECHNOLOGIES NETWORK**

**Dr KIEU** (South Eastern Metropolitan) (09:50): The Australian Sports Technologies Network supporting the growth of our sports tech industry here in Victoria is fantastic. I was honoured to join them in celebrating their 10th anniversary last month on behalf of Minister Jaala Pulford. The launch of the *ASTN Sports Innovation Report 2022* highlighted that Victoria is and continues to be a leader in sports innovation and technology. We are the home of more sports tech businesses than any other

state or territory in Australia. The sector is generating \$655 million in Victoria, almost half of the total amount generated across Australia. I am proud to be a member of the government that supported the Australian Sports Technologies Network with \$4 million to establish their thriving centre of excellence based in Cremorne. Congratulations to ASTN for their phenomenal growth in the last 10 years, and best wishes for the next 10.

### EDUTECH CONFERENCE

**Dr KIEU:** On another matter, last week I spoke at the EduTECH conference at the Melbourne Convention and Exhibition Centre in my capacity as Victoria's inaugural STEM education ambassador and gave an in-depth presentation on promoting STEM education across Victoria and beyond. The conference, which is the largest of its kind in the Asia-Pacific region, exposed Victorian educators to the most recent developments in international education as presented by scholars— (*Time expired*)

### MOON LEE TAE KWON DO

**Mr LIMBRICK** (South Eastern Metropolitan) (09:51): Last week I met with the owners of the fantastic Moon Lee Tae Kwon Do martial arts centre in Dandenong. Even though people could have socially distanced in their large gym, they were forced to close for the best part of two years. Now that people with COVID are allowed to compete at the Commonwealth Games, all of this seems crazy. Only a few months ago, you will remember, Novak Djokovic was made to feel like a leper and excluded from Australia even though he was perfectly healthy. Although their business is open again, the impact of the pandemic is not over for them. Their business depends on word of mouth, which was disrupted for two years. In addition, many people have been slow to return to their old habits and seem to be afraid to go out. They told me about three major things that they want from government: operating certainty, less red tape and cheaper energy. In other words, they just want to be left alone to do business. Unfortunately governments of all kinds are failing at this simple task.

### RSPCA CUPCAKE DAY

**Mr BARTON** (Eastern Metropolitan) (09:52): This week is RSPCA Cupcake Day. Mr Meddick has made us all aware of our obligations to our companion animals in this place. The RSPCA does incredible work. They are an independent charity that provides animal care and protection services across Australia. Cupcake Day is a great opportunity to bake and fundraise to support the RSPCA. It is not just limited to cupcakes; you can make brownies, slices and quiches—I am not sure if I eat quiche. Just this very week my old golden retriever, Benny, had to have surgery—

**A member:** After eating cupcakes?

**Mr BARTON:** No, but it reminded me of the fantastic support from our local vets. Animals are such an important part of our lives. The RSPCA saves so many animals each year and helps to provide them with a loving family of their own. You can sign up to their website and get baking for a good cause.

### INDEPENDENT MEDIA

**Dr CUMMING** (Western Metropolitan) (09:53): I just want to actually thank the independent media and the independent press. I have always said that it is most important during these times. The importance of a free and open press is a fundamental foundation of our democracy, and the reporters actually give the community transparency and accountability in our public institutions without fear or favour. During the last couple of years, especially during COVID, we have seen a lot of live streamers, and I must say that they were vitally important in making sure that the community knew what was going on—people such as Cafe Locked Out, who actually did live interviews; the Real Rukshan, who actually attended protests; Discernable; Avi Yemini and Rebel News and his live streaming; Voice for Victoria; and the *Westsider* newspaper, which is in my area in Western Metropolitan Region. There are many other small-time bloggers and reporters that live stream, such as Mel B and Emily—I could

go on and on. I just want to thank them for allowing the community to see what was going on during the last two years. This is going to be the way of the future.

### Bills

#### LAND AMENDMENT (ACCESSING LICENSED WATER FRONTAGES) BILL 2022

##### *Statement of compatibility*

**Ms BATH** (Eastern Victoria) (09:55): 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 (Charter), I make this Statement of Compatibility with respect to the *Land Amendment (Accessing Licensed Water Frontages) Bill 2022*.

In my opinion, the *Land Amendment (Accessing Licensed Water Frontages) Bill 2022* (Bill), as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

##### Overview of the Bill

The Bill amends the *Land Act 1958* to control access to and camping on licensed water frontages to protect Victoria against threats to the state's biosecurity, public safety and/or animal welfare, such as the current threat of foot-and-mouth disease (FMD), and the Bill amends the *Livestock Management Act 2010* to provide for biosecurity management plans (BMPs) on licensed water frontage.

##### Human Rights Issues

The human rights under the Charter that are relevant to the Bill are the right to freedom of movement (section 12), and the right to privacy and reputation (section 13).

##### Controlling access to and camping on licensed water frontages

Clause 3 inserts provisions into the *Land Act 1958* related to the requirement that a person receives permission to camp on licensed water frontages from the licensee and to provide the Minister with the power to restrict or prohibit public access to and camping on any licensed water frontage land if the Minister reasonably believes that it is necessary to do so in the interest of biosecurity, public safety, and/or animal welfare.

The prescribing of measures that prohibit or regulate entry, such as by requiring express permission to access land or having that access further restricted by Ministerial declaration, engages with the rights to freedom of movement and privacy in the Charter.

##### Biosecurity Management Plans and licensed water frontages

Clause 4 repeals a provision in the *Livestock Management Act 2010* that currently restricts biosecurity management plans (BMPs) from operating on licensed water frontages. This will allow for BMPs to be created and operated on licensed water frontages, with the contents of these BMPs provided for in the existing *Livestock Management Act 2010* and related regulations. Regulations may need to be reviewed and updated to ensure BMPs can apply to the specific circumstances that relate to licensed water frontages.

The expansion of measures (such as BMPs) that prohibit or regulate entry, such as by requiring a person to provide identification or record information relating to entering or remaining in a premises, engages the rights to freedom of movement and privacy in the Charter.

##### Right to freedom of movement (section 12)

Under section 12 of the Charter, every person lawfully within Victoria has the right to move freely within Victoria, and to enter and leave Victoria, and has the freedom to choose where to live. The right includes freedom from physical and procedural barriers, such as notification or authorisation requirements, or reporting obligations relating to movement. However, the right does not extend to a freedom of access to all places, such as another person's private property.

This right may be engaged under the Bill with the expansion of prescribed biosecurity measures to licensed water frontages, the new requirement to receive the licensee's permission to camp on that land, and the introduction of Ministerial discretion in relation to prohibiting or restricting access to that land in particular circumstances. However, in my view, that right is not limited under the Bill as any interference with this right would occur in circumstances where a person is entering a premises conducting a regulated activity, and thus voluntarily assumes the conditions and special duties that apply to entry to such a place, or would occur in extraordinary circumstances such that any engagement with this right is proportionate against considerations related to threats to Victoria's biosecurity, public safety and/or animal welfare.

The purpose of BMPs is to manage biosecurity risks on agriculture premises, including those posed by persons entering the premises without consent. Such unauthorised access can lead to feed tampering, the release of animals and the compromising of animal security. This can increase the introduction and spread of disease, negatively impact on animal and human health, and compromise a livestock manager's industry accreditation and market access. Extending the protection of BMPs to the context of water frontage land will ensure that this existing measure can be applied to a livestock manager's entire property and in the context of their licensed water frontage land.

This Bill only prohibits or limits access to these lands in two limited and proportional ways that are an extension of existing legislative frameworks. Firstly, the requirement to receive permission from a licensee before camping on their licensed water frontages is a provision that will provide landholders with greater oversight of movement on their properties and around their livestock, providing greater access to information that relates to protecting their property's biosecurity. Secondly, the Ministerial discretion to prohibit or limit access to or camping on that land will only occur when the Minister believes there is an exceptional reason to do so to protect biosecurity, public safety and/or animal welfare in Victoria.

With an incursion and outbreak of a disease like foot-and-mouth-disease (FMD) having the potential to immediately decimate our livestock industry for a prolonged period, and with FMD spreading across livestock in Indonesia for the first time since it was declared free of the disease in 1990, there are real and serious threats to our biosecurity that the Victorian Government should be empowered to take reasonable measures to mitigate against.

As such, I do not consider the right to freedom of movement to be limited in these contexts.

#### Right to privacy (section 13)

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

The imposition of expanded prescribed biosecurity measures and the requirement to receive a licensee's permission before camping on licensed water frontages engage with the right to privacy. They do so to the extent that these provisions may require visitors to provide identification or other information to access a licensed water frontage. However, the purpose of requiring that permission and BMPs is to manage biosecurity risks on agricultural premises, including those posed by persons entering the premises without consent. Any engagement with the right would occur in circumstances where a person is entering a premises conducting a regulated activity, and thus voluntarily assumes the conditions and special duties that apply to entry to such a place. This engagement with the right to privacy is neither unlawful nor arbitrary. It has a clear and reasonable purpose that is proportionate with the risks posed by diseases like FMD.

In light of the above, I consider that these amendments do not arbitrarily or unlawfully interfere with the right to privacy.

#### Conclusion

Overall, I consider that the amendments within the *Land Amendment (Accessing Licensed Water Frontages) Bill 2022* are compatible with the Charter.

**Ms Melina Bath MP**

Member for Eastern Victoria

#### *Second reading*

**Ms BATH** (Eastern Victoria) (09:56): I move:

That the bill be now read a second time.

In 2020, this place passed the Andrews Labor government's Parks and Crown Land Legislation Amendment Bill 2019. One effect of this bill was to amend section 401A of the Land Act 1958 to expand public access to licensed waterfrontages to allow camping.

This change has been subject to such controversy in affected communities, and the Liberals and Nationals opposed that provision in the government's legislation in light of the risks posed to the biosecurity of licence-holders and Victoria more generally. Those risks included opportunities for disease to spread through soil and other materials that campers may carry in on the soles of their shoes and in other objects.

Licence-holders have been given permission from the Victorian government to use these waterfrontages for particular purposes that often relate to the housing of their livestock. By allowing the public to access licensed waterfront camping without any safeguards that are proportionate to the risk to biosecurity they cause, the government is putting the entire Victorian and Australian agriculture industry at risk.

Compounding these risks to Victoria's biosecurity has been the government's decision to render biosecurity management plans, or BMPs, inoperable on licensed waterfrontages in the Livestock Management Amendment (Animal Activism) Bill 2021. While the introduction of BMPs and the offences for breaching BMPs are welcome, and indeed we have pushed very hard for those for Victorian farmers, the exclusion of a part of a farmer's land—their licensed waterfrontage—leaves a glaring vulnerability in their preparations against potential diseases and other biosecurity threats.

These issues are back in the spotlight with Indonesia informing the federal Australian government's Department of Agriculture, Fisheries and Forestry of an outbreak of the deadly foot-and-mouth disease (FMD) in East Java on 9 May 2022. This outbreak continues to spread rapidly with official cases now approaching 500 000, though actual case numbers are likely to be much higher considering that reporting is assumed to be low.

Australia has been free of FMD since 1872. Until now, FMD had also not been on Australia's or Victoria's doorstep since Indonesia was recognised by the World Organisation for Animal Health as free from the disease since 1986.

Australia's agriculture industry is worth \$80 billion a year to the national economy and a large multistate FMD outbreak could cause estimated revenue losses of up to \$52 billion over 10 years. The CSIRO predicts that even a 'small, contained' outbreak in Victoria would see our state's economy take a \$5 billion to \$6 billion hit alone.

This bill—the Land Amendment (Accessing Licensed Water Frontages) Bill 2022—amends two acts to ensure that Victoria is better prepared in the event of an incursion of FMD, or another biosecurity threat. The bill amends the Land Act 1958 to control access to and camping on licensed waterfrontages in response to potential FMD outbreaks or other biosecurity, public safety or animal welfare risks. The bill also amends the Livestock Management Act 2010 to allow BMPs to operate on licensed waterfrontages.

The bill inserts provisions into the Land Act 1958, including new section 401B to require campers to obtain the permission of a licensee before they camp on licensed waterfrontage. Contravening this provision carries a penalty of 10 penalty units. New section 401C provides the minister with the ability to restrict or prohibit access to licensed waterfrontage if the minister reasonably believes that it is necessary to restrict or prohibit public access in the interests of biosecurity, public safety, and/or animal welfare. The minister may do so on the advice of the chief veterinary officer or at the minister's discretion.

In relation to the Livestock Management Act 2010, the bill repeals section 21B(3)(a) in order to allow for licensees to operate a BMP on their licensed waterfrontage. Under the legislative framework of BMPs, associated requirements will be prescribed under the Livestock Management Regulations.

Licensed waterfrontages are Crown land, but they are also the site of livestock activities and must be afforded the proportionate protections to ensure Victoria's biosecurity is protected.

This bill and its passage will allow the government to better fulfil its responsibility to have effective measures in place to manage and respond to serious biosecurity risks and, in doing so, provide additional and necessary protections to local communities and local industries.

I commend the bill to the house.

**Mr TARLAMIS** (South Eastern Metropolitan) (10:02): I move:

That debate on this bill be adjourned for two weeks.

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

**ENERGY LEGISLATION AMENDMENT (TRANSITION FROM COAL) BILL 2022**

*Statement of compatibility*

**Dr RATNAM** (Northern Metropolitan) (10:03): 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 Energy Legislation Amendment (Transition from Coal) Bill 2022.

In my opinion, the bill, as introduced to the Legislative Council, is compatible with, promotes, and strengthens, the human rights protected by the Charter.

I base my opinion on the reasons outlined in this statement

Overview of bill

The purposes of this bill are to amend the Environment Protection Act 2017 to prohibit the issue of licences to engage in thermal coal activity and revoke authorisations to engage in thermal coal activity under a licence; and to amend the Renewable Energy (Jobs and Investment) Act 2017 to increase the state renewable energy target to 100% by 2030.

Human rights issues

In my opinion, the human rights protected by the Charter that are relevant to the bill are:

- The right to life (section 9)
- Property rights (section 20)

The right to life (section 9)

Section 9 of the Charter provides that every person has the right to life and has the right not to be arbitrarily deprived of life.

Climate change poses a real and present threat to life in Victoria. Lives are already being tragically lost in climate-fuelled extreme weather events including fires, floods and heat waves. Without urgent action to eliminate greenhouse gas pollution, Victoria faces catastrophic warming of up to 3–4 degrees celsius. These temperatures would cause extensive loss of life.

By setting a legislated end date to coal burning in Victoria, our state's single biggest source of greenhouse gas emissions and climate pollution, this Bill promotes the right to life by limiting future catastrophic warming and its consequences.

Property rights (section 20)

Section 20 of the Charter provides that a person must not be deprived of his or her property other than in accordance with law.

By ending greenhouse gas emissions from coal burning at 2030, this Bill promotes the right to property by reducing the impacts of increasing global temperatures and extreme weather events on property.

By preventing coal burning after 2030, this Bill may impact licences of energy companies to mine and burn coal, which are a form of property. However, to the extent that the Bill may cause a deprivation of property, I consider that any deprivation is permitted because it is expressly and clearly authorised by the Bill.

For these reasons I consider that the Bill is compatible with the Charter.

*Second reading*

**Dr RATNAM** (Northern Metropolitan) (10:03): I move:

That the bill be now read a second time.

The climate crisis is here, right now.

Europe is experiencing a summer of deadly heatwaves and crippling droughts.



Rivers in France are drying up.

In India, temperatures have soared to a scorching 49 degrees Celsius.

Flooding in Bangladesh has caused hundreds of tragic deaths.

The US is on fire at a scale never seen before.

And closer to home, parts of New South Wales are under water, again.

All of this is what the world is experiencing in one year, at 'just' one degree of warming.

Yet the world is on track to heat by 3 to 4 degrees Celsius.

This would be nothing short of catastrophic.

While the climate crisis is truly terrifying, there is also hope.

The problem we face is known.

The solutions and technologies we need already exist.

What we need is leadership.

Burning coal and gas is the single biggest cause of the climate crisis.

Here in Victoria, we still get two-thirds of our electricity from burning the world's most polluting coal, brown coal, in the Latrobe Valley.

Coal is our state's single biggest source of climate pollution.

Leadership on climate means ending coal and replacing it with clean, renewable energy.

On behalf of the Greens, I'm proud to introduce this bill today to do exactly that.

This bill sets a certain end date for coal burning in Victoria of 2030. It amends the Environment Protection Act 2017 such that all existing thermal coal activity will cease by 2030, and no new thermal coal activity can occur after this point.

The bill defines 'thermal coal activity' as establishing, expanding, operating or modifying a coalmine or a coal-fired power station. Handling, stockpiling, processing or transporting coal is also captured by the definition, as is using coal for making hydrogen. The reality is coal has to stay in the ground from 2030.

The bill provides that where the Environment Protection Authority has given a licence for thermal coal activity past 2030, such a licence will be revoked. From an abundance of caution the bill also provides no compensation is payable to anyone as a result of a licence not being given or extended or revoked.

In addition, this bill also amends the Renewable Energy (Jobs and Investment) Act 2017 to increase Victoria's renewable energy target to 100 per cent by 2030.

I'm excited to introduce this bill today.

Victoria can and must be going further and faster on climate action, and this bill sets the legislative framework for doing so.

I'm equally excited to announce this bill alongside a comprehensive policy plan from the Greens that outlines in detail how Victoria can transition from coal to renewables by 2030.

No-one expects the Loy Yang plants to last into the 2040s, or that Yallourn will really last until 2028.

Yet by refusing to plan coal closure, Labor and the Liberals are leaving workers and the community at the mercy of corporate boardrooms and coal billionaires, who will abandon them when coal is no longer profitable.

The Greens are the only party right now being honest about the imminent closure of coal power plants.

We are the only party outlining clear closure dates, in line with climate science, that also provide much-needed certainty to workers, the community and renewable energy investors.

While the bill sets an end date for coal of 2030, our plan spells out closure dates for Victoria's remaining coal plants: Yallourn, 2024; Loy Yang, 2027; and Loy Yang B, 2030.

The Greens are the only party with a plan to ensure coal workers and the Latrobe Valley community are supported through coal closures.

We are proposing a job guarantee for coal workers to ensure no-one is worse off as a result of taking the climate action we must.

The Greens are also proposing secure, long-term funding for an independent Latrobe Valley Authority out to 2035, to oversee a community-led economic transition for the region.

There is so much potential for the Latrobe Valley beyond coal. There are huge opportunities for new jobs in offshore wind, clean manufacturing and mine rehabilitation. The Greens plan provides the funding certainty and independence the Latrobe Valley Authority needs to realise this potential.

And when it comes to replacing coal with 100 per cent renewable energy, the great news is that it's absolutely achievable.

Scotland has made it, so have the ACT and Tasmania. South Australia is on track to meet its renewables target of 100 per cent by 2030.

So what does Victoria need?

Right now we're about one-third powered by renewables, and credit to the current Labor government for laying this solid foundation.

Now we need to scale up and go further and faster.

That means more rooftop solar, more solar and wind across the state, and realising the huge potential of offshore wind.

It means batteries and storage of all shapes and sizes—big batteries, community batteries, household batteries, pumped hydro and electric vehicles as batteries.

And it means upgrading our grid so it's fit for the 21st century. We need new transmission lines, virtual power plants, micro grids and large industrial energy users balancing out our grid.

It's critical that we bring communities on this journey with us and that we safeguard the environment along the way.

But if we can get this right, Victoria's renewable energy transition will deliver huge benefits to all Victorians.

With a combination of private and public investment, we can begin to bring the energy system back into public hands.

We can create tens of thousands of jobs and bring down bills, all while protecting us from the climate crisis of course.

So let's do it. Let's replace coal, get to 100 per cent renewables and support workers and communities along the way.

I look forward to support from all representatives here when we debate this bill in September.

I commend this bill to the house.

**Mr TARLAMIS** (South Eastern Metropolitan) (10:09): I move:

That debate on this bill be adjourned for two weeks.

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

**INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION AMENDMENT  
(RESTORATION OF POWERS) BILL 2022**

*Statement of compatibility*

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (10:10): I lay on the table the 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 Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter.

I note that this Bill, the Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022, restores powers to the Independent Broad-based Anti-corruption Commission that were removed by the Parliament in 2019. To the extent that these restored powers mirror precisely powers that were removed, I would argue that the Bill and its impact on Charter rights is consistent with the earlier arrangements that were accepted by the Parliament.

It is my view that sufficient protections exist to protect Charter rights consistent with the objectives of the IBAC in rooting out corruption and ensuring clean government and that public money is not wasted or squandered through corrupt practices.

The IBAC has been shown to exercise its powers responsibly and with an awareness of the relevant rights.

David Davis MP  
17 August 2022

*Second reading*

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (10:10): I move:

That the bill be now read a second time.

The Andrews Labor government is embroiled in a series of corruption and maladministration crises: the red shirts rorts, the corrupt behaviour of transport agencies and the crooked issues with multicultural grants being squandered on factional and party-political objectives.

This bill restores certain critical examination powers to the Independent Broad-based Anti-corruption Commission stripped from the agency by Daniel Andrews and the Andrews Labor government in 2019.

It has become clear that stripping the commission of key powers to hold public hearings was a defensive move by Daniel Andrews and his government to close down future or forthcoming examination of Andrews Labor government ministers by IBAC.

The litany of corrupt activity is long.

This bill, in essence, restores the power of the commission to hold public hearings. Clause 4 of the bill repeals sections 117(1)(c) and (d). This has the effect of repealing from the principal act the requirement for an IBAC examination not to be open to the public unless the IBAC considers on reasonable grounds a public examination can be held without causing unreasonable damage to a person's reputation, safety or wellbeing; the conduct that is the subject of an investigation may

constitute serious corrupt conduct; or systemic corrupt conduct; or serious police personnel misconduct; or systemic police personnel misconduct.

Section 117(3A)(a) of the principal act is also repealed. This has the effect of repealing the requirement that, if the IBAC holds an examination in public, the IBAC may hold any part of the examination in private on application by a person attending the examination in accordance with a witness summons or a person authorised by the IBAC under section 119A to appear at the public examination. Also repealed is section 117(3B), the requirement that in deciding whether or not to hold any part of the examination in private, the IBAC may have regard to whether it is in the public interest to keep that part of the examination open to the public, and whether holding the examination in private is necessary to prevent unreasonable damage to a person's reputation, safety or wellbeing.

Also repealed is the section 117(4) requirement, the factors the IBAC may take into account in determining whether or not it is in the public interest to hold a public examination or part of an examination open to the public, as applicable.

Also repealed is the section 117(5A) requirement that the IBAC must not make a public announcement of its intention to hold a public examination for the purposes of an investigation unless the IBAC has notified the inspectorate of its intention to do so.

Clause 5 repeals section 162A of the principal act. This has the effect of repealing the requirement that, if the IBAC proposes to transmit a report to Parliament under section 162, the IBAC must give an advance copy of the report to the minister and the Secretary to the Department of Premier and Cabinet at least one business day before the report is due to be transmitted to the Parliament.

With respect to persons who receive reports or information prior to publication, clause 6 of the bill omits the provision of an advanced copy of a report under section 162(A).

Section 166(2)(ca) of the principal act is repealed. This has the effect of repealing the ability of the Secretary to the Department of Premier and Cabinet to disclose an advance copy of an IBAC report to relevant officers of the Department of Premier and Cabinet.

The community expects IBAC to be able to undertake its work without being unnecessarily impeded or hindered, and it has become clear that the recent changes preventing open hearings, or at a minimum making open hearings much more difficult, has had the effect of weakening IBAC and protecting certain wrongdoers.

The Premier has become a frequent flyer at IBAC, appearing twice, perhaps three times, in the recent period. It is not known whether the Premier's visits and questioning at IBAC are as a mere witness or as a person of specific and targeted interest.

What has become clear is that in other jurisdictions many hearings held in public would be held in private in Victoria. This has had the effect of diminishing public scrutiny of IBAC hearings and processes. It was always understood one of the key functions of IBAC hearings was an educative function and a transparency function.

With these changes IBAC will retain the ability to hold hearings in private where this is appropriate. This restoration of powers bill corrects a weakening of IBAC, driven by the Andrews Labor government's desire to shield itself from hearings and public scrutiny.

I commend the bill to the house.

**Mr TARLAMIS** (South Eastern Metropolitan) (10:15): 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***Second reading***Debate resumed on motion of Ms PATTEN:**

That the bill be now read a second time.

**Ms TAYLOR** (Southern Metropolitan) (10:16): This is the Health Legislation Amendment (Conscientious Objection) Bill 2012—just for clarity. The legislation allows a clinician to hold a conscientious objection. However, it also enshrines an obligation to refer a pregnant person seeking termination of pregnancy care to appropriate services. The current legislation does not enshrine any institutional conscientious objection to providing termination or contraceptive health treatment. People receiving treatment at denominational hospitals who may require access to termination of pregnancy or contraception procedures are usually referred to neighbouring services offering this care. Sexual and reproductive health hubs also coordinate with metropolitan and regional services to develop local referral pathways for surgical termination to ensure women can access the termination care they need.

Unlike those opposite, we will never cut health funding. We are a government that has always invested in health infrastructure, workers and services. Under Kennett, 1300 beds and 12 hospitals were closed. The previous Liberal government cut more than \$1 billion from the health budget during their four years in office. The Liberals promised big. They said they would add 800 new hospital beds, and in the end they only delivered 88. Compare this to Labor's health funding record: more than \$11 billion has been invested in health infrastructure since 2014. This includes a record investment of \$2.9 billion as part of the 2022–23 budget. We are delivering hospital upgrades and new hospitals in Melton and Barwon, in the women's and children's, in Frankston and Ballarat and in locations right across the state. Our government's investment in our healthcare system and the workers that sacrifice so much to keep us safe has totalled more than \$158 billion. They are there for us; we are there for them. We work with and listen to experts on what is needed in our health system while those opposite make empty promises.

Thanks to a strong political will and the leadership of Labor governments in Victoria, Victoria is Australia's most progressive state when it comes to women's rights and access to reproductive choices. The seeds of this were sown in 2008 when the former Brumby Labor government took the historic step of legislating the Victorian Abortion Law Reform Act 2008 to decriminalise abortion. Prior to this, abortion existed as a criminal offence, with the provision of abortion services guided by a legal judgement made in 1969 known as the Menhennitt ruling. Decriminalising abortion provided much-needed clarity for women, health practitioners and the community about the circumstances under which the termination of pregnancy could be performed. In recognising the sensitivity and complexity of the issue, detailed advice was sought from the Victorian Law Reform Commission, and the final bill reflected the commission's widespread consultation and expert input.

What about the issue of the right to access safe pregnancy termination? It is important to note for the purposes of the private members bill that we are debating here today that an individual's right to access safe termination of pregnancy care is enshrined in the Victorian Abortion Law Reform Act 2008. The act ensures that clear laws are in place to protect the decisions of people accessing termination of pregnancy in consultation with their doctor. The act regulates health practitioners who provide termination of pregnancy care rather than public health services or other providers. This legislation protects a clinician's choice to hold a conscientious objection; however, it also enshrines an obligation to refer a pregnant person seeking termination of pregnancy care to appropriate services.

On the issue of safe access zones, the Andrews Labor government has a strong record of supporting women and gender-diverse people to make choices that are right for them, including contraception, reproductive and sexual health services—all services essential to health and wellbeing. In 2015, under former health minister Jill Hennessy, we legislated safe access zones to ensure all women can access health services that provide abortions without fear, intimidation, harassment or obstruction by

protesters opposing the provision of these services. I acknowledge the very important role that Ms Patten played in that reform. For too long women accessing abortion services were subject to verbal and psychological abuse designed to discourage them from accessing these services, but with the provision of safe access zones women and staff can access these premises safely without experiencing the stress, fear and anxiety that occurred in the past when they encountered anti-abortion groups outside these premises.

In another first, it was under the Andrews Labor government in 2017 that Victoria produced its first-ever women's sexual and reproductive health strategy. Sexual and reproductive health includes the right to have healthy and respectful relationships; inclusive, safe and appropriate services; and access to accurate information and effective and affordable methods of family planning and fertility regulation. Specific reproductive health issues are associated with different life stages, and the impact of poor reproductive health is greater on women due to both biological and social factors. In addition, we know there are a number of specific reproductive health issues that affect the health and wellbeing of Victorian women, such as endometriosis, polycystic ovarian syndrome and menopause, which are not as well understood and managed as they could be.

The strategy sits within the world-leading action we have taken to address the key factors that impact on women's sexual and reproductive health, including Victoria's and Australia's first Royal Commission into Family Violence, completed in 2015, which produced 227 recommendations, which our government has adopted in full; Victoria's first-ever gender equality strategy, launched in 2016 to drive real change through removing barriers to women's equality; and the passing of Victoria's and Australia's first-ever Gender Equality Act in 2020, which requires 300 public sector employers, including local councils and universities, to report on and improve gender equality in the workplace.

The first women's sexual and reproductive health strategy has been an essential step towards ensuring that all Victorian women, regardless of where they live and how much money they have, are given access to the services and the support that they need. The strategy was backed by a \$6.6 million investment to improve women's access to affordable health care, contraception and termination services across the state. As a result of this investment, since 2017 we have delivered eight women's sexual and reproductive health hubs—four in metro Melbourne and four in regional Victoria. Once again a uniquely Victorian innovation, these new hubs help normalise sexual and reproductive health for women, girls and gender-diverse people by providing access to quality care, evidence-based information and services close to home. The hubs provide testing, care and treatment locally, creating integrated service delivery from primary care through to tertiary care, promoting accessible, local, inclusive and comprehensive sexual and reproductive health care.

Because these services are part of existing healthcare settings, the significance of having a trusted health provider close to home that women and girls at all stages can visit without stigma cannot be underestimated. These hubs focus on the key reproductive health issues facing women across their life course, including menstrual health, contraception, abortion, assisted reproductive treatment and specific reproductive health issues such as endometriosis, polycystic ovarian syndrome and menopause. Early access to evidence-based information is critical, and these hubs are an important part of the network of service provision across the state to access medical terminations or obtain referrals for surgical terminations. In recognition of the need to continue to address women's access to sexual and reproductive health services, last week the Minister for Health announced a further three of these hubs in Latrobe, Shepparton and Warrnambool. This brings the total investment to more than \$10.5 million to deliver and expand the network of sexual and reproductive health hubs, bringing the total to 11.

Victoria's first reproductive sexual health plan, launched in 2017, recognises that access to timely and trusted information is a key part of improving women's sexual and reproductive health and wellbeing. Consultation undertaken in the preparation of the plan revealed that easy access to information about reproductive and sexual health was lacking for women of all ages, particularly younger women. Young

people in general may find it challenging to access reproductive health services or indeed call services, let alone travel to these services outside their local area.

One of the key actions we took in response was to establish Victoria's first ever state-funded information service, 1800 My Options, in 2018. A free and confidential phone line and website, 1800 My Options provides Victorian women with sexual and reproductive health information and directs them to clinical services such as contraception, pharmacy services, counselling support, termination providers and a range of other sexual health services. The service is pro-choice, non-judgemental, women-centred and independent, working alongside hundreds of trusted healthcare providers in Victoria to link women to the services that best serve their needs. Importantly, 1800 My Options incorporates a confidential and women-centred phone line. Since it was established it has supported well over 13 000 callers and more than 60 000 website users. More recently, 1800 My Options provided critical pathways to the service system during 2020 when the impact of COVID-19 made finding services that meet their needs challenging for many women due to workforce changes and other barriers such as financial insecurity, rurality, language or visa status. It is such a simple thing that makes an incredible difference to women looking for timely, trusted information about their sexual and reproductive health.

If we look at women's health services more broadly, women's health services play a vital role in reducing the impact of gender inequality on health and wellbeing outcomes. Women's health services were first established in Victoria in the late 1980s and advocate for a gendered approach to health that reduces inequalities and improves health outcomes for women. Victoria leads the nation in providing a network of coordinated women's health services that covers the entire state. The 2021–22 Andrews Labor government budget invested \$33.8 million in women's health services, and I shall now list those services: \$2.4 million for women's health to support the health, safety and wellbeing of Victorian women; \$1.9 million to support women's health services to prevent family violence and promote women's mental health and wellbeing; \$19.9 million to deliver family violence response services; \$9.1 million in annual funding for the Victorian women's health program, which works with community and across the system to improve health equity and outcomes for Victorian women; and \$0.5 million in grants to nine women's health services and Gender Equity Victoria to support COVID-19 vaccine promotion and education and capacity-building efforts for women in their communities, including translating messages into language for multicultural communities.

The 2022–23 Andrews Labor government budget invested a further \$19.4 million over two years to further consolidate the capacity of our women's health services to improve the health and wellbeing of Victorian women, including sexual and reproductive health, mental health and prevention of family violence. This funding recognises the significant role of our dedicated women's health services, ensuring they can reach more women, including in some of our most at-risk or disadvantaged communities, to provide a range of tailored information and supports, to prevent family violence and all other forms of violence against women and to build capacity for access to other health services, such as mental health services.

Take, for example, the Multicultural Centre for Women's Health, which led the workforce of multilingual health educators project in collaboration with Victorian women's health services and Gender Equity Victoria. The project placed and trained 50 health educators in regional women's health services, enabling them to reach migrant women across the state with in-language health education. A total of 1800 migrant women across Victoria received vital information through health education sessions and engagement, including information about COVID-19 vaccination.

Another critical program we have proudly funded to improve women's access to contraception as well as medical and surgical terminations and sexual health services is the clinical champion network led by the Royal Women's Hospital. Another key part of the Andrews government's existing sexual and reproductive health plan, the clinical champion project is improving access to safe and effective medical and surgical abortion and long-acting contraception by increasing training and capacity within our outer-metro and regional hospitals and primary health care. The network has the flexibility to

respond to the needs of individual health practitioners and organisations through support, advice and mentoring. Women, irrespective of where they live, should be able to have access to safe abortion services when they need them, and this program is helping to overcome local barriers by ensuring clinicians are equipped to deliver these services across primary and secondary health care—that is, general practice, local clinics and community health services.

Advancing gender equality reigns at the heart of the Andrews Labor government's agenda, and women's access to sexual and reproductive health care, including contraception and termination services, is a fundamental part of this. We know that an inability to access sexual and reproductive health services can contribute to social and economic disadvantage for women and further health inequalities. As a government we are taking strong, tangible steps to ensure that we are improving women's access to these services in every corner of our state, especially in rural and regional Victoria. Victoria's second sexual and reproductive health plan, for 2022 to 2030, will be released in coming months, and we look forward to saying more about the further steps we are taking to improve women's and gender-diverse people's access to care through every stage of life.

**Mr BARTON** (Eastern Metropolitan) (10:34): I rise to speak on the Health Legislation Amendment (Conscientious Objection) Bill 2022. I will be supporting this bill today because I believe that public health care that is fully funded by the taxpayer should offer the full suite of public health services to those in need. Unfortunately, as it stands, publicly funded denominational hospitals are allowed to deny voluntary assisted dying services and women the right to contraception and abortion. What this has meant is that women who may be taken in an emergency situation to one of these hospitals may not be allowed the pill, even when it is their regular medicine prescribed by their doctor. Most Australian women—in fact 81 per cent of women of reproductive age—choose to use some form of birth control. What this tells me is that the policy of these denominational hospitals does not align with the majority of Australians' views today. These are public hospitals. Patients do not always receive a choice in their provider, yet they are taken to hospitals which do not provide the health care they may require.

This bill is not about the right of doctors to conscientiously object; this right is maintained. It is about the policy of these public hospitals. Doctors who want to offer choice are being denied this choice. It is my understanding that there are nurses and doctors in these hospitals who would like to offer family planning but are unable to because of hospital policy. If these hospitals want to be publicly funded by the taxpayer, they must offer the full range of health services. The right of the doctor to refuse on the basis of conscientious objection is not affected. I commend this bill to the house.

**Ms CROZIER** (Southern Metropolitan) (10:36): I rise to speak to the bill that has been presented to the house today by Ms Patten. Ms Patten, I will acknowledge, has been a long-time champion for women's rights and health services and access to health services, and I acknowledge that—as am I, and I think we share that in common. We did have the debate on voluntary assisted dying and we had a difference of opinion at that time, but that does not mean that we do not have these debates and understand what is being put forward here.

At the outset I will say that I am opposing this bill, and I will be making my position very clear as to why I am opposing this bill. I think it is a flawed bill, based on Ms Patten's second-reading speech, in relation to a number of areas. I want to support the work of many denominational hospitals and make the point that there is no precedent across the state where any health service needs to be mandated to provide certain services. That occurs across all public hospitals. Not every public hospital will be providing services to meet particular needs. But I do want to just take into account some of the services that are provided by a wide range of denominational hospitals here in Victoria, and they include specialist palliative care for progressive neurological disease, maternity, neonatology and paediatrics, perioperative gynaecology, women's health services, general surgical and medical services, emergency services, rehabilitation, aged and palliative care, renal dialysis, symptom management, respite, restorative care, discharge at end of life care, acute psychiatry, extensive training and research,



mental health and correctional health services, just to name a few across these health services. That is a broad range of health care that is already delivered in these denominational hospitals.

In Ms Patten's second-reading speech she brought into the debate the *Roe v. Wade* issue in the United States, which just simply is not happening in Australia. I mean, we have these services here. State by state those decisions are made. We do not need to enter into an international debate like that. I think it is frankly quite inflammatory to even suggest such nonsense that was in the second-reading speech by Ms Patten in relation to this issue. To say it is happening here—it is just not. To say that women's rights are being denied is not right in terms of what was put in the second-reading speech. The three examples that Ms Patten provided to the house at the time I think are flawed. These are just three anecdotal examples of what has gone on, and in fact I would challenge Ms Patten and say that what she is asking for is highly dangerous and puts women's lives at risk. I said that in the bill briefing. For a woman who presents at 20 weeks to St Vincent's emergency department, where there is no obstetric specialist care or maternity services, that is highly dangerous. That is putting that woman's life at risk.

I am a former midwife; I know just how dangerous that is. When we did have that discussion through the bill briefing we discussed a doctor who works out of St V's private who talks about contraception and what he provides at St V's private—which is not in the public system, I grant. I did ring him because I trained with him. I have not seen him for a long, long time, but I rang him and I spoke to him. He said, 'Of course we will provide contraceptive services to women if they need it' in that facility. I asked him about this very example that Ms Patten put into her second-reading speech, and I asked him, 'Am I right?'. He said, 'Yes, you are. You are absolutely right'. Those services cannot be provided in a general emergency department, and if they were to be provided, that would need a huge investment in specialist care. Quite frankly I do not know how this bill got to this place in the first place because of the appropriation issues. I do not understand this, because the amount of money that would be needed to be put in to do this is enormous. You cannot have anybody just walking into an emergency department, sticking up some syntocinon and dealing with 20-week twins who are aborting or a woman who is bleeding. You just cannot do it. It is highly dangerous. So I say the argument that Ms Patten puts forward is flawed and dangerous.

I want to commend those services—services like Mercy in Heidelberg—that have highly specialised perinatal care where they are dealing with some very sick women with highly complex pregnancies like pre-eclampsia. They are doing amazing work. Ms Pulford will know the work they are doing, because she has the medical research area of responsibility. They are doing phenomenal work in highly complex pregnancies, and they deal with some very difficult issues around those highly complex pregnancies. I want to commend them for the work that they do. For those hospitals to be demonised by this bill I think is quite appalling, because that is what it is. Ms Patten brings in the denomination of the Catholic origin. As she knows, I am no huge supporter of issues that have gone on with the Catholic Church. I led the inquiry into child abuse, and I had my fair dealings with the Catholic Church. But this is wrong in terms of what these hospitals do and the services they provide. They provide excellent care in so many areas.

I just think that this is an excuse to bring in an issue that is really not there. I know from my own experience when I worked in the women's hospital for 10 years, yes, on occasions women will be transferred from Mercy to the women's—women who require abortions because of complex pregnancies or some other issue—where those specialist services are. That is where we should be providing this care to protect women, to protect their lives. So I am very concerned about what this bill is actually asking services to do. It is a very easy throwaway line that you must be providing services. Well, these services are not provided in every single public hospital. This is based on an ideology of Ms Patten, who said, 'The problem is of Catholic origin'. I think that is extraordinary in itself.

I want to also say that there are other issues with the bill around the area of voluntary assisted dying. The government brought that legislation into this place some years ago. They have worked on that. There are facilities like Calvary, which provide care. Now, when I have spoken with them they have

said sometimes they are very complex palliative care cases because of the neurological disease that they are dealing with, they are highly complex cases, and if anybody wants to then undertake voluntary assisted dying they are referred on appropriately. They will put that in place, and they will step back. They are never going to leave somebody like this. They are just not going to do that.

I have had that conversation with them. What I find really extraordinary is that the main facilities, institutions and organisations that this bill is targeting Ms Patten did not even have the courtesy to speak with. The implications of what she is asking for through this bill are very big because of the enormous services that need to be put in place to provide those services, and she did not even have the courtesy to speak to those people. That, in my mind, says it all, because it is lazy legislation that is based on a quick political hit that gets media attention and a media line without even understanding the ramifications of what she is supporting here.

The other thing I will say is I spoke with Marie Stopes about the services that they provide. One of their services has been shut down in Maroondah because of the pandemic and the border closures. I would ask Ms Patten: why aren't you asking the government to reinstate and assist that organisation to have that service up and running? It was shut down because of the government's decision to shut the borders, and doctors could not come across from interstate to help those services to operate and to help those women seeking those services. Where are you, Ms Patten, in advocating for that to be reopened? I am saying now, government, that you should be speaking to Marie Stopes and ensuring that service gets up and running, because they do provide a service for women who want termination, and I support that. I support women's choice. You all know that; I have said it many, many times. Others will try and brand us as something that we are not. There are various views around this issue, as there should be, because there are various views in the general community about this issue. I do not have a problem with that. Everybody has a right to have a view. Ms Patten has a right to have her view, but others who do not support her view equally have a right to have their view. And I think these health organisations that have been targeted by this legislation also have a right to have a say and to be able to put their argument forward to Ms Patten, who did not even speak with them.

**Ms Patten:** I spoke to the doctors.

**Ms CROZIER:** How many doctors? I asked you to provide me with the doctors that you spoke with, and you did not provide it to me.

**Ms Patten:** They are too scared they will get sacked.

**Ms CROZIER:** They are too scared they will get sacked. Well, you can blame the government for that, because everyone is too scared to speak out on anything. Really, two doctors spoke out. I do not think anyone in this chamber can say that is good enough to have a bill with such massive implications. Two doctors—not even the health services that cater for tens and tens of thousands of Victorians in a whole range of services that I outlined at the commencement of my speech.

I say again: there is no precedent in this state for health services to be mandated in the specific care and services that they provide—none whatsoever. It does not happen at the Alfred, it does not happen in Wangaratta and it does not happen at Footscray Hospital. I want to acknowledge that the government last week made an excellent announcement, I think, to have more hubs set up in regional Victoria so there is greater access for women to medical termination, RU486. I think that is a good thing. Now, I do not know if that is in reaction to this bill that has been brought into this place that we are debating today—I suspect it probably was—but it is a good thing nevertheless because it is about accessibility and being able to give support. And that is why I say that if the likes of Marie Stopes have been shut down because of government decisions on border closures and pandemic decisions, then support them. Get them back up and running. Do not target these health services that do a phenomenal job, who provide extraordinary care and who have got specialist medical research and education as well as delivering excellent clinical care.

They have done nothing wrong here, and yet this is an ideological push to have them change their view. Well, I do not support that, because I support them to have their right to provide their services, and as I said, I have spoken to them. They will support women in what they want to do. It is not about that. They will guide them, they will support them, but to say that the likes of St Vincent's, for instance, must provide highly specialised obstetric care would require just so much in that hospital, and that is the point I do not think Ms Patten has done her homework on in this bill. She has just rushed it in. She has used some international hoo-ha in the US to bring that ideological air in and whip up hysteria on an issue that just does not exist in this state. It is ridiculous and it is wrong. I think she can do better than this, because I think she knows what she has done and she understands that that is probably a bridge too far. To say in her second-reading speech that it is happening here—you cannot compare the two.

I want to say that under the voluntary assisted dying legislation it is illegal to have that denied. In fact the law already says that inhibiting access to voluntary assisted dying is unlawful in Victoria. The Voluntary Assisted Dying Review Board has said:

Where a health service's values (or those of a particular department within a health service) conflict with voluntary assisted dying, the Board expects the service to utilise policies and procedures for handling applicant information requests.

That is what is happening now. People are being supported in their wishes. Women can self-medicate with oral contraception if they wish to in Catholic hospitals. If a woman's life is at risk, then of course a hospital will do what they can to save that woman's life, as you would expect. But this goes to some denominational hospitals that have got a range of services they are now providing for their communities.

So again I want to commend those health services that are providing a broad range of health services to millions of Victorians—tens of thousands of Victorians—and I want to commend the work that is being done elsewhere in supporting women's rights and accessibility to free choice, because that is what I believe in. But I do not believe that this exercise of having this bill, which is going to have very significant impacts on those health services, should be supported today. I understand the government will not be supporting the bill, and I am pleased with that. I will wait to hear what Ms Pulford has to say in relation to the government's reasoning. But again I say this bill is flawed. In fact the examples used in the second-reading speech, I think, were very dangerous and put women's lives at risk. There are services out there, and if they need more support and funding then that should be provided.

Again I say I am concerned that this bill got through, because of the enormous amounts of funding that would be required to put in place what Ms Patten is asking for. I am surprised it has got to the point of being debated, but nevertheless we are and I am opposing Ms Patten's bill.

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (10:54): I am unashamedly—in fact I am proudly—pro-choice, and in 16 years in this Parliament my two proudest moments to date have been that Saturday morning when we passed the Abortion Law Reform Bill 2008 and then that Friday morning when we passed the voluntary assisted dying legislation. These were gruelling debates in the community and in the Parliament. They were long and they were complex.

I also saw a private members bill to decriminalise abortion introduced by my dear friend Candy Broad a year earlier, in 2007. I saw that not proceed and not pass. I also saw Colleen Hartland's assisted dying law reform attempt come to the upper house. It proceeded to debate but it was not passed; it was not agreed to by the house. The observation that I would make, and I think this is probably a difficult pill to swallow for people on the crossbench and for people in the opposition, is there are some things that are so unbelievably complex that the machinery of government, the ability to deploy an institution like the Victorian Law Reform Commission and the complex drafting of legislation which has such

profound engagement with values that people hold so dearly is something best done by government. For people who are not government MPs that might sound offensive. I genuinely do not mean for it to.

I just want to reflect on Fiona Patten's work in this Parliament. I have the utmost admiration and indeed great affection for Ms Patten. I think she is a wonderful member of Parliament and has added a great depth and dimension to this place in her time here.

**Mr Finn** interjected.

**Ms PULFORD:** Mr Finn, you can be number 1 on your own party's ticket—people in glass houses throwing stones and all that.

The point I want to make is that Ms Patten's record, Ms Patten's strong and effective advocacy, on reproductive choice and indeed on assisted dying is unimpeachable. On the question about the rights people should have and on the question about the access that people should have to these services, I would proffer that there would be not a sliver of light between Ms Patten's view on these things and mine. But the government is opposing this legislation today, and I just wanted to try and explain and describe why.

Ms Taylor, in speaking first for the government today, talked at length about our record on reproductive choice, the reforms that we are so proud to have introduced and the very hard work that came next around equality of access and affordability of access and dealing with some of those issues that those of us that represent regional communities know have been incredibly challenging: access to reproductive services, to abortion services but also other reproductive health services.

This feels like something of a step back in time. Ms Patten referred to *Roe v. Wade*. That is a very, very significant problem in the United States, and I stand in solidarity with women in the United States that are trying desperately to protect their rights. Indeed our story on abortion law reform in Victoria goes back to when women started getting pregnant, but more contemporaneously in 1969 with the Menhennitt ruling. In Victoria, for all of the decades between 1969 and 2008, people—particularly women—worked to try and codify that, and then eventually we did. We had to change the composition of the Parliament in many respects to do it, but we did. Having more women in Parliament—there is an undeniable link between these things. In the United States, perhaps with the benefit of hindsight, the Congress and the Senate over a very long period of time might have chosen the same path. They are in the exact opposite situation that we are now in that they have been relying on a court ruling that was decades and decades in the overturning. The efforts to change the composition of the Supreme Court have been decades in the making, and they are very, very unfortunate—well, I mean, women will die. It is a horrific situation in terms of rights and access.

On rights and access, of course there is more that we need to do to ensure safe and timely access to termination services. We need to continue, all of us, to elect and to select to our parliaments, conscious of people's views on these things, because these are never closed. Mr Finn I do not think will mind me saying that when the Abortion Law Reform Bill passed in 2008 he declared very loudly that he would do everything he could to undo that and he would take every opportunity he could to undo that.

**Mr Finn:** Nothing's changed in the meantime.

**Ms PULFORD:** Nothing has changed for Mr Finn in the meantime, and my vigilance on protecting what we were able to achieve has also not changed. That is important and that remains important, and I do have some concerns. There is an election coming. I would encourage all Victorian voters who care about access to reproductive services and who care about access to assisted dying to be thoughtful of these things when they cast their votes.

On the conscience vote, there has been some discussion around whether this would be a matter of conscience or not. Again I wanted to respond to that, because in the Labor Party we are a party of collective decision-making. It is one of the foundations upon which our party was formed. We have a national rule that applies throughout the land that limits very, very narrowly our conscience vote. It is

very different to the philosophical view around a free vote that the Liberal Party has. We use a conscience vote rarely and sparingly. In the national rules there are two things that give rise to the conscience vote. They are not procedural matters. They are not matters of access. They are not matters of funding, which this bill engages as well. We do not believe—to a person—that this engages that for us, and it is an important principle for us. For some—a minority, but some—members of our party and our movement it is very, very important, it is literally an article of faith, that that conscience vote be afforded on those two issues. But that is not what we are here to debate today. So that is why we are all voting together on this, and that I thought seemed important for context.

On access as well, I am not in any way wanting to diminish the commitment and the work of Martin Foley, Jill Hennessy and Jenny Mikakos as health ministers in this government. As I was listening to the debate I was reminded of my first visit to the women's policy committee of the Labor Party back in about 1995. I walked right into it unknowingly. You learn a few things on the way. We went around the table at the first meeting. It was like, 'Right, we've all read the policy. What do you want to change?'. I wandered into the room and said, 'This whole taking abortion out of the Crimes Act—can't we do better than that? Can't our policy be better than that?'. There was this sort of awkward hush from all the people who had been there before, going 'Shoosh'. Some of the older and wiser girls took me aside and said, 'We've got to decriminalise it first, and then we'll deal with access. We'll deal with access, but let's fight the core proposition'. And you know who was in that room? You know who was in that meeting? The Minister for Health, Mary-Anne Thomas. So I can tell you from more than 25 years of personal observation and experience about her deep commitment to universal access to these services when women decide for themselves that this is what they need to do.

Just one final point: I also feel very nervous—I do—about the reopening of these debates in the Parliament. I can feel Ms Patten looking at me and I can feel Mr Finn looking at me—and others—but they were enormous debates. There was a full year between when Candy Broad introduced her private members bill and when the legislation was passed in 2008. There was a massive community debate and engagement and the law reform commission's work. On assisted dying it went for longer again I think. There were years between Colleen Hartland's bill and the attempts of other people and the parliamentary committee that was chaired by a former member, Mr O'Donohue, and the work that members in this chamber did. It was an excellent report and really, really important work that I know members including Ms Hartland and Ms Patten were involved in, and they were involved in the initiation of it as well. But that was the Parliament at its best on one of the hardest things that there is to do.

I feel very, very uneasy when I pick up the bill and I see that we are going to crack these open. I just do not think that this is the answer to the challenge that some people have in relation to access to services, and I say that, Ms Patten, with all respect. I have not, as Ms Crozier and others in the chamber have—I decided to speak on this today—gone and had a whole lot of discussions with people about it, but I just want to share some reflections on the history of these things, the risk of these things that is always present, the Labor Party's position on conscience votes and the health minister's deep commitment to improving access. It is not for me to speak for her, but I think that we can all know that the health minister in Victoria is deeply committed to access to services and will be doing all that she can to ensure access to services.

Ms Patten, we will not be supporting this today. I will not, but I continue to stand with you on the quest to safeguard what has been won over really, really hard and long battles both on assisted dying and abortion. I think there is a better, more effective way to do the things that you are wanting to do around access to services. There are arrangements in place for transfers from hospital to hospital, medical abortion is increasingly available and there are the hubs that are in the reproductive health strategy, but we know our work is not done here. Thank you, and with that we are opposing this bill.

**Dr RATNAM** (Northern Metropolitan) (11:07): I rise to speak on the Health Legislation Amendment (Conscientious Objection) Bill 2022. As Ms Patten outlined in her second-reading speech, this is a bill inspired by the overturning of *Roe v. Wade*, which since 1973 had conferred a

constitutional right to abortion in the United States. I completely agree with her that ripples of sadness and fear from that decision have been felt by women and gender-diverse people not just in the United States but across the world. For some to assert in the course of this debate that it is just ‘some international hoo-ha’ completely misses the threat that women across the world have been feeling since that decision. We know that international events have domestic consequences. We know that there are those movements that still exist, scarily, to reverse hard-fought-for rights that women have fought for throughout history. And we know those movements get emboldened, get energised and get more organised when there are international decisions like that, and they start to shift our domestic politics and they start to affect the decisions that are made in parliaments such as this one.

Ms Crozier, in her contribution, wanted to dismiss this as something that was irrelevant to us, but on that point about mobilising those domestic actors, it is happening in her own party. Look at the preselections happening in the lead-up to the state election. There are actors in current political movements in Victoria who are emboldened by what happened in the United States and who are actively planning to dismantle the rights that women have won over the years, which is why it is so important to keep having these debates.

I commend Ms Patten for bringing this debate to the house. I do not think we should be worried about being perceived to crack open a debate. These debates in many ways unfortunately are always open because there are always threats to the rights that have been hard fought for and won over many, many years. Many of us are now forced to consider or reconsider the fragility of rights so intrinsic to us as power over our own bodies and so intrinsic to our national identity as the universal right to health care.

I will start my contribution by establishing why in the wake of *Roe v. Wade* we must also examine the issue of reproductive rights and access to reproductive health care in Victoria. While it is true that the legal and political landscape here is somewhat different to the US, there are also some very striking similarities, such as how in Victoria, as in the United States, reproductive legal rights originated from the courts, with the revolutionary Menhennitt ruling of 1969 establishing the common-law protection for legal abortion. In fact it was not until 2008 when abortion laws were passed in this place that these protections were truly safe from suffering a similar fate to *Roe v. Wade*. Furthermore, it is only in this year, 2022, that we can now correctly claim that abortion is decriminalised in every jurisdiction across Australia—just this year.

But while this is a notable achievement, we also should be under no illusion that all decriminalisations are created equal or that at the stroke of a pen abortion becomes freely available for all those who need it—just like other essential health care—because it is not. By way of example, I may ask, as we hear in the news about vulnerable women forced to travel hundreds of miles across state lines to access abortion services in the US: how many of us here are aware that current laws in Western Australia are still so restrictive that every year Australian women are forced to do the same thing? Decriminalisation helps to overcome a significant legal barrier, but really it is only one of the many obstacles in our fight to access reproductive health care.

Victorian women—for over a century, regardless of the laws of the day—have always faced major barriers in terms of the financial costs and the limited availability of medical professionals in accessing abortion, and sadly this remains the case today. Currently out-of-pocket expenses for surgical abortion amount to hundreds of dollars, if a person is able to find and access a GP or gynaecologist willing to provide appropriate services. There are more obstacles for those who find themselves on the wrong side of one of the increasing number of divisions across our supposedly universal health care system—the divisions between public and private, between regional and rural, between social advantage and social isolation and the perpetual division between state and federal governments over who is responsible and who should fund services. All of these inequalities are especially pronounced in reproductive health care, where they often directly influence the choices of those who need it.

Ms Patten’s bill today seeks to remove yet another barrier to accessing these services—perhaps the most ludicrously artificial and unnecessary—the division between a public hospital and the artifice of

a denominational public hospital. It highlights yet another fault line with the privatisation and outsourcing of essential services. It is happening in health care and in community care and in so many other sectors where services that should be universally accessible and secular are being shaped and denied by non-secular and religious policy. Public funds should be for providing universally accessible services.

We fully support this bill, but we also urge the government to do so much more. For example, let us use this opportunity to also do what the Labor-Greens government in the ACT has done. Our national leaders in the ACT have announced what they are doing, and they are providing funding so that from next year Canberra residents will have access to free medical and surgical abortions. Whether you live in the ACT or whether you live in Victoria, the amount of money you have should not determine the types of essential health care available to you.

We are also pleased to endorse the Victorian government's announcement just last week of three new regional sexual and reproductive health hubs. These should provide access to long-acting, reversible contraception and, I hope, medical abortion. However, surgical abortions for unwanted pregnancies beyond nine weeks gestation are still difficult to obtain in rural and regional parts of Victoria. The Greens believe we have a lot more to do in this space, coordinating and resourcing primary care with specialist sexual and reproductive health information and expertise.

We also need to provide better information and access to long-acting, reversible contraception, such as IUDs and implants, as there are still far too many unwanted pregnancies, and we urgently need to do more to prevent, track and treat sexually transmitted infections such as syphilis that have in the last decade re-emerged at alarming epidemic levels across all groups in Victoria. In fact if it was not for COVID-19, the epidemiological re-emergence of STIs which can have devastating effects on both reproductive and general health would surely be making headlines as a public health disaster. It is a measure of the problem that cases of congenital syphilis, which essentially had been eradicated from the Victorian population since the turn of the century, have re-emerged in recent years, leading to adverse pregnancy outcomes and neonatal deaths.

But it is not just about improving services, the Victorian Greens also recognise the need to address other less obvious obstacles to accessing reproductive health care. So we support the broad introduction of reproductive health leave, where employees are entitled to additional days of leave specifically to help them if they need to address reproductive and sexual health issues like having an IUD inserted or having an abortion, because people should no longer have to put off accessing or make up excuses or pretend they are on a lunch break just to access essential health care.

It is a measure of the scope of the problems and the need for urgent action that I recognise there are many more important issues that I might have touched on in addressing this issue today. But what I hope is most apparent is the fact that there can be no genuine plan to fix our health system, as many are now promising, unless that plan also addresses the many issues in sexual and reproductive health care. So it is the job of all of us—whether in government, in opposition or on the crossbench, state or federal—to start prioritising solutions to these issues, just as Ms Patten has with this bill today. It is so important we continue to remain vigilant on these hard-fought-for rights and access to essential health care. The Victorian Greens commend Ms Patten and strongly support this bill.

**Ms BURNETT-WAKE** (Eastern Victoria) (11:16): I rise to speak on the Health Legislation Amendment (Conscientious Objection) Bill 2022. Firstly, I cannot believe that in 2022 we are still debating abortion in this place—I cannot believe it. Abortion is a safe and legal medical procedure in Victoria. We have some of the strongest and most progressive abortion legislation in Australia, with bipartisan support to maintain this situation. This legislation, which was fought for by generations of women and healthcare providers, remains in place to protect Victorians' reproductive autonomy. All women have the right to choose within Victoria's legislative framework and make decisions that are right for them. I firmly uphold the reproductive rights of all women to access safe, affordable, legal

and culturally appropriate sexual and reproduction health services free from stigma, harassment and discrimination.

This bill, introduced by Ms Patten, inserts a new section into the Health Services Act 1988 requiring denominational hospitals that receive public funding to provide certain services—namely, end-of-life services, advice on and provision of contraception and provision of medical and surgical abortion services. This bill affects three hospitals, the Mercy, St Vincent's and Calvary. We are seeing this bill because as it stands these hospitals, which were founded on religious views, are still controlled by these religious beliefs at an operational level. In line with their beliefs, these hospitals do not carry out end-of-life services, do not provide advice on or supply contraceptives and do not provide medical or surgical abortions. This bill does not suggest that hospitals cannot have these views. It also does not dictate what can and cannot be done in a privately funded hospital. There is also a conscience clause that states that medical professionals can still choose not to provide these services. This remains, as is current practice. What this bill does, however, is require that these denominational hospitals that receive public funding also provide these services.

Currently these hospitals do not provide these services. However, it must be noted that although they receive public funding they currently do not receive specific public funding to provide these services, and there is no allocation under the current budget to provide more funding so they can do so. If this bill is passed, there would be real financial and operational implications for these hospitals if they had to provide these services under the current funding models. I am all about freedom of choice and the reproductive rights of all women being upheld. I am a little perplexed, though, as to why three denominational hospitals that are not funded to, nor necessarily equipped to, provide services should be forced to do so, given there are so many options available to women to exercise their reproductive rights. As Ms Pulford said in her speech earlier, we can always do more to ensure access to services. Something that Ms Crozier raised in her speech which is of great concern is the clinic in the east, in Maroondah, that was shut down due to the pandemic. I urge the government to make sure that that particular clinic is up and operational as soon as possible.

I did do a little bit of research and backgrounding looking into access, and as of today there are 175 places in Victoria offering medical abortion and 24 offering surgical abortion. I do agree with Dr Ratnam that we can definitely do more in regional areas for women to access these services. Again, we can always do more. Of these 175 places in Victoria offering medical abortion and 24 offering surgical abortion, some do require GP referral for surgical abortion and others do not, and you can access these services at places including family planning clinics, fertility control clinics, women's clinics, youth health hubs, private specialists, regular GP clinics and some hospitals. Not all publicly funded hospitals offer these services as it stands. I also checked, and the women's clinic at St Albans and the other one in Beaconsfield do not require a woman to see a doctor beforehand for a referral and there are appointments available as early as tomorrow. Therefore it is not necessarily difficult to access a service if you do require one, notwithstanding that if you are in a regional area you would have to travel.

Abortion is an essential procedure. Although it is a decision that I personally believe is traumatic and confronting, a 2021 study found that seven in 10 Australian adults support access to abortion. Studies also show that rates of surgical abortion have reduced since medical abortion medication joined the PBS. Abortion is not something that should be used in place of contraception or family planning, but it is an essential component of our health system. We must enshrine access to safe, legal abortions that occur out of common sense rather than being a common occurrence.

I have spoken to a number of stakeholders, and I also spoke to somebody who works at a termination clinic. From the conversation something came out that was of great concern to me about why particular women were accessing these services. They informed me, based on the conversations that they were having with the women coming through, that especially post pandemic these women were subject to family violence, so this is another issue that comes out of that. Women are having terminations—they may be married or in long-term relationships, but they do not want to bring a child into the world



because of the family violence they are experiencing. This is an issue that I think we should look at separate to this debate. Family violence is clearly a huge issue, and the thought that women have no choice but to go for an abortion because they are subject to family violence is just horrific. It should not occur.

I also want to share a personal story that I have about the service that I received at Mercy hospital. When I was 22 weeks pregnant with my first child I had a placental abruption, and I thought I was going to die and I was going to lose my baby. I went to the Angliss Hospital—I was rushed there by ambulance—and they did not have the facilities to care for me or my 22-week-old baby, so I went to the Mercy. The care that they provided was amazing, but they did say to me—I had very frank discussions—that if I did not stop bleeding, they would have to deliver the baby. I would be hooked up to syntocinon and the baby would not survive at 22 weeks. Luckily for me—I did lie on my back for about six weeks at the hospital and the bleeding did subside—I did not have to go through that. The care that they provided was absolutely amazing. I just want to thank the Mercy hospital for the care they provided me and my son Dylan. I ended up going to term. It was fantastic service.

It is paramount that we do all we can to enshrine women's rights in strong legislation, and we have that legislation currently in Victoria. There are changes on the horizon, and soon some of these seats may very well be filled by representatives who do not believe in sensible freedoms for every individual. It is dangerous to assume that our abortion laws will never change and that there will not be other pushes for legislative change that creates further harm. We must ensure that women's rights to abortion and reproductive services are protected in legislation, and I stand here today, whilst I still have a voice in this chamber, and I firmly uphold these rights.

**Dr CUMMING** (Western Metropolitan) (11:25): I rise to speak on the Health Legislation Amendment (Conscientious Objection) Bill 2022. When I first read the bill's title I thought that we were going to be talking about conscientious objections in the way of all medical procedures, such as with vaccines, where we used to be able to have a conscientious objection. When I first read the title I thought, 'Conscientious objection? Health? Wonderful!', because everybody in the whole community at any time should actually make their own health choices. They should be able to conscientiously object to whatever is being offered to them and be able to say, 'No, I have my own autonomy. I make my own choices—my body, my choice—and I have the freedom to choose'. We have obviously had a lot of this debate, the conscientious objection debate, with the mandating that the state government has gone down the path of. I have always said I am very much pro-choice when it comes to anybody's medical procedures. I do not believe in mandates, and I do not believe anything should be forced onto you medically. You should be given those decisions to decide for yourself.

For me it has been really interesting, because I have had conversations with Ms Patten about this, one being that—I think I have shared my personal journey—in the western suburbs there has never been anywhere that you can actually get a surgical termination. The most vulnerable communities, like those in regional Victoria, really lack access to that service, which should be available across the state. There are many reasons why people have to have a surgical termination. Most of the time it is not their choice. They have got an ectopic pregnancy or there is something else, or they are the most vulnerable—they really are struggling, as was said earlier, with domestic violence or they do not have the means—and they make really hard choices when they go down that path.

I myself have never been a supporter of late-term abortions. There is a time, and you know if you skip a period—four weeks—that you have to speak to your doctor. Making it the shortest time frame that you can, I think, is the most un-cruel thing that you can possibly do when a woman has to make those choices. I am not a supporter of late-term abortions. When a fetus is viable I believe the doctors and nurses at that particular time absolutely have to do everything in their power to be able to look after that baby and actually look at fostering and all of those other options. I really struggle.

But for me, there are aspects of what Ms Patten is wanting to achieve in this that I struggle with, because I am not a 'must' provider in the way of service. I think 'should' and 'could' and 'possible'

are words that should be used. For me, I think there are a lot of flaws. When you become pregnant you normally choose an obstetric doctor, and they normally use certain hospitals. I think it is really at that time that those doctors need to say to you, 'Look, if you're booked in for a C-section or you're booked in for your pregnancy, I work at the Mercy hospital, and these are the services that I will not be able to provide for you once we get there'.

My own journey is that in my fifth pregnancy, with my son, my water broke. I was booked in to the Mercy hospital with the doctor that I chose from Footscray, and my water broke four weeks early. I was going through domestic violence, and I think that is probably one of the reasons my water broke early. My water broke early that night. I thought, 'I've done this four times before; I'm just going to wait for the contractions to start. I'll get the kids sorted', because I was all by myself at that time. 'I'll wake up in the morning. I'll get the kids to my friends and to my family and then I'll go to the Mercy hospital in Werribee and we'll see what happens'. But that night I had no contractions. I continued to have my water breaking. I got my children to where they needed to be. I had McDonald's on the way there, thinking that somehow when I got they would put me on a drip, my contractions would occur and I would have my son. But what occurred was when I walked in there the nurses said, 'Where have you been? We've been waiting for you all night. Put down your bag. This is your room. The doctor is waiting, and you're going to have an emergency caesarean. Where is your partner?'. I did not want to explain that I was going through domestic violence, and I had just been told that I was going to have an emergency caesarean. In a bit of a panic I rang up my ex-partner and said to him, 'I'm about to walk in to have an emergency caesarean, if you want to come and be part of this'.

Just before I went in there, I said to the doctor, 'You know what? This is my fifth child. I would really like you to tie my tubes'. He said to me, 'Unfortunately the Mercy hospital is a Catholic hospital and I cannot do that'. I said, 'But you're going to open me up. This is my fifth child. I am a Catholic. I've given five children; I'm a good Catholic. I'm 39. I'm old. This is going to be my third caesarean. I've had two VBACs—I will not explain what that is—I've had two natural births and this will be my third caesarean. My sons made me have emergency caesareans, but I need my tubes tied'. He said, 'No. Obviously this emergency caesarean will go ahead, and we'll sit you up and then you probably can go to another hospital'. I just thought, 'This is ridiculous, really ridiculous'. My abusive partner turned up. With all the drugs they gave me, I let him come back home with me. Ten months later he abused me again. Then I had five children, one a baby.

These are real things that happen to real people. You would not believe that in the turn of events—a single mother going through domestic violence—I became mayor. I waited 16 years for that. But I was a single mother with five children, going through domestic violence, and I would have loved at that time to have my tubes tied. These are real things that happen to all of us, and we need to have those choices.

Is this amendment that Ms Patten is trying to achieve perfect? I do not think it is in some ways. I do not want to pick on the church. I believe they should just have a conscientious choice. If I explained my situation to that doctor, he should have gone, 'Oh, well, that's fine. I get it. I get, as a good Catholic, that this is why you're doing what you're doing'. The church supports—supports, supports, supports—birth control, but birth control is not 100 per cent perfect, and there are good Catholics out there that are put into this position all the time. It torments a lot of women when they have to make those very hard choices. For me, I find it really difficult today to make a decision on this, because I absolutely support Ms Patten's intent. I support what she wants to achieve.

I believe that this government could do more in the western suburbs for these services, for planned parenthood. There are still children coming into the city for planned parenthood from the western suburbs—are you kidding me?—and regional Victoria. Many women will tell you all of these things that occur. Why can't they get a particular service in their locality if they go to that particular hospital at that particular time? I do not understand why the western suburbs have been treated the way that they have for so many years in the way of having better health services. Members of the opposition have said, 'Why didn't these doctors speak out?'. The Australian Health Practitioner Regulation

Authority has a big question to answer: why do all these doctors and nurses, in this time, in 2022, feel that they cannot speak freely on behalf of their patients and make those proper decisions and that they are always under the threat of having their licences taken away from them and being threatened that they are going to be sacked? It is not right; it is absolutely not right. I will leave my contribution there because I know there are many others that probably want to speak to this bill.

**Mr ATKINSON** (Eastern Metropolitan) (11:37): I will be fairly brief because I think that this debate has covered a lot of important ground. I particularly refer to Ms Crozier's and Cathrine Burnett-Wake's contributions as significant contributions in the context of this debate. I simply want to make one simple point that has not been made in the context of this debate today, and that is that there is a right to conscientious objection that should be recognised and should be protected in all areas of our democratic society. I understand the arguments that have been put by those organisations, the three hospitals in particular, and indeed doctors and other medical practitioners who believe that they have a right to conscientious objection. However, there is the right of the patient to have access to the services that they believe they require and the treatments that they believe they require.

I have been particularly concerned throughout the last couple of years with the COVID situation about the explosion of information on the internet—some of it absolutely crazy stuff, ridiculous material, some of it valid. Some of the treatments that our scientific agencies were not prepared to embrace here in Australia seem to have pretty good track records overseas. But the point is the way that COVID response was managed meant that there was an opportunity for all sorts of people to make all sorts of claims on the internet which confused people who were seeking genuine information. Dr Google is not the best place to go when you are looking for medical or scientific information.

We also have the anti-vaxxers, and we saw the protest this past week by people who are adamant that vaccinations ought not to be mandated, that we should not have to have vaccinations. And, yes, there is some variance amongst those people as to what might be acceptable in terms of some of those vaccinations and what is not acceptable in terms of others. Again, I can understand that people can make their own choice.

What I think we probably need is to have some sort of situation or mechanism that comes into place where a patient goes to a doctor or medical practitioner who has a personal view against vaccinations or a particular vaccination or has a personal view against providing abortion or the right to access euthanasia services—where they have a personal view on those matters—or indeed even in terms of treatments for cancer and so forth, because there are also some doctors who have been right through medical practice who seem to have some fairly interesting views that are out of kilter with what science generally says and certainly what the medical industry, if you like, says. I think there needs to be a requirement that those doctors or those institutions that are not prepared to provide certain services or that are looking at providing treatments that are not part of the AMA's position supply, as part of the consultation with patients, the view of the AMA or other similar body on the recognised position on particular treatments or services. And then, sure, they can make their own comments as well to that patient, but at least there is informed consent and the rights of that patient are upheld to a greater extent than I think they are at this point in time. I will not be supporting the legislation today.

**Ms PATTEN** (Northern Metropolitan) (11:42): I apologise; it is just the way of Wednesday and giving everybody an opportunity to have their full time. Pursuant to standing order 12.25, I move:

That the question be now put.

**The ACTING PRESIDENT (Mr Gepp)**: Pursuant to standing order 12.25, Ms Patten has sought to move for the closure of debate. Standing order 12.25(2) requires that six other members must rise in their places to support the motion. I ask those members who wish to do so to now rise in their places to indicate their support.

**Required number of members having risen:**

**The ACTING PRESIDENT (Mr Gepp):** There being at least six members who support the closure motion, I will put the question forthwith without amendment or debate.

**Bells rung.**

*Members interjecting.*

**Mr Finn:** On a point of order, President, there seems to be some confusion as to what we are voting on in this particular division. I would ask you to clarify for the benefit of all members exactly what the question is.

**The PRESIDENT:** I heard through the interjections that there is a misunderstanding. The first vote is Ms Patten's closure motion, and that is what is being voted on now. If that vote succeeds, it means the debate is finished and we go and put the second-reading motion. The question is:

That the question be now put.

**House divided on motion:**

*Ayes, 25*

Barton, Mr  
Bourman, Mr  
Cumming, Dr  
Elasmar, Mr  
Erdogan, Mr  
Gepp, Mr  
Grimley, Mr  
Hayes, Mr  
Kieu, Dr

Leane, Mr  
Limbrick, Mr  
Maxwell, Ms  
Meddick, Mr  
Melhem, Mr  
Patten, Ms  
Pulford, Ms  
Quilty, Mr

Ratnam, Dr  
Shing, Ms  
Stitt, Ms  
Symes, Ms  
Tarlamis, Mr  
Taylor, Ms  
Terpstra, Ms  
Tierney, Ms

*Noes, 9*

Atkinson, Mr  
Bach, Dr  
Bath, Ms

Burnett-Wake, Ms  
Crozier, Ms  
Davis, Mr

Finn, Mr  
Lovell, Ms  
McArthur, Mrs

**Motion agreed to.**

**The PRESIDENT:** The question is:

That the bill be now read a second time.

**House divided on motion:**

*Ayes, 7*

Barton, Mr  
Grimley, Mr  
Hayes, Mr

Maxwell, Ms  
Meddick, Mr

Patten, Ms  
Ratnam, Dr

*Noes, 28*

Atkinson, Mr  
Bach, Dr  
Bath, Ms  
Bourman, Mr  
Burnett-Wake, Ms  
Crozier, Ms  
Cumming, Dr  
Davis, Mr  
Elasmar, Mr  
Erdogan, Mr

Finn, Mr  
Gepp, Mr  
Kieu, Dr  
Leane, Mr  
Limbrick, Mr  
Lovell, Ms  
McArthur, Mrs  
Melhem, Mr  
Pulford, Ms

Quilty, Mr  
Rich-Phillips, Mr  
Shing, Ms  
Stitt, Ms  
Symes, Ms  
Tarlamis, Mr  
Taylor, Ms  
Terpstra, Ms  
Tierney, Ms

**Motion negatived.**

**Motions****INTEGRITY AND OVERSIGHT COMMITTEE**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:54): I move:

That this house:

- (1) notes:
  - (a) the Independent Broad-based Anti-corruption Commission's (IBAC) submission on 15 July 2022 to the Integrity and Oversight Committee (IOC), which voiced 'grave concerns' about the procedure the committee followed, accused the committee of subjecting IBAC to 'profound procedural unfairness' and branded the chair of the IOC, the Honourable Harriet Shing MLC, as 'unresponsive' and claimed that she was responsible for 'disappointing shortcomings';
  - (b) that on 9 May 2022, Ms Shing ordered that the audiovisual feed of a public hearing of the IOC be cut, effectively shutting down the hearing and preventing the IBAC Commissioner, the Honourable Robert Redlich AM, QC, from making his views known;
- (2) regards Ms Shing's treatment of an independent integrity agency as unreasonable, undemocratic, unacceptable and part of an Andrews Labor government attack on IBAC;
- (3) further notes that the same high-handed approach has been continued by Mr Gary Maas MP, the new Labor chair of the IOC; and
- (4) expresses its serious concern at the actions of Ms Shing and Mr Maas and calls on Ms Shing to publicly apologise to Mr Redlich.

The story of the Integrity and Oversight Committee has become very well known. We have become more familiar with the steps that have been taken by that committee under the tutelage of its chairs, first Ms Shing and now Mr Maas, and it is clear that the committee is not acting in the way that it should.

It is clear that the government majority on the committee has embarked on a particular course, and indeed the chair of that committee has on a number of occasions now—first being Ms Shing and now more recently, and I will come to the recent material shortly—taken a set against the IBAC and against providing procedural fairness and the opportunity for the IBAC Commissioner to put his case. It is clear that on the occasion, the infamous occasion, of the feed cutting by Ms Shing the IBAC Commissioner was seeking to make commentary. It is clear that he was prepared to make commentary, and it is clear that he was more than capable of understanding the legal lines where he needed to step to make sure that he did not cause concern for any individual case or any individual investigation matter that IBAC may have had underway. I have a high degree of respect for Mr Redlich and a high degree of respect for his competence and his integrity and his ability to make those judgements cautiously, thoughtfully and in the interests of the agency and the investigations that he is undertaking. I have no doubt he would not have said anything that would have compromised an investigation or anything that would have been untoward. So in those circumstances Ms Shing should not have cut the feed, and I think that that is now seen as a reprehensible step that occurred at that time.

I also make the point very clearly that the press coverage that we have seen on a number of these matters has, I think, concerned many. The committee should be a very genuine supporter of the independent agencies but should also scrutinise the independent agencies properly but respectfully and within reasonable bounds in such a way that they do not limit the ability of the agencies to do their work. So I say the position going forward has now become very clear. The Premier of course has inevitably jumped in to push back and say that, no, Ms Shing was fabulous and she had the highest integrity. Well, I have to say I disagree with that. In my view, this is a matter of great concern. These agencies have got a very important role, and we need to make sure that they are protected. That is the purpose of this motion—to make it clear that the chamber has a view and that the chamber is concerned about what is occurring here.

To read in the newspaper on the weekend that two Labor MPs were apparently briefed, with their strings pulled from the Premier's office, and were intervening on matters of this nature and that

directions were being issued from the Premier's office to members of that committee I think is of huge concern. That alone would be regarded as reprehensible, I think, by most people. My point is that this is a very simple motion to get across the point of the chamber. It rehearses the history, and I ask for the chamber's support for this. And, look, there is an opportunity for Ms Shing to make amends.

**Business interrupted pursuant to sessional orders.**

**Questions without notice and ministers statements**

**CARE LEAVERS REDRESS SCHEME**

**Ms MAXWELL** (Northern Victoria) (12:00): My question is to the Attorney-General, representing the Premier. Attorney, the government has announced a number of redress schemes for those who have been harmed by historical actions from state policies and practices, schemes such as redress for mothers who had their children forcibly removed when born out of wedlock and reparations for Aboriginal children forcibly removed from their families. In the chamber today are members of the Care Leavers Australasia Network (CLAN) who continue to campaign for recognition and redress for the physical, psychological and emotional abuse, including child labour practices, they endured in state institutions. They do not begrudge the other redress schemes, but it compounds their trauma when the government will not do the same for them. Why won't the government acknowledge their harm with redress for this abuse?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:00): I thank Ms Maxwell for her question. At the outset I also would like to acknowledge the tireless work and advocacy that CLAN do on behalf of those that have experienced abuse in institutional care. It is one of the organisations that we fund to support victims and to provide a range of services to pre-1990 care leavers. The supports include counselling and access to records, drop-in centres, social support groups and the like, and that work is tremendously important. We as a government are very happy to engage with CLAN. I have met with them, and I understand that this week both new ministers Kilkenny and Brooks have also met or are meeting with CLAN in relation to some of these issues.

Our government will continue to explore policies and program options to acknowledge and learn from the experience of people who have experienced harm from institutional abuse and consider ways that we can best support them. As Ms Maxwell has identified, I am certainly aware that those wards of the state who have suffered non-sexual abuse have renewed calls for redress, particularly off the back of the redress schemes that Ms Maxwell identified that the government has recently announced in relation to stolen generations reparations and forced adoptions. We do recognise that trauma takes a range of forms and will continue to work with those impacted, as I said.

There is the national Ministers Redress Scheme Governance Board, which is currently looking at the federal scheme which currently covers those who have suffered sexual abuse. That governance board is considering recommendations about eligibility criteria. Minister Rishworth is now the relevant minister. She has also recently announced increased funding for organisations that support victims of sexual abuse from institutional organisations, which is a really welcome investment of around \$40 million. I also understand that she is a patron of CLAN so I am sure would be very interested in having conversations in relation to the scheme and how it is operating at the federal level. Currently the federal government is responsible for this scheme and obviously the states are all part of that, so there is a lot of work in this space. As I said, I do commend the work of CLAN, and there are ongoing conversations about continued support both at the state level and at the federal level, I am sure.

**Ms MAXWELL** (Northern Victoria) (12:03): Thank you, Attorney. I have to say that, yes, I wrote to the Honourable Minister Rishworth and had an incredibly prompt reply in relation to this matter. Attorney, there are survivors of sexual abuse in state settings that are unable to access redress or state support because they were placed voluntarily by their parents into state care and there are few or no records that exist to verify their claim. To assist them in accessing redress for this abuse, will the

government lobby the federal government to improve the scheme and find other ways to assess these care leavers who remain invisible and bereft of support?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:04): I thank Ms Maxwell for her supplementary question. As I indicated in my substantive answer, there is the governance board looking at the eligibility criteria, particularly for those that have been subjected to sexual abuse but are having issues in meeting the current eligibility criteria. I am more than happy to ensure that those matters that you have raised are on that agenda.

### KINDERGARTEN FUNDING

**Dr BACH** (Eastern Metropolitan) (12:05): My question is to the Minister for Early Childhood and Pre-Prep. Minister, standalone kindergartens are threatening to opt out of your early childhood programs next year due to what they call the ‘untenable funding structure’. They say their program quality will be stripped back, and one kindergarten, for example, is predicting to run at a \$70 000 loss trying to cover senior staff wages and other running costs. How will you prevent kindergartens from closing their doors?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:05): I thank Dr Bach for his question, and I can think of about 9 billion reasons why I will be assisting kindergartens in Victoria over the next decade to absolutely thrive. This is unprecedented investment in the sector and a signal to our kindergartens, including our sessional kindergartens, that our government will invest in them and back in the incredibly important work that they do setting children in Victoria up for the very best start in life. Dr Bach, you would be aware that there have been funding guidelines issued to the sector in the last week or so, and what that indicates is that the average sessional kindergarten fee structure for parents in Victoria sits at around \$1900 per child per year. The Andrews Labor government will be providing \$2500 per child per year to sessional kindergartens. In the vast majority of cases this will actually result in increased funding being available for sessional kindergartens, including our community kindergartens, and I must say as I travel around the state and visit many of these services they are absolutely rapt with the support that this will deliver their local communities. It will mean that they will be able to invest in not just providing parents with cost-of-living relief—and we know how important that is—but also providing additional support and quality kindergarten offerings through their services.

It is important to note also, Dr Bach, that the government already pays a supplement to experienced teachers in our kindergarten system so that kindergartens can continue to employ experienced teachers to lead our programs, and the \$2500 to kindergartens in lieu of parent fees is on top of all of the other funding that is available and will continue to be available. We will continue to drive these reforms because we know what a difference access to universal kindergarten will make for children not just in the early years but for their schooling throughout their life. It will set them up on a fantastic trajectory of learning, quality education and success in life. I can also indicate, Dr Bach, that my department is working closely with a number of kindergarten services to work through some of these issues, including transitional support around our reforms.

**Dr BACH** (Eastern Metropolitan) (12:08): I thank the minister. Minister, you have stated previously that the program that you recently announced was designed at least in part to eliminate gap fees, and I thank you for the information you have provided to the house about kindergartens that you say will be better off under this program. There are many kindergartens, however, as I am sure you and other members of the government would admit, that will be worse off under this program. Recently, for example, Katie McNeill from a kindergarten in Glen Iris, along with many others, has made comments about how difficult it will be for them under this program and specifically about staff in these kindergartens, who understand the current offering from the government very well, to pay them due respect, but nonetheless mount the argument that they will be worse off and that there is an issue about staff. So what solution will you be offering these kindergartens that will have to replace experienced and senior staff to survive under your funding model?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:09): I thank Dr Bach for his supplementary question, which he just got in in time. What I can indicate is that Dr Bach is conveniently cherrypicking aspects of our reform and our support for both parents and kindergartens. The reality is that 98 per cent of sessional kindergartens signed up to our free kinder offering in 2021 when we introduced that year of free kinder. We have taken the considered approach in Victoria to not allow gap fees to be charged, because we want to ensure that this is about parents getting cost-of-living relief as well as the benefits that will come from their children being in a quality kindergarten program. I urge Dr Bach to give me the details of where he says this is not the case, and I will follow it up with the department.

#### MINISTERS STATEMENTS: RENEWABLE ENERGY

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:10): I would like to talk today about the improvements that are happening in renewable energy across the water sector in Victoria. What we have seen as a consequence of the tireless work of my predecessor, Minister Neville in the other place, is a statement of obligation which has committed all 18 water corporations across Victoria to achieving 100 per cent of renewable energy across electricity by 1 July 2025 and total net zero emissions by 1 July 2035. This is an Australian first, and it was a delight to join the extraordinary member for Buninyong, Michaela Settle from the other place, at the Ballarat South wastewater treatment plant last Friday. It may have been raining, but Central Highlands Water's 6336 solar panels have certainly been put to good use.

As part of this overall commitment to achieving net zero emissions, we have seen water corporations across the board speed toward achievement of these targets well ahead of schedule. In addition to Central Highlands Water, we have also got Barwon Water's Colac renewable organics network, Yarra Valley Water's waste-to-energy facility in Wollert and Wannon Water's 800-kilowatt wind turbines. Despite all of the chum from those opposite—if that were renewable energy, gee, wouldn't you be in luck there—as far as leadership aspirations are concerned, what you would be in a position to see is commitment to our renewable energy target. Not only did you vote it down, but despite that we are continuing with the work to deliver on our targets and to make sure Victoria leads the way.

#### ENVIRONMENT POLICY

**Mr HAYES** (Southern Metropolitan) (12:12): My question is to the minister representing the minister for the environment. The state of the environment report depicts a catastrophic environmental situation, with escalating rates of extinction resulting in the loss of more mammals in Australia than on any other continent. The federal environment and water 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 a decade of government in action 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'. Hear, hear! My question is: given a lot of this report includes a shocking depiction of Victoria's current environmental scorecard, will the state government also be getting their heads out of the sand and putting the environment back on the priority list?

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:13): Can I thank Mr Hayes for his question and his passion around the environment, which he shows regularly in this chamber. This is a question for Lily D'Ambrosio, the minister for environment. I have not secretly been sworn in as the minister for environment as well, which seems to be the custom and practice of Liberal-National governments. Given that I have not secretly been sworn in as the minister for environment, I will make sure that Mr Hayes's question is delivered to the minister for environment and he gets an answer within what is prescribed within the standing orders.

**Mr HAYES** (Southern Metropolitan) (12:14): I am glad to hear Mr Leane has not been secretly sworn in. My supplementary is: ecologists list land clearing as a top cause of wildlife losses, and the state of the environment report said between 2000 and 2017 there was 7.7 million hectares of land cleared across Australia and 93 per cent of the vegetation was felled without federal approvals for



threatened species habitat. A prime example of this in Victoria relates to the recent approval for Grantville sand mines, where despite populations of vulnerable species listed under the Environment Protection and Biodiversity Conservation Act 1999 being present on the site the government granted approval to allow the ripping out of a vital biolink connecting two conservation reserves. This was done without referral to the commonwealth EPBC act. Can the minister explain why federal approvals are not sought before clearing land to ensure endangered species are not made extinct?

**The PRESIDENT:** I am struggling with the supplementary, but I call the minister.

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (12:16): Thank you, Mr Hayes. That is a supplementary question obviously for the minister for the environment. I will make sure that she gets your question and you get your response as prescribed in the standing orders.

### WATER POLICY

**Ms LOVELL** (Northern Victoria) (12:16): My question is for the Minister for Water. Minister, in the interests of irrigators in Northern Victoria, do you commit to fighting all attempts by federal Labor to use buybacks to deliver an additional 450 gigalitres of water to South Australia?

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:16): Thank you, Ms Lovell, for that question. Again it is actually really useful. It may be belated, but we see an interest from the opposition around water in this state, and better late than never. What I would like to do with the time that I have available is perhaps inform the house of a range of things that have been undertaken since the former coalition government was voted out after nine years of inaction. We have seen the preparedness of Minister Plibersek and indeed others to come to the table to talk about the way in which resources can be managed for the benefit of all jurisdictions. One of the things that I note with great relief, as I am sure others will also do across Northern Victoria, is that despite the fact that under the coalition government there was no ministerial council since December 2020—your mates up in Canberra refused to sit around the table—

**Mr Davis:** On a point of order, President, it was a very specific question that was asked and, on a matter of relevance, the minister just needs to answer the question. She actually flagged that she was going to make a broader statement on matters she wanted to talk about. She just needs to answer the question.

**The PRESIDENT:** While I understand the question, I understand that the minute the minister got up on her feet there was interjection after interjection after interjection. I ask the minister to come back to the question.

**Ms SHING:** Thank you very much. And I look forward to being able to continue to talk without interjections, Ms Lovell and others. What we do need to do is address the pressing issues which are facing basin communities, and as you would be aware, Ms Lovell, the Murray Basin plan and indeed the authority and the history of management of water across this part of Australia have been a very longstanding issue.

I also want to confirm that, should you not be someone who reads the *Weekly Times*, I have actually indicated very clearly on a number of occasions that Victoria does not support buybacks or indeed any changes to the positive or neutral socio-economic criteria as they apply under the agreement that was established in 2018. This is where any sort of change must deliver a positive or neutral socio-economic benefit to communities, and in fact this is where my predecessor, Lisa Neville, worked tirelessly to make sure that Victoria's interests were at every turn front and centre in the development and delivery of water policy and of decision-making in often a very hostile negotiating environment, including the absence of any preparedness by former minister Keith 'No Minco Meetings' Pitt. Now we are in a position to be able to continue to advocate for Victoria's position, including as it relates to our position on buybacks. It is unfortunate you did not know about that position on buybacks already, Ms Lovell.

**Ms LOVELL** (Northern Victoria) (12:19): Thank you, Minister, and I note that you did not give a guarantee that you would fight all attempts by federal Labor to use buybacks. The former minister was quite good on that. But, Minister, will you—

**Ms Pulford**: On a point of order, President, our standing orders are pretty clear about the relationship between the substantive and its answer and the supplementary. Ms Lovell is seeking to completely turn around—in fact completely misrepresent—what the minister just said.

**The PRESIDENT**: Thank you for your point of order, but Ms Lovell had just started.

**Ms LOVELL**: Minister, will you guarantee there will be no relaxation of the current operational constraint limits on the transfer of water downstream? And furthermore, Minister, will you legislate the current operational constraint limits to protect Victorian irrigators' entitlements and to prevent the environmental damage increased flows would cause?

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:21): Thanks, Ms Lovell. What we have just heard in this chamber is your lack of knowledge around the way in which the legislative framework occurs and operates at an interjurisdictional level. What you would know, hopefully—and I look forward to an opportunity to assist you to become informed on this—is that the commonwealth legislation does not allow any buybacks toward the additional 450 gigalitres. It also does not allow for any departure from the positive or neutral socio-economic criteria which I have just referred to in answering the substantive. As I have indicated in my answer to the substantive question, I will be reiterating that strongly. I am grateful for the opportunity to actually be able to sit around a table with the new commonwealth government and with the new commonwealth minister, and if the commonwealth are in fact seeking to scrap that criteria, they should be aware that that was part of an agreement that was struck in 2018.

#### MINISTERS STATEMENTS: SICK PAY GUARANTEE

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:22): I rise today—in fact I sort of shuffle across the chamber today—to provide an update on a really exciting Australian-first initiative that I have recently taken responsibility for, the sick pay guarantee. Of course I want to acknowledge my wonderful colleague and friend Minister Ingrid Stitt for bringing this amazing program to life. Thank you very much, Minister. What I would like to advise the house is that over 35 000 Victorians have now registered for the pilot.

The pandemic has highlighted, as we are all aware, more than ever the flawed nature of insecure work. Our most vulnerable workers were often forced, and indeed still are often forced, to choose between their health or the health of a loved one and paying rent, putting food on the table or paying their bills. The reality is that without sick pay many people in casual and insecure work will still go to the job sick because they cannot afford to miss a shift, often making themselves sicker and indeed risking the health of others. The sick pay guarantee provides up to 38 hours a year of sick and carers pay to casual and contract workers in certain jobs. It is currently focused on workers in retail and sales, food trades and food prep, aged and disability care, cleaning, laundry and security.

A couple of weeks ago I had the pleasure of meeting Ava, who is a casual retail assistant. She is one of the 35 000 Victorians who have registered. She made a claim after, when cooking with an exploding casserole dish, she injured her hand quite badly. Rather than having to stress, in addition to her injury, about money and putting her health further at risk, she was able to take the time off she needed to heal thanks to the sick pay guarantee, a great outcome for her and for her employer.

I am proud to be part of a government that wants to be doing more to protect our most vulnerable workers. My message to all members today and to anybody else watching is: if you know anyone who is eligible for the sick pay guarantee, register today. Do not wait until you are sick. Make sure you are covered.

**VICTORIA POLICE LICENSING AND REGULATION DIVISION**

**Mr QUILTY** (Northern Victoria) (12:24): My question is for the minister representing the Minister for Police. The Firearms Act 1996 requires security guards to store their firearms at a location belonging to the security company they work for. The act does not provide any mechanism to allow an exception to this, but it seems the licensing and regulation division have, on their own authority, invented a permit that allows at-home storage for selected security guards. We are told that Senior Sergeant Armstrong has been approving these permits for friends of LRD, former police officers and others with connections. This is part of a broader pattern of LRD acting outside their authority under Senior Sergeant Armstrong, who has been running LRD far longer than VicPol's anti-corruption policy allows. To be clear, I think it would be a good reform to allow security guards to take their firearms home, but it is the Parliament's role to make the laws, not LRD's. Minister, why are LRD issuing these permits outside their powers under the Firearms Act? LRD appears to wield extraordinary powers with little or no oversight.

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:25): This is another example of Mr Quilty making very serious allegations and using parliamentary privilege. The matter will be referred to the Minister for Police.

**Mr QUILTY** (Northern Victoria) (12:25): Thank you, Minister. We have seen special treatment for clubs with close connections to LRD leadership and allegations of misconduct and illegal behaviour brought to Armstrong's attention by other officers ignored and swept under the rug. We know that the firearms database has lost track of many thousands of firearms and that many firearms have been misplaced in police custody. We have seen LRD officers sign off on affidavits that attest the missing seized firearms were of no value and were destroyed. We know that almost all complaints to IBAC are referred back to the police, who are expected to investigate themselves, like the case we heard about last week where tens of thousands of rounds of ammunition went missing while in police custody. Police investigated themselves and found nothing wrong. Now we have illegal take-home permits issued by LRD. There is evidence. I have seen documents and emails and we have heard witnesses give account after account of misconduct and improper behaviour, but there seems to be no action. Minister, when will we see a real audit and clean-up of the licensing and regulation division?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:26): Again, similar to my response to the substantive, this will be referred to the Minister for Police.

**PEST CONTROL**

**Ms BATH** (Eastern Victoria) (12:26): My question is to the Minister for Agriculture. A recent population explosion of feral pig numbers in the north-east of the state around Bonang has seen enormous damage to farmers' pasture and fencing. One particular property owner has caught 56 wild pigs this year alone, but there are many, many more, and there is a lack of government control in place. So I ask: Minister, considering the heightened risk of foot-and-mouth disease (FMD) incursion into Victoria, what additional efforts have been put in place to support local farmers in managing the feral pig population explosion?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:27): I thank Ms Bath for this question. It is a very important question. It is an important question for a whole range of reasons but particularly in terms of biosecurity, which we all know, as a result of foot-and-mouth in Bali in particular being close to our borders, has a heightened sense and has, as I said, serious currency in the political will of the country at the moment.

This issue of not just feral pigs but feral animals generally has certainly captured my attention as it relates to biosecurity in particular but also of course in terms of agriculture. What I have requested, as

a result of all the other work that is being done, is a snapshot of what is actually in place at the moment and what the cross-departmental responsibilities are, because the Department of Environment, Land, Water and Planning has carriage of certain things and other departments have carriage of others. I am also seeking more information in respect of the interstateness, because obviously animals do not take too much notice of borders. I have asked for that and some policy advice so we can have more information to provide the task force so that we can have a much more up-to-date and holistic attitude and, I would dare say, the development of plans in a more general way to deal with not only pigs but also feral cats—there are a whole range of issues that we have in this state and in this country—which do carry disease that will potentially have an impact on our agriculture and our environment more generally.

**Ms BATH** (Eastern Victoria) (12:29): I thank the minister for her response. Speaking about other feral animals, I will go to my supplementary. Indeed I heard an interjection from the former minister about landowners' responsibilities, and that relates to this question. With increased risks of FMD and the ability of the disease to be carried by feral animals, a number of farmers are wanting to take preventative action by having authority to control wildlife permits approved for species like, but not confined to, hog deer. They are being told by the government that permits will not be preapproved and to wait until FMD arrives on our shores, which will be far too late if permits then need to be approved. Minister, given the seriousness of this situation and the need for preventative measures, will the government facilitate the preapproval of authority to control wildlife permits so farmers can be best prepared for this situation?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:30): I thank Ms Bath for her question. I do not have that sort of level of detail. If you could submit the information that you have in relation to landowners in that particular area to me, that would be very, very helpful. But I will take that on notice if you can also provide me with that information.

#### MINISTERS STATEMENTS: CLIMATE CHANGE

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:30): It is important to draw attention to the exceptional work being done in the agricultural industry to tackle climate change. Recently I met wonderful leaders who are at the forefront of the design and implementation of smart, innovative and thoughtful practice to achieve profitable and sustainable carbon-neutral farming.

Jigsaw Farms, on the outskirts of Hamilton, is owned by Mark Wootton, deputy chair of the Victorian Agriculture and Climate Change Council, and Eve Kantor, co-founder of the Climate Institute. Jigsaw Farms is carbon neutral and renowned for its beef and wool production, as well as leading the way in the implementation of sustainable agroforestry. It was a privilege to hear of their strategies and to be taken on a tour of their extraordinary property, from expansive pastures to forests and stunning, rejuvenated wetlands. It was so apparent that care for the environment is absolutely consuming. They are committed to ensuring Victorian agriculture is well placed to manage climate risk as well as being productive and profitable. They are a tour de force, and the impact of their work and their philosophies will resonate for generations to come. Similarly, Fiona Conroy and Cam Nicholson of Knewleave farm on the Bellarine are pioneers in carbon-neutral farming. They gave me a great insight into their scientifically proven and very practical measures which have been developed over decades. Jigsaw and Knewleave farms' commitment to address the challenges of climate change and achieve a productive and profitable farm is critical to our shared futures.

#### WESTERN METROPOLITAN REGION SOCIAL HOUSING

**Dr CUMMING** (Western Metropolitan) (12:32): My question is for the Minister for Housing in the other place. Can the minister please provide me with the number of people on social housing waiting lists in Western Metropolitan Region by local government area? The Environment and Planning Committee inquiry into the protections within the Victorian planning framework looked at

the provision of affordable housing. In the submission by Maribyrnong City Council they stated that there were 5000 applicants on the social housing waiting list in western Melbourne in 2021, including 3000 applicants waiting under the priority access scheme. The priority access scheme includes people or families identified as homeless or receiving support, escaping family violence or having a disability. They need the health reasons why.

**Ms Shing:** I am just seeking some clarity about what the question is.

**Dr CUMMING:** Can the minister please provide me with the number of people on the social housing waiting list in Western Metropolitan Region by local government area?

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:34): Thanks, Dr Cumming, for that clarification. In accordance with the standing orders, I will seek a response from the Minister for Housing in the other place and ensure that that gets to you.

**Dr CUMMING** (Western Metropolitan) (12:34): Thank you, Minister. I would love for them to answer a question. Can the minister please tell me when this government expects to meet the need for social housing in the west? The latest Australian Institute of Health and Welfare data has revealed that only 2.9 per cent of Victorian housing stock is social housing. Their data for 2021 shows a decline in the population of social housing households in Victoria since 2014 from 3.5 per cent of all households to 2.9 per cent in 2021. Of the 80 611 social housing dwellings, 3818 were considered to be overcrowded. In June I questioned the minister, ‘How many first-round grants have been approved to community housing agencies for shovel-ready development in Western Metropolitan Region?’, and I received no response.

**Ms SHING** (Eastern Victoria—Minister for Water, Minister for Regional Development, Minister for Equality) (12:35): Thank you, Dr Cumming, for that supplementary question. Again, in accordance with the standing orders I will seek to have a response provided by the Minister for Housing in the other place.

#### ALBERT STREET, SEBASTOPOL

**Mrs McARTHUR** (Western Victoria) (12:35): My question is to the Minister for Small Business. Minister, last month you met traders from Albert Street, Sebastopol, whose businesses have been decimated by the closure of their frontages resulting from the near year-long roadworks in the area. As you know, traders, including a car wash, bakery, cafe, bottle shop and many more, are losing thousands of dollars of revenue each week, in many cases more than 50 per cent of their normal takings. After this meeting, are you still refusing to compensate these businesspeople, whose livelihoods have been ruined through no fault of their own but by your government’s inability to competently manage road infrastructure works?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:36): I thank Mrs McArthur for her question. The matter that she raises probably goes much more to my responsibilities as a member for Western Victoria than as Minister for Small Business, but in both capacities I have met now on three occasions with the traders that are impacted by the prolonged and extensive roadworks in Sebastopol. The Department of Transport regional director has been there for two of those three meetings and was represented by one of his colleagues at another, and Juliana Addison, the member for Wendouree, has been there as well. The way that they have been impacted is, in my view, significant, and there are processes and programs that the Department of Transport and the Major Road Projects Authority—obviously not in my portfolio—have at their disposal to support businesses through the challenges associated with the government’s big infrastructure agenda. Those things have been the subject of those discussions. I have also made sure that each of these businesses is aware of all of the options and support that exist in the small business portfolio as well in terms of

some of the supports that were stood up through the last couple of years to assist people in small business experiencing really quite significant hardship.

The position on compensation from the Department of Transport has been clear from the outset, and I know that the Liberal Party have indicated that they would change that. I am not sure exactly how they intend to change that, but Mrs McArthur has indicated to these business owners that there would be a different approach from the coalition. Our position on this has been consistent and clear. I think that many of the businesses have worked incredibly hard to try and do things differently and to access their customers in different ways, but for some of them that has been very challenging. The roadworks are continuing. The barriers that were having the greatest impact have now moved from the side of the road to the centre of the road, so those on the southbound side are now much less impacted than they were, and we look forward to the speediest conclusion of works that is humanly possible.

**Mrs McARTHUR** (Western Victoria) (12:39): So, Minister, how does a coffee voucher or a car cleaning credit help a business pay bills which run into tens or hundreds of thousands of dollars, and can these coffee vouchers cover rents, rates and utility bills or even a bank loan? These people are suffering severe mental stress, worse than ever during the COVID lockdowns, so what are you actually doing to get the road fixed faster and the businesses back on track, because so far your efforts have been totally unsatisfactory?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:39): I am mindful of our standing orders and the fact that I am not—and have not been for some time—the minister for roads, so I will take Mrs McArthur’s question on notice in accordance with our standing orders for Minister Carroll to respond to. Mrs McArthur is not half as silly as she is pretending to be in asking me this question. She knows who the responsible minister is and has done the whole time.

**Mrs McArthur** interjected.

**Ms PULFORD**: I am one of five members for—

**Mr Davis**: On a point of order, President, this is clearly a supplementary question that is about precisely the same topic. It relates to the impact on the businesses, and you are the Minister for Small Business.

**The PRESIDENT**: The minister has already indicated she will take that on notice, and I have to make it clear to the minister that will be one day. But I will let you finish, Minister.

**Ms PULFORD**: Thank you, President. The truth is I probably should have taken the first question on notice as well. But I am conscious that there are some people who are telling these businesses, in spite of the profound challenges that they are already facing, untrue things, and I would encourage those people doing that to desist. On the specific question about when the roadworks will be finished—

**Mrs McArthur**: On a point of order, President, I take total exception to that comment, and I ask the minister to withdraw it.

**Ms PULFORD**: On the point of order, President, is it not true that Mrs McArthur has said that the coalition would provide compensation? I am pretty sure it is, so I really do not feel much like withdrawing that.

**The PRESIDENT**: I am not going to ask the minister to withdraw. I do not think she meant it the way you thought.

#### MINISTERS STATEMENTS: EARLY CHILDHOOD WORKFORCE

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood and Pre-Prep) (12:41): Last week I had the opportunity to join my commonwealth and state and territory colleagues at the education ministers meeting in Canberra. It is refreshing to have a federal

government with a shared commitment to early learning and care and a partner in Canberra who is willing to address the challenges and opportunities facing the early childhood sector. With the meeting focusing on the teaching workforce, it was an important opportunity for Victoria to discuss our ambitious reforms that will transform early learning. At the heart of our \$9 billion Best Start, Best Life reforms is the workforce—our teachers and educators, who work so hard every day to teach our young children all the skills they will need for a happy and healthy life.

This meeting was also an opportunity for Victoria to continue to advocate for a shared vision and plan to attract and retain a workforce across the entire early childhood sector, including not only kindergartens but also long day care. We already have a comprehensive kinder workforce strategy here in Victoria, with an investment of \$209 million, and we know there is always more work to be done. I am pleased that education ministers agreed to ensure teachers and educators across early childhood settings are valued and supported as education professionals. I look forward to continuing these discussions and important work with Minister Aly and my colleagues across the country.

#### WRITTEN RESPONSES

**The PRESIDENT** (12:43): Regarding questions and answers today: Mr Hayes to the minister for environment, Mr Leane, two days, question and supplementary; Mr Quilty to the Minister for Police, Ms Tierney, two days, question and supplementary; Ms Bath to the Minister for Agriculture, Ms Tierney, one day for the supplementary; Dr Cumming to the Minister for Housing, Ms Shing, two days, question and supplementary; and Mrs McArthur, one day, the supplementary, Ms Pulford.

#### Constituency questions

#### NORTHERN VICTORIA REGION

**Ms LOVELL** (Northern Victoria) (12:44): (1911) My question is for the Minister for Disability, Ageing and Carers and concerns the future home of Shepparton Food Share. The future of Shepparton Food Share is at risk due to the need to vacate their current premises by February 2023. I have continuously advocated for the government to contribute funding towards the construction of a forever home for food share on land generously donated to the organisation. Unfortunately the government has ignored my requests, and the February 2023 date looms large over food share and its ability to continue helping the most vulnerable members of our community. In January 2022 the federal government provided a funding grant of \$600 000, and the organisation itself is also contributing \$300 000 towards the construction costs. To ensure Shepparton Food Share can continue its vital work, the state government must provide their share of the funding. Will the minister contribute funding of \$1.5 million towards the construction of a permanent home for Shepparton Food Share?

#### WESTERN VICTORIA REGION

**Mr GRIMLEY** (Western Victoria) (12:45): (1912) My question is to the Minister for Local Government. I have spoken many times in this place about the need for financial assistance to our regional councils. In the many conversations I have had with rural councils in my patch, the majority of them find it difficult to plan for the future. Most of the funding they receive from the state government is through grants that are tied to projects. Although the grants are appreciated, they leave our smaller councils in the lurch. They are not sure if the grants will be approved, as they are mostly competitively based, and they find it difficult to commit to plans. Another idea from one of my councils is to start a financial assistance grant, similar to the one the federal government provides to councils. This would be untied money that our smaller councils could use to keep important community programs running, for upgrades to infrastructure and more. Minister, will you commit to investigating the viability of a state-sanctioned financial assistance grant for regional and rural councils?

**WESTERN VICTORIA REGION**

**Mrs McARTHUR** (Western Victoria) (12:46): (1913) My question is to the Minister for Roads and Road Safety, and it concerns VicRoads' new 60-kilometre-an-hour speed restriction on Darlington Road, which is in the Corangamite shire in Western Victoria Region. For 10 kilometres from Darcys Lane to Darlington the speed limit has been cut from 100 kilometres an hour to 60 kilometres an hour, and the cut is indefinite. Despite the crater-like potholes, VicRoads have confirmed to the Corangamite shire they have no plans to fix the road. School buses use the road twice a day and face longer journeys. CFA emergency response times will increase by 8 minutes travelling to and from the shed, and trucks are now choosing to avoid the route and instead hammering the secondary roads shire ratepayers pay to maintain. Minister, when will you recognise that cutting speed limits instead of fixing roads is an insult to regional Victorians, who pay extortionate taxes and car registrations but get so little in return?

**NORTHERN VICTORIA REGION**

**Ms MAXWELL** (Northern Victoria) (12:47): (1914) My constituency question is to the Minister for Community Sport, and I ask if the minister will provide \$4.1 million to improve facilities at the Murchison and Toolamba community hub and recreation reserve. Local sport is often the heartbeat of a community, and the Murchison-Toolamba Football Netball Club has a proud 140-year history. The club accommodates four grades of football and seven grades of netball every week, as well as supporting other sports and community activities. While the club does the best they can, their facilities are deplorable, dilapidated and not fit for purpose. They do not accommodate for disability or equality and are completely unsafe. Greater Shepparton City Council provided funding towards design and investigation works, but future capital funding for any project is in the hands of the state as the land is owned by the Department of Environment, Land, Water and Planning. The club are kicking goals this year, and they deserve quality facilities to match. I implore the government to give this further consideration and fund the Murchison-Toolamba Football Netball Club.

**SOUTHERN METROPOLITAN REGION**

**Ms CROZIER** (Southern Metropolitan) (12:48): (1915) My question is for the minister representing Ben Carroll in the other place. On Friday, 24 June, of this year, 2022, John Pesutto, the Liberal candidate for Hawthorn, wrote to the minister about the unsafe and inaccessible state of Canterbury railway station, following his recent meeting with concerned local residents. This station has been in a state of disrepair for many years, and it is relevant to note that Mr Pesutto raised the state of Canterbury station with the government nearly five years ago. No action has been taken in the meantime to make this station safe and useable for local commuters. According to the current member for Hawthorn, there is only development and planning work currently scheduled to commence at five stations in the electorate of Hawthorn, totalling a meagre \$250 000. Given that the sum of \$250 000 for planning work across five stations can only mean that actual repairs will not be undertaken any time soon, my question is: when will the government fix Canterbury and other local stations in Hawthorn so it is providing a safe environment for many senior citizens and people with a disability?

**WESTERN METROPOLITAN REGION**

**Mr FINN** (Western Metropolitan) (12:49): (1916) My constituency question is to the Minister for Disability, Ageing and Carers. I recently met with Ayelign Tessema at the Walker Brooklyn neighbourhood house in Millers Road, Altona North. Ayelign explained to me his neighbourhood house is one of 11 in Hobsons Bay, and I was mightily impressed with the vast array of services that they provide. His particular neighbourhood house serves locals from 55 cultural backgrounds and is an integral part of the Altona North community. The very grave concern is that funding to this neighbourhood house, and others across Western Metro, will soon be cut. Minister, will you guarantee no such cuts will occur, ensuring those neighbourhood houses can continue to serve their communities?



**WESTERN METROPOLITAN REGION**

**Dr CUMMING** (Western Metropolitan) (12:50): (1917) My question is to the Minister for Agriculture, and it is from Tom, who is from Farmer Incubator in Keilor. Will the government invest in Farmer Incubator programs for aspiring regenerative farmers in Melbourne's west? Drought, bushfires and flooding have shown us the importance of regenerative farming in ensuring both a stable food supply and sustainable land management, yet aspiring regenerative farmers are finding it hard to access land, training and other resources they need to launch farming careers. These barriers are only growing, and they particularly affect young people. We risk losing a new generation of farmers, yet the solutions are staring us in the face. Overseas experience has shown that farmer incubators are an effective model for fostering regenerative farmers, combining training, land access and mentoring.

**NORTHERN METROPOLITAN REGION**

**Dr RATNAM** (Northern Metropolitan) (12:51): (1918) My constituency question is for the Minister for Education. I recently attended a great forum organised by a grassroots community group called RISE, who are advocating for support for public education in the north of Moreland, now known as Merri-bek, in my electorate. Dozens of parents raised deep concerns about their ability to access good-quality public education in their communities. As I raised in an adjournment on this matter in May this year, Merri-bek's three public secondary schools—Glenroy secondary, John Fawkner secondary and Pascoe Vale Girls—are in need of support. Despite the tireless work of terrific staff, students and the community, enrolments are declining after years of low investment and funding support for these schools and an absence of any long-term planning for the region, resulting in inadequate facilities and limited subject choices. The school community have undertaken extensive advocacy within the community and to their local members of Parliament to support these schools. However, the previous minister refused to commit to an education plan for the region. I ask if the government will commit to an education plan for the public schools in the north of Merri-bek in my electorate.

**NORTHERN METROPOLITAN REGION**

**Ms PATTEN** (Northern Metropolitan) (12:52): (1919) My constituency question is for the Minister for Planning. As I mentioned previously in this place, the Preston Market is a gem of the northern suburbs. It has diverse stalls, great-priced produce and an incredible cultural mix in a COVID-preferred open-air environment. It is bustling and diverse and a joy to visit. As the minister is aware, the market is subject to Victorian Planning Authority plans for the redevelopment of 80 per cent of the site and construction of in excess of 1000 new apartments. My constituent, a member of Save the Preston Market, a community action group, asks: will the minister respond to the ultimate community vision master plan that would see the market itself remain where it is?

**EASTERN VICTORIA REGION**

**Ms BATH** (Eastern Victoria) (12:53): (1920) My constituency question is for the minister for sport, and it relates to the Commonwealth Games in 2026. It relates specifically to the potential for Eastern Victoria Region to host the judo events. My constituent Mr Richardson said:

Gippsland has the pedigree, experience and capacity to host the Commonwealth Games Judo tournament in 2026 ...

He also then goes on to cite various fantastic local judo champions in Traralgon, Yinnar, Drouin, Warragul and the like. My question for the minister is: will he investigate the potential for Gippsland and indeed Central Gippsland to host judo in the Commonwealth Games?

**NORTHERN VICTORIA REGION**

**Mr QUILTY** (Northern Victoria) (12:54): (1921) The government's ambulance response time report cards are out. Once again for Northern Victoria the mark is 'Fail'. Ambulance Victoria's target is to respond to 85 per cent of code 1 incidents within 15 minutes. In Indigo shire they managed just

20.6 per cent—once again the worst in the state; in Buloke, 33.6 per cent; and in Loddon shire, just 27.4 per cent. Towong shire dropped from 45.2 per cent of responses within 15 minutes to 31.5 per cent with the exact same number of call-outs over the last 12 months. Right across Northern Victoria the response times are under 50 per cent, compared to Melbourne, which is having a crisis, with a 76 per cent response rate. The people of Northern Victoria understand that it is harder to deliver services in the region. We do not expect to have Melbourne levels of services everywhere, but it appears that for this government Northern Victoria is too far away from Melbourne to bother about at all. Minister, when will Northern Victorians in life-threatening situations be able to call an ambulance with confidence that it will arrive in time? Northern Victorian lives matter.

### Motions

## INTEGRITY AND OVERSIGHT COMMITTEE

### Debate resumed.

**Ms TAYLOR** (Southern Metropolitan) (12:55): This motion is yet another baseless attack from those opposite and yet another attempt to deeply politicise IBAC and the Integrity and Oversight Committee. Actions of a committee are taken following deliberation by the committee. Actions may not always be unanimous, but they are made by majority. Mr Davis is a longstanding member of this chamber, and he knows full well how committees of the Parliament operate. The chair is the only member empowered to make public comment about committee matters and is given that authority as part of the position of chair. Many allegations have been made about the actions of the IOC chair. These are unhelpful, inappropriate and divisive. It should be stressed that discussions and deliberations of parliamentary committees are privileged and confidential, as are documents exchanged in the course of committee work. They should not be referred to in whole or in part by any person, whether a member of the committee or not. The chair speaks on behalf of the collective.

Many allegations have been made about the actions of the chair when in fact these were actions that the chair took following the deliberations of the committee. The committee is not bound by rules of procedural fairness. In fact no committee of Parliament is bound by such rules. Even if procedural fairness were to apply, it would not apply to organisations or agencies. This committee has important work to do. The issue of witness welfare is paramount in circumstances where independent agencies have extreme powers. Although recent events have focused the eye on witness welfare, this is a longstanding issue when it comes to IBAC.

In 2018 the Victorian Inspectorate tabled *Special Report: Welfare of Witnesses in IBAC Investigations* containing findings that IBAC did not have sufficient policies and procedures in place to protect witnesses' welfare during private examinations in 2015 and 2016. IBAC did not accept the recommendations of the VI's report and the factual conclusions of the report and the VI's conduct in relation to the own-motion investigation. However, at the time IBAC emphasised that its policies and procedures had been updated since 2016 and indicated that the issues underlying the recommendations would be considered. No-one and no agency is above oversight. IBAC has conducted itself in line with its powers to investigate allegations of corruption. In just the same way the IOC has conducted itself in line with its powers to hold reviews into such matters as witness welfare. Those opposite should be defending the role of Parliament and its committees, not undermining it as they are attempting to do right now.

IBAC, the Office of the Victorian Ombudsman, the Victorian Inspectorate and the Office of the Victorian Information Commissioner are well within their rights, as they should be, to say whatever they would like in relation to the matters that are within their remit. Parliamentary committees must operate within the framework which exists in the Parliamentary Committees Act 2003. It is essential that integrity agencies are able to undertake their work without interference or the perception of interference from any member of Parliament or indeed any committee. Section 7(2) of the

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Parliamentary Committees Act makes this clear. This is not new. This is something that impacts all parliamentary committees.

### **Sitting suspended 1.00 pm until 2.03 pm.**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:03): In reply, motion 819 makes it very clear that the Independent Broad-based Anti-corruption Commission's submission to the Integrity and Oversight Committee drew significant concerns to the attention of the community, and there is no doubt that some of the concerns of the honourable Robert Redlich AM, QC, are now coming to the fore. I know that the IBAC have asked for their information to be on the website.

I listened carefully to what Ms Taylor said earlier. She misses the point, sadly, that this is a very serious matter. Mr Maas recently has gone out on a frolic. He was not privy to the earlier material given the newness of his position as chair. I also very, very strongly believe that Ms Shing has not covered herself in glory with these matters. The truth of the matter is that this is a very serious issue. In working hard to block the ability of the IBAC Commissioner to make legitimate commentary—I have very great confidence in his ability to manage his way forward, and I do not believe Ms Shing should have behaved the way she did in these recent hearings. I think the stinging criticisms there are concerning. I think any fair-minded person would be concerned. They would be very concerned to hear some of the points in the recent *Age* article which laid out the intervention of the Premier's office and the direction of the Premier's office to members of that committee. Ms Taylor talked about the role of parliamentary committees. Well, they are not to be directed by the Premier's office, no matter how important the Premier feels he is.

### **House divided on motion:**

*Ayes, 8*

Bach, Dr  
Bath, Ms  
Burnett-Wake, Ms

Crozier, Ms  
Davis, Mr  
Finn, Mr

Lovell, Ms  
McArthur, Mrs

*Noes, 22*

Barton, Mr  
Bourman, 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

### **Motion negatived.**

**Mr Atkinson:** On a point of order, just to alert you, President, and all members, the door coming out of the new annexe building into the corridor to get here is jammed and you cannot get through. So I missed the vote because I could not get through the door.

**The PRESIDENT:** Thanks, Mr Atkinson, for raising the point of order, but unfortunately the count is done. The Clerk will follow it up.

**Mr Davis:** On the point of order, President, what action do we think we will take on that matter to make sure that this does not happen again?

**The PRESIDENT:** Already I have indicated to the house that the Clerk will handle this and will inform me. I will make sure that if there is a division everything is operating; otherwise you will be directed differently.

## Bills

**MULTICULTURAL VICTORIA AMENDMENT (INDEPENDENCE) BILL 2022***Second reading***Debate resumed on motion of Mr DAVIS:**

That the bill be now read a second time.

**Dr KIEU** (South Eastern Metropolitan) (14:13): In Victoria we are proud of, we appreciate and we celebrate the multicultural and the multifaith communities that we have in this state. In fact the contributions from those communities have enriched and also strengthened the harmony of our state. In support of multicultural communities the government has some grant programs to support people from culturally and linguistically diverse backgrounds to fully participate in the social and economic life of our state. They allow our vibrant multicultural communities the opportunity to express, to share and to practise their beliefs and traditions with the wider Victorian community. In fact the multicultural affairs portfolio has provided grant funding to more than 4200 organisations representing over 210 multicultural and multifaith communities. The program-specific guidelines, handled by the Department of Families, Fairness and Housing (DFFH), who are the administrators of the grant process, are developed by the department then approved by the Minister for Multicultural Affairs, as the responsible minister. These guidelines are then used as criteria when awarding grants. The eligibility of applications is then determined by the department according to a rigorous merit-based process.

In fact in 2019 the government commissioned an independent review which was undertaken by Mr Warren McCann into the administrative arrangements and the functions of the Victorian Multicultural Commission. The aim of the independent review was to make recommendations to clarify the working arrangements between the VMC, the minister responsible for multicultural affairs and the relevant Victorian government departments. The reforms that emerged from the independent inquiry included (1) providing the chair of the VMC with clarity around and control of the commission's budget; (2) greater involvement in staff appointments to the VMC; (3) full control over the commission's communications, including social media accounts; (4) clearly identified authority to the director of the office of the Victorian Multicultural Commission; and finally, full decision-making authority to deliver Cultural Diversity Week, one of the many functions of the VMC.

The report noted that, provided these functions were implemented, the current integrated model adopted way back in 2016 should be retained. Under the current model, the VMC is supported by the Department of Families, Fairness and Housing through multicultural affairs, which sits within the Fairer Victoria division. Various reasons were given to support the conclusions of the report by Mr McCann—namely, a general view that the form of structural support is a second-order issue as compared to clarifying the role of the commission; an integrated model offers the best opportunity for managing the intersectional issues between the commission and the department; the current arrangement is the lowest cost option; and finally, the current governance structure of the commission does not lend itself to the self-management of a body fully independent in financial and employment matters.

In fact the review made 20 recommendations, of which 19 have already been implemented, including through the development of an MOU with the VMC and via a new ministerial statement of expectations. The remaining recommendation—namely, recommendation 19—will be implemented if and when the Multicultural Victoria Act 2011 is reviewed. It has to be added that the review does not recommend that the act be reviewed but recommends that if it is—in case it is reviewed—it will be made more explicit that the skills potential appointees might bring to the commission will be a factor taken into account in the recruitment process. The McCann review also made it clear that the management of the grant process, including recommendations made to the minister, is in fact a

departmental function and that the Minister for Multicultural Affairs has the final decision-making authority for all grant funds.

Because the review stated that the ultimate decision-maker for grants in the portfolio is the minister, the VMC currently only manages one grant program—namely, the chairperson’s support fund. It has an annual modest budget of \$150 000 as compared to \$50 million worth of grants that the DFFH administered in the most recent financial year. The chairperson’s support fund provides the VMC with the capacity to support matters of urgent need or activities that fall outside the scope of other multicultural affairs grants programs. There is no involvement by the minister, by her office or by the department in the VMC decisions on or implementation, management, assessment or allocation of the grants within the chairperson’s support fund.

The bill brought into the house by Mr Davis proposes to amend the Multicultural Victoria Act 2011 with a view to restoring the Victorian Multicultural Commission’s independence and grants and administrative processes. It is my duty to point out that the second-reading speech made by Mr Davis made a number of inaccurate claims related to the government’s response to recommendations by the McCann 2019 review and political interference. As stressed earlier, the VMC retain a level of independence consistent with their status as a statutory authority. There has been no change to the VMC’s status as a statutory authority since its establishment back in 1983. As a statutory authority, the VMC remains at arm’s length from the government, with the capacity to provide independent advice to government about the issues and the challenges faced by Victorian multicultural and multifaith communities.

The review handed down 20 recommendations, as mentioned, and all but one have been implemented. It has to be clearly understood that recommendations 7, 14, 15 and 16, which Mr Davis referred to in the second reading of the bill, are not recommendations of Warren McCann’s 2019 independent review at all. Rather, they were proposals put forward by the VMC as part of its submission to the review. For this very reason they were not incorporated as recommendations in McCann’s final report—because those submissions were rejected by the independent reviewer, Mr McCann. Let me be clear: the four proposals mentioned by Mr Davis are not recommendations, and they were dismissed by the independent reviewer and not by the Andrews Labor government as Mr Davis has falsely alleged. Therefore I call on Mr Davis to withdraw his four assertions and stop misleading the house.

Victoria as a state has one of the most generous and ambitious suites of multicultural grant programs of any jurisdiction in the country. Also, in other states and territories they tend to look to Victoria for best practice when it comes to supporting our multicultural communities. Across most jurisdictions in our country, multicultural grant programs are in fact administered by state government departments themselves. Due to its deep links into multicultural communities, the VMC is already influential in determining what recommendations go to the minister. The report noted that the chair of the commission is content with the level of involvement of the commission and when invited during interview had no criticism to make of the process.

As the report notes, the VMC does not possess the capacity and capability to administer the multicultural affairs grants program, which has grown year in, year out ever since. In contrast, the portfolio of multicultural affairs administers more than 4200 individual grants, which is a huge number for the VMC’s capability and capacity. If the oversight and administration of multicultural grants were to be shifted to the VMC, it would significantly constrain and hinder the commission’s ability to carry out its primary function and duties under the Multicultural Victoria Act 2011. These functions and duties include advising the minister on systemic community issues relating to the adequacy of government services and settlement support and keeping the government abreast of factors inhibiting harmonious community relations and barriers to participation in the social, cultural, economic and political life in Victoria.

In focusing his attack on the grants process, which itself has been independently deemed as rigorous, transparent and robust, Mr Davis has failed to realise that the VMC is indeed very much an independent authority. So I call upon Mr Davis to withdraw his remarks and misleading of the house.

In conclusion, consistent with the findings of the McCann review, the administration of almost all grants within the multicultural affairs portfolio sits with the Department of Families, Fairness and Housing. The government has worked closely with the VMC to implement the recommendations from the two reviews of the VMC that have been undertaken. None—I repeat, none—of the recommendations have been rejected by the government. On this note I conclude my contribution to the bill brought by Mr Davis.

**Mr ATKINSON** (Eastern Metropolitan) (14:28): One of the things that I always regretted at school was the fact that I never got to mark my own homework. I am sure it would have been a terrific exercise to just go over what I had done and give it the thumbs up, because indeed that is one of the problems at issue here that is really the nub of why this bill has been brought to the house. Much has been made by Dr Kieu, who I think is one of the most terrific people within the Labor government in terms of multicultural affairs. He understands multicultural affairs. He is really dedicated to the advancement of all of those communities that contribute so much to Victoria. The problem with the presentation that he made today is that it relied very heavily on Warren McCann's review of the Victorian Multicultural Commission, and the reason why I made the remark about homework, my homework, is that Mr McCann actually did two reviews. One of them was in 2016, where he restructured the way the VMC operated, merged it with other bodies and actually reduced its independence. In 2019 he got to review it again and he basically rubberstamped what he had done in 2016, which, as Dr Kieu said in part of his presentation, did not take up some of the concerns that were expressed in the VMC's submission to the second McCann review.

Now the reality is that whilst Dr Kieu has presented a glowing report of the current status of the VMC, that conflicts very markedly with the information provided by IBAC after a review of some aspects of the VMC, particularly the grants process under the former minister, Mr Scott. It is very clear from what is on the public record that organisations that were sympathetic to Labor Party candidates, Labor Party MPs and particular factions were given extra benefits. They were advantaged by the grants process to the exclusion of other organisations which were not aligned with candidates or MPs or were not donors to the Labor Party, or in some cases were, heaven forbid, associated with other political parties in terms of some of the people who managed those organisations—not managed them for political purposes but managed them in a way that had proper governance.

These facts are beyond reproach. IBAC has found those facts to be established, and indeed this led to the resignation of Minister Scott. This is very much at odds with what is being presented in terms of the McCann bright and shiny view of the VMC. The reality is that Mr Scott's office took an independent body into the department, initially the Department of Premier and Cabinet but subsequently moved it across to another department. They took that body and reduced its independence, and it led to the resignation of Helen Kapalos after a great deal of anguish about her being unable to fulfil the responsibilities and maintain the integrity of that organisation.

Ms Kapalos was faced with a situation where, rather than the VMC going through what Dr Kieu said was a rigorous process on grants, for instance, the grants list was presented to her from the minister's office and she was required at short notice to tick it off to give it some cloak of dignity. It was supposed to be the other way around. To the rest of the world this is what was proclaimed, but the reality is that the grants process in Mr Scott's office in particular was one of patronage. It was a process of winning political favour. It was a process that damaged multicultural communities. It meant that some organisations that were doing outstanding work in the community, organisations that Dr Kieu and I have attended—we understand just how important the work of those organisations is—were cheated by the process of political patronage that occurred with the VMC being emasculated by a previous minister and his department. I happen to like Robin Scott. I have always found him to be a person who is really interested in multicultural communities, so I am not sure that he acted of his own volition,

that he was not instructed to do it for the sake of the party, but whatever the reason, it cheated multicultural communities. There are people in this house who are very much dedicated to those communities, and I would put to you that I think my passion for multiculturalism in this state is well known. My commitment and my dedication are well known.

For me this bill is important because what this bill does is it assures the statutory independence of the VMC. It ensures that it has the foundation to act properly and to be seen to act properly, to be seen to act with proper governance and without that political patronage and that in fact the processes are rigorous in terms of grants determination—but not just grants, also in terms of the advice that is given to the government on matters that affect multicultural communities. These are really important issues. One of them at the moment might well be visas. Certainly during COVID we could have done a lot better in this state, in my view, with the COVID response if we had concentrated earlier on how we got that message out to some of the multicultural communities. The VMC was not able to get that information out as it should have.

I have great faith in Vivienne Nguyen and I know that she leads a very good team of commissioners, albeit I would have concern about the diversity of some of those commissioners not in terms of the communities that they come from but in terms of their politics and experience and what they might bring to the table in other knowledge beyond their actual multicultural diversity, because all of that is important in having an organisation that is dynamic, that meets the needs of those multicultural communities and is seen to be independent, is seen to be well governed and is seen to be doing the right thing by communities.

The reason for the second McCann review, I dare say, was that it was recognised by this government that what had happened prior to 2018 was all about to come out. What was about to happen was the concerns and the distress of so many multicultural communities with the processes that had been put in place and with that political patronage were about to come to the surface. Mr McCann was the escape valve. He came to do a second review and basically to mark his previous homework and say, ‘No, no, no. I got it right the first time’, ignoring exactly what had gone on prior to 2018 and exactly what came before IBAC and what IBAC established were effectively rorts.

We cannot afford to have that. We value our multicultural communities. They are so important to the advancement of this state. They are so important to our linkages with countries around the world and with our global community. They are so important to the individuals in those communities who aspire to leadership positions, who aspire to do better in this country and who work in organisations that provide such social services—support during COVID, fundraising for things like floods and bushfire victims that are people beyond their own communities—organisations that do so much to support this state. And in some cases their work is compromised when a body that is expected to be independent, when a body that is expected to do the right thing by those communities and to select on merit the sort of projects that are going to most benefit the state and provide the best services, the most appropriate services to those multicultural communities, is compromised by political patronage.

We need, for the sake of those communities and for the sake of Victoria, to ensure that there is integrity in this entire process related to the Victorian Multicultural Commission. I share with a number of members in the government a real commitment to our multicultural communities, and I say to them—because I know what they think about it and I know that they cannot have had deaf ears when it came to the concerns that were expressed by appointees that had been made by the Labor government to the commission at the time of those reviews, both in 2016 and 2019—that their own appointees were saying, ‘This is not right; this is not how the VMC should operate’.

Now, I grant, as Dr Kieu presented in his contribution, that there have been some improvements, that it has been tidied up a bit and that in fact it is functioning a lot better than it did in the period from 2014 to 2018. I accept that, and I accept in part that that is because of the stewardship of Viv Nguyen and indeed the current minister. But we need to make sure that forever and a day we do not go back to the dark days of 2014 to 2018—that we provide assurance to our communities that this is a body that is

independent, that does have the ability to act independently, that can provide ministers and government with advice without fear or favour in terms of those issues that affect multicultural communities and that has stewardship of a grants program that is based on merit and the benefits to the communities of those programs rather than on who the mates of particular people or particular factions or particular parties are, whoever those parties might be. This bill is an important bill, and I would urge the house to support it.

**Mr ERDOGAN** (Southern Metropolitan) (14:42): I rise to speak on the Multicultural Victoria Amendment (Independence) Bill 2022. I note that this is a bill brought forward by Mr Davis but that Mr Davis has not cared to listen to the contributions so far in the debate, which have been quite engaging, by Dr Kieu and Mr Atkinson, both of whom I must say I do see regularly in their ongoing engagement with multicultural communities. Mr Atkinson talked about the work that he has done and the work that Dr Kieu does, and I can attest to that. I have had the opportunity to attend festivals or events in this building or out in the community, and both of them are quite present. There are a number of my other Labor colleagues that I see quite a bit, like Mr Tarlamis and many others, that are also quite frequent attendees of multicultural events. I also noticed that Mr Ondarchie was a regular attendee, but the coalition has decided to part ways with Mr Ondarchie, which is quite unfortunate because he was one of the few members in the coalition that I would see at these events across all of Melbourne—north, east, west, south. Victoria is a very diverse state, and these events are held across metropolitan Melbourne and also in our regions, which are increasing in diversity.

The work of the Victorian Multicultural Commission is something that concerns all Victorians very deeply, and that is why I think this is a matter and a topic that we should all engage in and involve ourselves in. I think on the reflections of the previous speakers there is a lot to say. I wanted to start my contribution by talking about the foundations and the framework of how the VMC has been set up and why it is so crucial. I think some of the discussion has been about the independence or otherwise of the commission, but it is important to understand that it is a statutory body that was established in 1983 and constituted under the Multicultural Victoria Act 2011. It is a main link between communities and the government. The Victorian Multicultural Commission's role involves identifying issues faced by diverse communities through consultations and our regional advisory councils, investigating and researching issues faced by communities, advising the Minister for Multicultural Affairs on community issues, giving recommendations to government to improve laws and policies through submissions, developing partnerships to improve settlement support services and helping diverse communities to access government services. It also involves encouraging all Victorians to embrace our shared multicultural identity by running a number of programs that promote cultural and social inclusion; encourage Victoria's multicultural communities to express and preserve their cultural heritage—it is part of the integration piece in that people want a sense of belonging but also to practise their culture; and promote better unity, understanding and harmony across all communities in our state.

They hold a number of important events, some of the localised events that we all attend—usually the community festivals; it might be a new year event or it might be a different festival—but also bigger events that get more publicity, such as Cultural Diversity Week and the 2022 multicultural gala dinner. They are some that come to mind, but there are others, such as the Victorian Multicultural Awards for Excellence, the Victorian Refugee Awards, the Victorian Multicultural Honour Roll and the Multicultural Film Festival. They are some of the big headline events. But what the VMC does is more than just issue grants; it is also about the social cohesion and, because the VMC is so ingrained in our communities, giving that feedback to the minister's office—but ultimately the responsibility is with the minister. That is an important tradition of the Westminster system.

There have been a number of reviews already conducted, and Dr Kieu elaborated on one of these or expressed what Warren McCann had already undertaken and provided advice on in relation to the functions of the VMC. The current model is supported by the Department of Families, Fairness and Housing through multicultural affairs, which sits within the Fairer Victoria division. General reasons to support the current model are that there is a general view that the form of structural support is a



second-order issue compared to clarifying the role of the commission, that an integrated model offers the best opportunity for managing the intersectional issues between the commission and the department and that it is a low-cost option. We want to end the waste and duplication in some of these departments, and this is quite a clever way to do so. The governance structure of the commission is important, but it is not the only issue.

I think the McCann review made clear that the management of the grants process, including recommendations made to the minister, is a departmental function. I think that is important to understand, because people are reflecting on our great state, but other states and territories look to Victoria because of the work we are doing in the multicultural space. The level of engagement is second to none. Across most jurisdictions multicultural grant programs are administered by state government departments. For example, in New South Wales grants are managed by Multicultural NSW. Page 33 of the Warren McCann report states that there is no evidence that it is deficient in any significant way. The assessment of applications against established guidelines, including eligibility criteria, is robust and structured in such a way as to allow full participation by the commission and shared decision-making. The McCann report also notes that from the perspective of good governance it is appropriate that the minister is able to rely on the advice of the department rather than a statutory body whose commissioners are often appointed as representatives of the community.

Some are raising concerns about the risk to the independence of the body; I think the current structure actually strengthens that. I think the broader point about individual behaviours is a broader issue about codes of conduct and other behavioural matters, but in terms of the actual structure, I think the structure is right. That is why I will not be supporting this bill before the house.

Due to its deep links into multicultural communities, the VMC is already influential in determining what recommendations go to the minister. The report notes that the chair of the commission is content with the level of involvement of the commission and, when invited during the interview, had no criticism to make of the process. As the report notes, the VMC does not possess the capacity and capability to administer the multicultural affairs grants program, which has grown throughout our time in government. The multicultural grants program is massive. Before getting up to speak today I went onto the website just to look at some of the grants that are administered by that department: the Multicultural Community Infrastructure Fund; the Indian Community Infrastructure Fund—recognising that Victoria is home to the largest Indian community in Australia, and a growing one, we have a dedicated fund to help that community in particular to grow their community infrastructure; the community innovation grant program; the multicultural festivals and events program; the capacity building and participation program; the security infrastructure fund; and the multicultural sports fund.

These are just some that came to mind, so I thought, 'I'll jot them down before I get up'. This is the amount of work that has been done. It is a body of work. It is an amazing piece of work. Mr Atkinson reflected on the chair of that committee—exactly; they are doing amazing work. We have all seen it. We need to differentiate between individual poor decision-making and structural issues. I think the structure is right in the current system that we have, and that is why I do not support the bill before the house. Dr Kieu I think said that 4200 grants were awarded, to be exact. I do not know if I have got the figure correct there, but approximately 4200 grants have been administered by this department. So that is the body of work we are talking about.

The VMC—you would need to set up a whole new government department to manage that, but there is a government department that does that work: the public service, who make sure that the guidelines are fair. It is transparent. Any of us could go onto the website right now. I am sure they will be there—clear criteria and guidelines for community groups. As members of Parliament we are usually approached by community groups to lend support to their applications. They might ask for a letter of support or evidence of your attendance, so there is also a process of verification that those events have taken place and that they are adhering to compliance and what they said they will do. It is not like they just get the money and there is no follow-up. There are actually checks and balances in place, and for the most part, in my experience, the multicultural community groups that do get these grants make

sure they comply. They understand the seriousness, but also they understand their privilege—that we are in a country and in a state where we celebrate our diversity. We can speak our language and practise our culture freely. We need to keep it that way.

There are always challenges, ongoing challenges. We know there are elements in our society that probably feel uncomfortable with that. In this chamber—and I can see Mr Meddick nodding—there are still challenges in making sure that social cohesion and harmony are maintained and people are educated about this stuff. That is part of the VMC's remit, I feel. It not only provides that support and framework for those community groups but also explains the value of cultural diversity, whether it be cultural or faith diversity. The VMC's role is second to none, and we are a leader nationally. I look at some of the multicultural work done in other states, and for most of them I say, 'We've already done that in Victoria'. You see posts saying 'First time ever' for a kind of event, but we have done it here before. There is a lot more in the multicultural space that obviously can be done or we are in the process of doing, but as I stated, there are so many avenues for engagement.

There is obviously more work that needs to be done, because it is an evolving issue and it is not something where we can just say, 'We've done fantastic work for multicultural communities, and it ends there'. I think it is that constant dialogue and engagement. Like I said, I have seen Dr Kieu and Mr Atkinson do it firsthand, where they speak to multicultural communities, get their feedback and pass that on to the decision-makers and the appropriate bodies—and that is important. As members of Parliament we have a responsibility to make sure everyone is heard. Some of the multicultural communities are some of the most disadvantaged or may not understand how to navigate our bureaucracy. But I think the guidelines, from what I have seen, are quite robust; they are quite clear. We need to separate issues of, like I said, individual behaviour or poor decision-making from the structures. I feel the structures are robust and strong. That is my main reason why I cannot support this bill, especially coming from Mr Davis, who is not even engaging in the debate.

*Members interjecting.*

**Mr ERDOGAN:** Mr Davis has re-entered the chamber.

**Mr Davis:** On a point of order, Deputy President, I have actually been in the chamber for some time, and the member is quite wrong in what he just said.

**The DEPUTY PRESIDENT:** Mr Davis, that is not a point of order, but I do note that you have been back in the chamber for some time now.

**Mr ERDOGAN:** Thank you, Deputy President. I was talking about the McCann review. The McCann review did make a number of recommendations. The review's recommendations related to grants management. I guess grants management is important, because it is not the primary goal of the VMC but it seems to be the one that has the greatest public interest and it constantly comes up. From the government's perspective the review's major recommendations are that the management of all grants should be a departmental function; that content should be included on the websites of the department and the commission to explain the respective roles in the process, including that the Minister for Multicultural Affairs is the ultimate decision-maker—this is all there on the website; and to consider a strategic review, in partnership with the commission, of multicultural affairs grants categories to ensure that they are aligned to and support the achievement of the government's multicultural policies and objectives. All those recommendations from his last review were adopted. Some of them have been completely implemented, some are at various stages of implementation.

I think in this space the government has a proud record of engagement with multicultural communities. Many members of the government are quite active and engaged with and participate in multicultural events across our great state. As I said at the beginning my contribution, from the coalition the only two MPs I would see regularly were Mr Atkinson and Mr Ondarchie. They will not be here next term, which is a loss to the Parliament because Parliament is better when we have the full spectrum of engagement with the broader community. Those two members of the coalition, the only two I would

see regularly at these events, will not be here. But my Labor colleagues—like Dr Kieu, Mr Tarlamis and Ms Terpstra—I see at a number of events, and they continue their full engagement with multicultural communities.

In summation of this bill, I think it comes down to the issue that I feel that the structures are robust. We have had a number of reviews now—two reviews—which have come back saying that the structure is right now, and we should not confuse individual decision-making with a structural issue. I think the structures are right. If there have been some allegations about past individual decisions, I think that is a completely separate matter, but I think the structures are right and the VMC seems to be delivering. From my experience the events that have been sponsored or co-hosted by the VMC seem to be some of the best and most engaging with the most diverse range of groups, so I commend them on their work and hope that they can continue their work going forward. On that note I might conclude, but I will not be supporting this bill before the house. I want to make that clear.

**Dr RATNAM** (Northern Metropolitan) (14:57): I welcome the opportunity to contribute to this debate on the Multicultural Victoria Amendment (Independence) Bill 2022. Victoria is rich in its multiculturalism, both in the size of our culturally diverse population in this state and the vibrancy and strength of our culturally diverse communities. The recent census found that 30.2 per cent of households in the state use a language other than English, which is higher than the national average of 24.8 per cent and the 29.5 per cent recorded in New South Wales. We also saw the census data reveal 41.3 per cent of people in Victoria said both their parents were born overseas compared with the Australian average of 36.7 per cent.

I want to acknowledge the incredible contribution of our migrant and culturally diverse communities across the state—their experience, their wisdom and the values they bring that shape and strengthen our society. Despite this, there is a problem in this state with how our political institutions interact with our culturally diverse communities. We saw this revealed in the starkest of ways in that recent *60 Minutes* story and the IBAC investigation that followed, which showed how some politicians treat multicultural communities—treating them only as numbers in factional wars. The ways communities were referred to, as was revealed in the transcripts of the IBAC investigation, were appalling. While they are not representative of all politicians, it is an extension of the top-down approach that governments all too often take to multicultural communities.

Today this bill and debate is focused on one of the political institutions in Victoria, the Victorian Multicultural Commission. At the outset I want to acknowledge the incredible work the commission has performed over years and years—incredible work that has reached broadly and widely across our culturally diverse and migrant populations in Victoria and really strengthened us through their advocacy work, their social cohesion work and all the community building and capacity building that they undertake to this day. But what this debate today is urging us to consider are the potential challenges to that work—namely, the challenge to how it remains as strong and as independent as it can be given what we know about the threats to that work as demonstrated in the investigations that have been revealed over the last year.

The most important part of this debate today, I consider, is the reminder that it gives us all about the dangers of those types of top-down approaches when you are working with culturally diverse communities. Governments and government agencies would do well to work with communities, listen and be prepared to acknowledge that communities may actually know what is best for them rather than telling them what is best for them. I know there is a lot of good faith and goodwill when working with culturally diverse communities, but we can all do with this reminder in the positions that we hold and the work we do with these communities.

By way of an example, I have been working with a number of incredible women from our culturally diverse communities who are advocating for more investment and resources to combat family violence in their communities, and particularly for funding support for culturally specific support services when it comes to family violence and a culturally specific family violence refuge in Victoria. We have none

to date in this state. Yet they too are finding it very difficult to get the ear of government. They are advocating for culturally sensitive approaches. That means not just having interpreters and translators when you go to services and not just adding on culturally specific services to mainstream services but having a truly, deeply, culturally specific service that communities can feel at home in, can feel like it is accessible to them and can know from the interactions and interactions of their community members who have experienced that service that it is a culturally appropriate place for them to go.

The experience of the COVID pandemic over the last two years, particularly in 2020 and 2021, served as another clear example of how top-down approaches to multicultural communities do not work. The government was slow to understand the impacts of COVID on communities, obviously under extraordinary pressure in this really unusual and unprecedented event. I acknowledge that it was a challenge for all governments at all levels across the country and indeed across the world. However, there were challenges in the rollout of health advice in language and in understanding the different needs facing different communities. It demonstrated, I think, what had been building for many years about the need to strengthen trust with members of the community—for them to know what is best for them rather than taking solutions and presenting them to communities as a *fait accompli*. The work of really deeply listening and engaging probably had not been paid as much attention as was needed in the preceding years leading to those events. In those moments of urgency, if you do not have a strong system, the system collapses. It was clear that there were not the systems or political understandings to engage meaningfully with a number of these communities, who were disproportionately impacted by the pandemic. This was highlighted in the most dramatic way with the hard lockdowns of the public housing towers, which we know many of our culturally diverse and migrant populations live in, where it was the communities coming together and leading the support of their fellow residents in the public housing towers, ensuring that they were fed and had access to medicines and any other support that they needed, and obviously with the psychological distress and trauma of the really sudden event that was happening to them as well.

Now, in 2022, we see a strengthened approach from government when it comes to health advice about COVID and an improved way of engaging differently with multicultural communities and keeping them safe. I want to acknowledge the work that the government have done to really strengthen their approaches, acknowledging that it was an unprecedented event—something that we had not predicted, which really tests the strength of your existing systems. But there are moments like that where, if your systems cannot withstand that pressure, it is really important to acknowledge the areas where they need to be strengthened, and I certainly acknowledge that the government have done a lot of work to strengthen their systems. We are hearing back from communities that the information that is getting to them is much more timely. There are lots of areas still to improve, but it is certainly something that in the communities' experience has been strengthened.

The pandemic has also showed us the economic intersection with our multicultural communities. We have a more starkly segregated workforce, with members of our multicultural communities more likely to be in low-paid, insecure but essential work in jobs that cannot be done from home but are necessary for our society to function. Indeed our multicultural communities need more than just MPs showing up at festivals and events and having photos taken and grants given out to friendly groups with an eye to an election. They need their issues and concerns taken very seriously, with proper engagement across time and across communities that listens to and trusts people and structural reforms that ensure we are still striving for social and economic justice for all to ensure no-one is left behind. Indeed that is what the pandemic is revealing to us about the sections of our communities that are left behind every day. A moment like that brings it into very stark focus and contrast. We must all listen to those lessons that the pandemic has revealed to us.

So in terms of the debate and what we are talking about here, I urge everyone—I understand that there will be contestation, questions and disagreements about the pragmatics of the bill and if that is the way and if those are the levers to be able to strengthen what we are talking about—to acknowledge and recognise what this debate is actually about, which is the approach we take to engaging meaningfully

and deeply with our multicultural communities, acknowledging that it is a constantly evolving piece of work. It is not a 'set and forget', because our culturally diverse communities are always changing. Their needs are changing. The way they need governments and their political institutions to interact with them is always changing. We need approaches that acknowledge that the approach needs to be refreshed and revisited and strengthened constantly. We need to constantly listen to communities about how it can be strengthened and acknowledge that we have not always got it right. In fact there have been things that we have got very, very wrong. I think it is okay to admit when we have got things wrong. There are areas for much greater collaboration. Each MP that sits in this place, as we have talked about in debates over the last two years, has really strong connections with their respective geographic communities and other, for example, culturally diverse communities. There is real potential to use all those networks and links to bring communities together, to get information out to them and to help inform the ways our institutions make decisions with culturally diverse communities.

One of the most important things about this debate today—and I am glad we are having it; we do not talk about these issues enough in this chamber, so I really welcome the opportunity to talk about these issues—is the opportunity to stocktake what is happening with our work with culturally diverse communities, to address and acknowledge the areas where we are not getting it right and that need to be strengthened and then to recommit together to be able to strengthen those approaches. I think one of the biggest lessons is to move away from top-down approaches to collaborative approaches, which starts in the Parliament too. It starts with all the statutory organisations that are charged with doing this work to strengthen culturally diverse organisations, and with that commitment there is so much more work that we can do. We have vibrant, very, very strong, very wise culturally diverse communities who are saying, 'We have the solutions. We are willing to try and test them out, but we need the opportunity, we need the area of government and we need some funding and support services. We need people to think differently about the way that things have always been done and try new approaches'.

In the work we have been doing, particularly with women from our culturally diverse communities looking for greater support and investment in culturally specific services in family violence services—for example, in Victoria's first culturally specific women's refuge for women escaping family violence—it is the kind of wisdom that they bring to the table that we need to be able to trust and invest support in, because otherwise we will never learn and we will never develop the systems that we know can really improve the way we support our culturally diverse communities. So I really welcome this debate, and I hope what it has done is increase our awareness about what we might need to do more of and what we might need to do better and reaffirm our commitment and a recommitment to working together to get that work done.

**Mr GEPP** (Northern Victoria) (15:08): I rise to speak on Mr Davis's bill before the house today. It is always difficult when you are speaking on these sorts of matters when you follow somebody like Dr Ratnam, who has lived and breathed this all of her life. I certainly thank her for her contribution today but also her contribution in this space over many, many years and the continued pursuit of excellence. I think the one thing that we can all agree upon in this chamber when it comes to multiculturalism is that it will always be a work in progress, and it must be a work in progress. We must continue to strive for excellence wherever we can and whenever we can, understanding that as soon as we reach it on one issue another will pop up and challenge us in some other areas as well. Like Dr Ratnam, I think that it is so important for us to continue to have these debates in this place and continue to air grievances, issues, that emerge through these programs, these areas of public policy, because the more that we talk about them, the more likely we are to land on places which are taking us forward and improving the lives of the Victorians who come from such a diverse group of backgrounds, and wonderfully so.

Looking back at the commencement of the Victorian Multicultural Commission—and I think it is important that we do go back and we do remind ourselves, because it was not that long ago that it was established—it was established as a statutory body back in 1983, and it is now constituted, as we know,

under the Multicultural Victoria Act 2011. The act spells out the role of the VMC, which includes things such as identifying issues faced by diverse communities through consultations and our regional advisory councils, investigating and researching issues faced by those communities, advising the Minister for Multicultural Affairs on community issues, giving recommendations to governments to improve laws and policies through submissions, developing partnerships to improve settlement support services and helping diverse communities to access government services.

The VMC, as we know, encourages all Victorians to embrace our shared multicultural identity by promoting the social, cultural and economic benefits of diversity; by encouraging Victoria's diverse communities to express and preserve their cultural heritage and traditions; and by promoting better unity, understanding and harmony among all communities. These are fantastic ideals and fantastic objectives that I think everybody in the chamber is genuinely committed to, because I have not spoken to too many people in this place who do not understand the value of multiculturalism in this state. Everybody has a contribution to make—whatever that contribution is, whatever their background is—particularly our multicultural communities. And it is not lost on anybody, I do not think, in this place that outside of Indigenous Australians the rest of us are blow-ins. We have all come from different corners of the world, from different heritages, and we bring those differences to this place. In doing so we make it a far better place.

The VMC engages in a range of activities to promote the legislated objectives and obligations that I spoke about, in particular to promote unity and harmony among Victoria's diverse communities. The VMC also deliver a range of significant events, and they have done so over the last couple of years, particularly during COVID. And that has been a difficulty, but nonetheless they did some remarkable work over those two years. We had Cultural Diversity Week and the 2022 multicultural gala dinner, the Multicultural Awards for Excellence, the Victorian Refugee Awards, the inaugural Victorian Multicultural Honour Roll in 2022 and of course the Multicultural Film Festival.

Over the past two years the VMC has also played that significant role in supporting the multicultural and multifaith communities to respond to the impacts of COVID—a very, very important period in our state's history—and the role that our various multicultural and multifaith communities have played in supporting the broader Victorian community in getting through what has been a very, very tough time has been extraordinary. We know that those multicultural and multifaith communities have delivered regular community forums on COVID-19 in partnership with the Department of Health and that those forums were attended by more than 4000 community leaders and representatives. They have hosted more than 50 regional advisory council meetings across eight regions; hosted more than 30 community-specific and place-based round tables; co-chaired the North Melbourne, Flemington and Yarra public housing estates working groups; attended numerous community-led consultations; co-hosted anti-racism seminars with the Victorian Equal Opportunity and Human Rights Commission; and continued engagement with the Multifaith Advisory Group, MAG, to provide advice to government departments on a range of legislative considerations and program initiatives. We understand the role that the VMC and all of our multicultural and multifaith communities play in honouring all who come from those communities and who participate in those communities, and we value all that they bring to the table.

I do want to digress for a moment and say that this is a bit ironic given, at one of the key events that the VMC put on this year, the 2022 multicultural gala dinner, the disgraceful performance of Mr Davis, which was widely reported. He acknowledged it, and I am sure that those that attended that dinner, witnessed some of that behaviour and were offended by some of that behaviour would be a bit bemused by Mr Davis coming into this place today and lecturing the rest of us on multiculturalism in this state. I will not play on that too much, but I think it is a bit ironic.

Mr Atkinson talked about Mr McCann, who conducted a review in 2016 and again in 2019. I know that Mr Atkinson was not casting any aspersions on Mr McCann. Mr McCann is a highly decorated public servant with many, many years of experience. He has provided tremendous service not only to this state but also to South Australia. He is absolutely above reproach, and I know that Mr Atkinson

would share in that analysis of Mr McCann. Rather what he was referring to was Mr McCann conducting the review in 2016 and then reviewing that review some three years later. I think it is important to note, though—it is an important part of acknowledging that part of the VMC's history—that Mr McCann's review in 2016 was responding to recommendations that ostensibly came from a 2014 report by the Victorian Auditor-General. Mr McCann's review was about implementing that review. It was a subsequent review following those recommendations that came from the Auditor-General's report in 2014, so I think there is a natural flow-on from that report. I do not agree with the assessment that Mr McCann was reviewing his own homework. In fact what he was doing in the first instance was implementing the requirements laid out in that 2014 Auditor-General's report, and in 2019 he was ensuring that all of the things that flowed from that were subsequently followed. I think that that has occurred.

I just want to go through, if I might, a couple of the recommendations of the McCann review. Nineteen out of the 20 recommendations from that review have been implemented, and it is important that we do not lose sight of where things are up to in this space. If one had tuned in to previous speakers, they might think that nothing is happening in this space, that it is just all stagnant, but that is not the case. For example, the McCann review recommended that the chair of the commission be consulted before the recruitment and appointment of staff who are assigned to support the commission in the performance of its functions. Status: it has been implemented. The review recommended that clause 7 of the MOU be amended to make it clear that the commission is not subject to the direction—this is particularly relevant to the proposition that Mr Davis has brought to the chamber today—of the minister in relation to its reports on the adequacy of government services and related matters. That has been implemented.

It recommends that a dedicated budget for the commission be determined and given effect through a separate cost centre in the Department of Premier and Cabinet's chart of accounts, that the chair be given financial delegations necessary to exercise full authority for all items of expenditure and that the chair be held accountable for ensuring that the highest levels of probity in the expenditure of public moneys are observed as well ensuring that DPC's financial and procurement processes are fully adhered to. That has been implemented.

VMC has its own cost centres within the Department of Families, Fairness and Housing. The director of the office of the Victorian Multicultural Commission and the lead director of the multicultural affairs and social cohesion division meet fortnightly or as circumstances require to exchange information and coordinate day-to-day work programs of the MASC and the commission. That has been implemented, and it is ongoing. You will see that right throughout the 19 of the 20 recommendations that have been implemented. We are following on from initially the report that was tabled by the Auditor-General back in 2014, seeking to implement those and continuing to strive for best practice and excellence in this space.

I suspect that what we are dealing with in this bill is something a little bit different to what has been talked about, but you know, you can only take people on their performance over a long period of time, and often Mr Davis likes to bring things to this chamber to muddy up the waters and suggest something completely untoward has occurred or is occurring, simply to fit a political brief that he has or indeed one he has conjured up himself. The VMC and all of our multicultural and multifaith communities and organisations do a sensational job, which we absolutely value.

I do want to say before I conclude that the other thing Mr Atkinson said when he was referring to Dr Kieu was about his commitment to multiculturalism in this state. As to Mr Atkinson's long-held views in this space, he has been a champion—long before it was fashionable, I have got to say—in this state and is to be congratulated. So congratulations to you, Mr Atkinson, and to Dr Kieu. And for everybody, we can all do a whole lot better and we can all do a whole lot more, and we must. Let us put our shoulders to the wheel and let us improve the lives of all Victorians, but particularly of those who come from such diverse and wondrous backgrounds and cultures and bring so much to our Victorian community.

**Ms LOVELL** (Northern Victoria) (15:23): I rise to speak on the Multicultural Victoria Amendment (Independence) Bill 2022. I congratulate Mr Davis for bringing this bill before the house today, because it does address a really important issue, and that is the independence of the Victorian Multicultural Commission (VMC) and particularly the multicultural grants process. The independence of that grants process absolutely must be restored.

I am fortunate to live in one of the most multicultural communities in this state in Greater Shepparton, and we celebrate that diversity in Greater Shepparton. We celebrate it all the time. In fact our council even puts out a calendar each year on cultural events, and our local ethnic council does a tremendous job with our very vast multicultural community to assist them with celebrating all of those events. We have over 30 nationalities living in Shepparton, and we speak more than 50 languages. That is quite significant. In fact Shepparton is held up as the poster child for multiculturalism in the country. We have a lot of new settlers as well as cultures that have been there for a very long time. It is not always a bed of roses in Shepparton, but everyone works at it. The council work at it, the ethnic council work at it, the police work at it and the members of Parliament work at it, and we have a very, very healthy and harmonious community.

Many people put in a great deal of work to make that work, but they also put in a great deal of work to host and put on the vast array of multicultural events that we have throughout the year. I see that hard work. I see the hard work that goes into each event. I see the hard work that goes into planning each event. There is no doubt that when it came out that the minister's office here in Melbourne was interfering with the independence of the Victorian Multicultural Commission and was giving grants to groups on the proviso that they campaigned for the Labor Party it would have been of great concern to our community. It would have been a great disappointment to them when they were applying for grants to do what the multicultural grants are supposed to do—that is, celebrate the diversity of the multicultural community in Greater Shepparton. I know they would have been greatly disappointed by that.

That is why it is so important that we restore the independence of the VMC and the independence of the grants process and take it out of the hands of a minister who can manipulate those grants and give them to people and community groups providing they support the ALP. That is just not what they were meant for, not what they should be used for, and it is indicative of this government and the way that they use public money to support the ALP, to support their re-election, to support their branch activities and even to support their membership payments. It is not what public money is meant to be used for, but so embedded in this government is the corruption and misuse of public money that they do not see anything wrong with it at all. With those few words, I will allow Mr Melhem to have his moment before we expire the time for this bill.

**Mr TARLAMIS** (South Eastern Metropolitan) (15:27): I move:

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

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

#### **Business of the house**

#### **NOTICES OF MOTION**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (15:27): I move:

That the consideration of notices of motion, general business, 822 and 796, be postponed until later this day.

**Motion agreed to.**



## Bills

**PLANNING AND ENVIRONMENT AMENDMENT (WAKE UP TO CLIMATE CHANGE)  
BILL 2022***Second reading***Debate resumed on motion of Mr HAYES:**

That the bill be now read a second time.

**Ms TERPSTRA** (Eastern Metropolitan) (15:28): I rise to make a contribution on this bill which has been brought to the house by Mr Hayes. I welcome Mr Hayes's interest in climate change and acknowledge his desire to amend the Planning and Environment Act 1987. As we know, planning and climate change are two topics that are on many, many people's minds—maybe planning not as many, maybe some in different areas. But certainly climate change is something that this government takes very seriously, and we have taken very strong and strident action in regard to this. You have just got to look at the government's Solar Homes program and lots of different aspects. We have done lots of work on recycling, the circular economy and all those sorts of things which are going to help climate change. But in this instance the amendments to the Planning and Environment Act are not required to enable the government to take stronger action on climate change.

There has never been a Victorian government more focused on emissions reduction and building resilience to a changing climate than the Andrews government. Victoria already has a strong legal framework in place to manage climate change. The Climate Change Act 2017 provides Victoria with the legislative foundation to manage climate change risks, to maximise the opportunities that arise from decisive action and to drive our transition to a climate-resilient community and economy.

Furthermore, as there has been no engagement with industry or government in the development of this bill I am concerned about the potential for unseen consequences for private sector investment and the state's pipeline of housing and major infrastructure projects. As you know, we have got a very strong and visually obvious record in terms of our Big Housing Build, for example. We are building lots of affordable homes for lots of people, so we would be concerned about this bill if it was to be given safe passage through this house. As I said, it is something that will have consequences for the private sector and our pipeline of housing and major infrastructure projects.

I am pleased to be able to note the extensive activity that is occurring within planning and across government to reduce emissions and to respond to our changing climate. In terms of targets, the Victorian government has legislated for net zero greenhouse gas emissions by 2050, and this target has been set through Victoria's Climate Change Act 2017. We are consulting on the 2035 target, which will be settled by April 2023. Victoria's climate change strategy outlines the Victorian government's initiatives to meet the legislative emission reduction targets along with key principles to guide action on climate change adaptation. This strategy promotes a combination of responses, including programs to transition our electricity system to renewable energy and transitioning to zero-emissions vehicles. Change will be supported by investments, new standards, incentives and guidance and will use the best available climate change data in decision-making.

Planning has an important role to play in reducing emissions and responding to climate change—from planning policies that facilitate renewable energy to important updates of planning and building standards to ensure that planning assists us to transition to a more sustainable future. One of the things we looked at in our recent ecosystem inquiry was the impact that some planning decisions can have on our ecosystems—for example, the heat island effect. We are finding with some new land and housing developments—and this is also certainly the case in New South Wales—that where a lot of houses are built with black roofs, for example, if there are not a lot of trees this can create a heat island effect, which means there is a noticeable increase in temperature on the ground in some of those municipalities or areas. That is something to be concerned about, so planning absolutely does have an impact in regard to climate.

The Minister for Planning is the decision-maker for energy projects over 1 megawatt. Since the Andrews government took office in 2014 the Minister for Planning has approved a total of 16 085 megawatts of renewable energy projects and large-scale batteries. This includes 15 new wind farms, 35 solar farms and nine large-scale batteries. The wind and solar farm approvals will provide enough energy to power approximately 9.52 million homes. Approving these projects has reduced emissions, created jobs and established a diverse regional economy as well. The rapid take-up of rooftop solar highlights the willingness of Victorians to adapt to renewable energy technology to take charge of their power bills and create a better future. To support home owners doing their bit, planning changes have made it easier to install neighbourhood batteries on Victoria's electricity distribution network. I know in my own region, the Eastern Metropolitan Region, I have had a number of inquiries from local constituents who want to know more about community batteries or neighbourhood batteries and also people wanting to know more about how they can access the government's Solar Homes program to get solar panels on their roofs. It just shows me that the level of community interest in this area is really quite strong.

Neighbourhood batteries enable the network to support more rooftop solar by storing solar-generated electricity during the day and discharging it during the evenings when demand is highest. This enables consumers to generate and consume more renewable energy locally and further supports Victoria's emissions reductions and renewable energy targets. The Victorian government's \$10.92 million neighbourhood battery initiative is providing grants to fund pilots and demonstrations of a range of neighbourhood-scale battery ownership and operational models to unlock the role that neighbourhood-scale batteries can play in Victoria's transitioning electricity system. We are also clarifying standards relating to the overshadowing of rooftop solar systems to strike the right balance between encouraging more rooftop solar and the needs of growing suburbs.

I can say on a personal level we just upgraded the solar panels on our roof, and we were talking to the installer about virtual power plants and how those things work and how you can even share solar with more localised people in your street. So there is continuing evolution of technology and opportunities for people to generate solar and to share it locally. As I said earlier, it is generating lots of interest locally, and the number of Victorians that are taking this up demonstrates that point.

In January 2021 the government released the ESD road map, or the *Environmentally Sustainable Development of Buildings and Subdivisions: A Roadmap for Victoria's Planning System*. The ESD road map sets out an agenda for the planning system to fulfil *Plan Melbourne* commitments. This includes a range of planning policy measures to support renewable energy, save energy and respond to a changing climate. Stage 1 of this work was completed in June 2022 with the approval of amendment VC216. Amendment VC216 introduced comprehensive changes to strengthen planning policy responses to environmentally sustainable development and amend the purpose of the Victorian planning provisions to specifically include consideration of climate change. This change provides a clear signal that the planning system has a key role in supporting government action on climate change. Stage 2 of this work is underway and involves preparation of new and updated planning standards to support climate change adaptation and mitigation. These standards will support energy efficiency through improved passive solar design, onsite renewable energy generation, active and sustainable transport, waste and recycling, integrated water management, cooling and greening, and measures to reduce air and noise pollution exposure. Minimum electric vehicle charging standards for new buildings are also being developed.

The National Construction Code has also had significant work undertaken on it, and buildings now constructed will be with us well into the future. Important improvements to the energy efficiency performance of residential dwellings are being considered through changes to Australia's National Construction Code. These changes would introduce 7-star national home energy rating scheme requirements and a whole-of-home energy budget for residential dwellings. If approved nationally by Australia's building ministers, these changes will support climate change and net zero goals, provide benefits to consumers through a reduction in energy bills and network charges and also improve

occupant health and comfort. Electric vehicle readiness for residential and commercial buildings is also incorporated into the proposed updates to the code. I look forward to the building ministers meeting coming up later this month, where other state and territory building ministers will consider the final proposal for these changes. As the energy minister has previously indicated, Victoria stands ready to go it alone and implement these changes if they are not supported by other states and territories, as we feel confident that the preparatory work that has been done in Victoria will allow us to forge ahead.

In regard to climate adaption, long-term records show that Victoria's climate is changing due to global warming. Since 1910 Victoria has warmed by 1.2 degrees Celsius. Victoria has already experienced reduced average rainfall, especially in cooler months; an increase in frequency of extreme heat events; and an increase in dangerous fire weather and the length of the bushfire season. Planning has a critical role in ensuring Victoria's communities are prepared for a changing climate. That is why the climate change act requires adaption action plans to be prepared by the relevant minister and renewed every five years to make sure they remain current and up to date.

The built environment adaption action plan was released in April 2022. It is one of seven adaption action plans that are required by legislation and guided by Victoria's climate change strategy. The action plan includes a five-year strategy to enhance the resilience of our cities and towns to deal with the elevated impacts arising from climate change. It identifies 19 actions for the Victorian government, including staged updates to planning and building standards to address the elevated risks associated with flood, fire, heatwaves, drought and erosion. As we know, these types of events, which we used to experience less frequently, are something that we are all experiencing much more frequently. Other important commitments include taking a whole-of-government approach to harness economic, financial and legal tools to support the state's long-term adaption needs.

Outside the planning portfolio, there is still a power of work being undertaken as well. The Andrews Labor government has implemented a range of other government initiatives that continue to deliver on climate change for all Victorians. I have mentioned some of these before, and will I just quickly go through some of them again. The Solar Homes program has supported over 200 000 households to install photovoltaic panels, solar hot water systems, heat pump hot water systems or batteries at their home.

I can say that when the battery program was first announced—it was looked at on a postcode basis—Templestowe in my region, in the Eastern Metropolitan Region, was one of the postcodes that was selected in order for residents to be considered to have a battery installed at their home. It was very successful. I had a number of constituents contact my office who indicated their positive experience with the program and how pleased they were with their reduction in energy bills and also the fact that they could store the electricity that they had generated in their battery. The program now assists both owner-occupied and rental households to install solar PV systems or battery storage systems, including residents living in apartment buildings.

The zero-emissions vehicle road map will invest in the rollout of public and fleet charging infrastructure across the state so that all Victorians can be part of this transformation. We know that we need the infrastructure to support zero-emissions vehicles. We are going to need to have more charging stations, and that will definitely help with the uptake of zero-emissions vehicles, because of course people want access to charging stations. I know there are some in Melbourne, but we need more. There are some, for example, at Woolworths in Heidelberg. They have charging stations in their basement, in their undercroft parking, which of course is very helpful and useful and available for people to use when they want to charge their vehicles. So that is a very welcome development. But we need to do more. We need to make sure that the charging infrastructure is there across the state and accessible for people to use.

We are also establishing six renewable energy zones to target investment towards strengthening the network in Victoria to enable an orderly and coordinated transition to renewable energies, and we will

engage with local communities to ensure that they benefit from these renewable energy zones. The commitment of \$540 million in funding to progress the development of the six zones will build a next-generation power grid to connect the world-class renewable energy resources across our state in a way that ensures Victorians continue to have access to affordable and reliable power, ensures regional development and job opportunities are maximised and ensures any adverse impacts are minimised. The government has established a new body, VicGrid, to work with traditional owners, investors, stakeholders and local communities to plan and develop the renewable energy zones in a strategic and consultative manner. Again, this is all preparatory work to enable us to support a greater transition and movement towards renewable energy.

The Latrobe Valley energy and growth program is supporting community and industry projects that increase the uptake of renewable energy generation and management and storage technologies, back the creation of local jobs and reduce greenhouse gas emissions in the Latrobe Valley region. The program provides up to \$3 million in grants to fund both industry and community-led projects across the local government areas of Latrobe City, Baw Baw and Wellington.

We have a commitment to a 2032 offshore wind target for Victoria of at least 2 gigawatts and long-term targets to reach 4 gigawatts of offshore wind capacity by 2035 and 9 gigawatts by 2040. These are really exciting projects—the offshore wind targets. For example, we have got the Star of the South off the coast of Gippsland, which is a very exciting project. We learned a lot about that project when we undertook the renewable energy inquiry. I cannot wait to see that project go from strength to strength, because it is a really important project and just makes sense. I think in Australia and certainly in the Bass Strait we have got one of the windiest places in the world, and it only makes sense to harness and maximise those natural assets that we can use, especially when we want to create renewable energy.

We are supporting the design and delivery of the Hume Hydrogen Highway between Melbourne and Sydney. This includes supporting at least four refuelling stations and approximately 25 hydrogen-powered long-haul heavy freight vehicles to adopt zero-emission technology such as fuel cells. Victoria's hydrogen legal frameworks review, as part of a nationally coordinated working group, is reviewing our regulatory frameworks to better support hydrogen industry development and safety. This work delivers on a key action of *Australia's National Hydrogen Strategy*.

We are supporting the Greening the West initiative to plant 500 000 new trees in growth areas across six councils. I know this has been really super popular in the western suburbs of Melbourne, because there was concern around not having enough trees. We know that not only do trees provide shade but they also help air quality as well. So it is really important if we want to do something about cleaner air that trees are part of that—not to mention other measures in terms of reducing air pollution. But we know that planting these trees in growth areas across six councils will provide more shade and green spaces. This is part of realising the goals of *Plan Melbourne* by greening and cooling our city. As the western suburbs can experience some of the worst urban heat island impacts, and I talked about that earlier, across metropolitan Melbourne during summer, this is a really great initiative.

There is a commitment for Victoria's 18 water corporations to reach net zero emissions by 2035. This will make Victoria's water sector the first in Australia to commit to net zero emissions by 2035. The \$20 million New Energy Jobs Fund supports Victorian-based projects that create long-term sustainable jobs and increase the uptake of renewable energy generation to reduce greenhouse gas emissions and drive innovation in new energy technologies. The fund is a key component of the \$200 million Future Industries Fund to support high-growth, high-value industries, such as the new energy technology sector, that are critical to securing Victoria's future as a competitive, innovative and outward-looking economy.

The Post 2025 Distributed Energy Resources Implementation Plan—wow, that it is a really long title, a mouthful; I think I managed not to mangle it—brings together market bodies and other key stakeholders to ensure technical requirements, market changes, system needs, consumer protections

and governance frameworks are all in place to effectively integrate the distributed energy resources implementation plan in the future energy market.

Before I go on to my concluding remarks, I want to say something about what I have been talking to young school leavers in my region about. As members know, a lot of young people are interested in climate change and want to play their part in helping to reduce emissions. But what I have noticed is that a lot of school leavers are really interested in working in the renewable sector. We have seen this particularly with school leavers who are quite interested in working in the electrical field. That can be in solar and rooftop solar installations and also as auto technicians in the field of zero-emissions vehicles. Just recently I was with the Minister for Environment and Climate Action, Lily D'Ambrosio, and we visited a solar manufacturer in my region down in Bayswater North. It was a really fantastic operation. They are an electrical business and they install solar panels, but they also employ two wonderful apprentices, both young women—

**A member** interjected.

**Ms TERPSTRA:** very cool—who are in the first year of their apprenticeships as electricians, and they are absolutely loving their job. The company is also led by a fantastic woman. Looking at how they are really embracing not only helping Victorians get solar on their rooftops but driving that need to get more women into the industry, into solar, and also encouraging younger women into apprenticeships, this is the really important part about the role that TAFE plays in supporting the skills and training agenda, which is a very important part of this government's agenda and how we have saved TAFE. We brought TAFE back from the brink of destruction thanks to those opposite.

We are seeing strong demand for skills and training and for people wanting to go to TAFE. Of course we have our free TAFE initiative, which is supporting a lot of this. For example, some kids, if they are interested in going to TAFE, can do their certificate II. They can get that off the free TAFE list, so that is a saving to them and that also helps with cost-of-living pressures for young people. If you are going to get your Ls you can now get them for free, but if you are an apprentice already and you have your drivers licence, you get a discount off your licence as well, so there is strong support for apprentices coming into the solar industry. Like I said, there are a lot of school leavers who are showing a lot of interest because they feel like they are actively playing a part in helping to reduce emissions. It is really important to see that TAFE is playing such an important part in this journey.

Likewise we are seeing a lot of younger women expressing interest in working on zero-emissions vehicles, because the old bangers of the day which probably Mr Tarlamis and I would have driven when we were growing up were gas guzzlers, and I am sure you, Acting President Bourman, would have driven them—and you too, Mr Hayes. I think everyone in here would have driven some vehicles that were really dirty vehicles in terms of their emissions back in the day. Probably most of the young folk that may be watching at home and listening to this contribution would not know what a V8 engine is; they may only be seen at Bathurst these days. But I remember driving a V8—Mr Tarlamis is nodding his head. Whilst they were very fun to drive, jeez did they use a lot of petrol, and there were lots of emissions everywhere. Those are things that just live on in our memories now, sadly and unfortunately, when it comes to vehicles because vehicles do create a lot of emissions—not only cars but also trucks and the like, and we know that a lot of people use diesel vehicles as well. So there is still a lot of work to be done in the zero-emissions vehicle space.

As I said, it is really heartening to see a lot of interest from young women who want to become apprentices, to work in this space and to work on the new zero-emissions vehicles, because we do need that and we need to continue to develop the technology and to have technology continue to evolve. I know in Europe there is work being done on the manufacture of zero-emissions trucks, for example. That is something that would be really great to see in Australia, but of course our manufacturing industry in terms of vehicles was decimated by the Morrison government, and sadly we do not have that anymore. But we are presented with an opportunity now, with the growth of zero-

emissions vehicles, to actually have that come back to Australia through appropriate investment and the like.

It was really good to see, for example, the manufacturing down at Geelong of the wind turbines that are being used on wind farms. That is being done locally here in Victoria. Again, we need to support industries that are going to be upstream or downstream or secondary, as they call it. It is just like it used to happen in manufacturing with vehicles: you would have parts, you would have all sorts of upstream and downstream industries from manufacturing, and likewise we can have that here in Australia again, hopefully, now that we have got a different federal government who actually cares about manufacturing and climate change. As you know, the last federal government did not care about anything, and we learned today that former Prime Minister Scott Morrison seemed to have a number of portfolios that no-one knew about. It was a bit of a secret. Even his own cabinet ministers did not know how many—perhaps they were shadows of shadows that they did not know about. But here we are. Scott Morrison seemed to have a number of portfolios under his belt. We know they did not care about climate change, we know they did not care about jobs and we know they really did nothing to support all of the things that I have mentioned in my speech—even things like recycling, renewable energy and the circular economy policy reducing waste. All of those things were lost opportunities under the federal government when they were in government, because they did nothing.

That is why Victoria has taken stronger action on many of these things, because we recognised that we cannot waste any more time. We were losing time. There is no time to waste in getting on and making sure we transition to renewable energy. We started out, like I said, with the rooftop solar program, and that program has gone from strength to strength. So the appetite is there. Victorians know and understand why this is so important. Victorians know and understand that in order to reduce emissions we have got to make a number of changes. We just cannot mess around anymore.

Like we learned in the ecosystem inquiry, we see the ongoing impacts of climate change in nature every day. We see, like I said earlier, more severe weather events happening more often. We see the impact on our waterways. We see the impact on our forests, on our land, on our native animals. We see that when things get out of balance it affects all ecosystems. We do not want to see any more native animals—even lizards, skinks and those sorts of things—continue to be added to the endangered species list. Climate change is I think the single biggest threat to native species in terms of them being threatened, so we know that this is critically important.

Whilst I have talked about the rubric which is climate change, like I said, TAFE and skills and training are an important part of that agenda as well, because we know we need them to support the jobs that are going to be created. Some of the jobs that will be created out of these transitions do not exist now. That is kind of the exciting thing when we talk to young people about climate change—that some of the jobs that we knew about in the past and know of will not be there but will be replaced by different jobs. There is the ability to create new technologies through our investment in STEM, especially for students who want to go into science, technology, engineering, arts and maths—I know they always leave the ‘A’ out of STEAM, but I always fly that flag for the ‘A’ for arts. If we keep supporting students and women to express an interest and be involved in STEM, we know that we are going to get really good advances in technology, like I said. So if we have a training and skills network that is able to support people to continue to improve on the technology that is there, we can have a local manufacturing industry here in Australia and we can continue to make strides and inroads into reducing the impacts of climate change, so it is really, really important.

Just in conclusion, Victoria does have a wideranging approach to climate change strategy and emissions reductions. You can see, just by all the various elements that I have laid out during my contribution today, it really is a whole-of-government approach. It is a thorough and comprehensive review of a range of things that will help get us to where we need to be. We have legislated targets that set the climate change strategy. We have developed and are continuing to develop robust frameworks, legislative changes and action plans to ensure we are getting on with reducing emissions and responding to climate change. Collectively these measures outline the significant work that the

Andrews Labor government is doing and will continue to do to ensure that Victoria will protect its natural environment and be responsive and adaptive to climate change.

Therefore it is clear, given the extensive progress and processes that our government is undertaking and the progress it is making and the concern that I have highlighted of the potential unintended consequences this bill could have without being properly tested with industry or government, that amending the Planning and Environment Act as outlined in the proposed bill is unnecessary at this time. Again, one of the things that we know being in government here is whenever we enact legislation we undertake extensive consultation with many stakeholders, and in this case whether it is industry, business—whoever it is—the consultation needs to happen and it needs to happen in depth and at length. As I said, that has not happened in regard to this bill, so if the Planning and Environment Act was amended as proposed it could have severe unintended consequences, and that is something we really need to protect against. I will conclude my remarks there.

**Sitting suspended 3.57 pm until 4.19 pm.**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (16:19): I am pleased to rise and make a contribution to the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022, brought to this chamber by Mr Hayes. I indicate in the first instance that we understand that Mr Hayes is sincerely trying to grapple with and address some of these issues, and we are respectful of that; however, I do need to say in this case I do not think he has come to grips with what is actually required. And I think that the government has probably formed a similar view that, whatever its intent, this bill does not really get there.

The issues with climate change are by now very well known by the chamber. We obviously have a statewide target legislated for 2050—a statewide target which has been put into place but not legislated. The coalition has recently indicated that we will legislate the target for 2030 at 50 per cent. We have also indicated that we are very keen to make sure that we align as much as we can with New South Wales, bringing the two large economies together to the extent that we can with many of the targets and many of the broader objectives. These are objectives that are held by most Victorians, and Victorians are aware of the challenge that we face. That is why the coalition has recently released its package, which has a balanced way forward. We have a commitment to hydrogen with \$1 billion of support for hydrogen, and certainly the government speaker just now talked about a number of hydrogen projects. Victoria is lagging nationally with respect to hydrogen, and we will certainly be supportive of hydrogen through the allocation of \$1 billion to push that agenda forward. We have also said that there is actually a continuing role for gas as a transition fuel. It is clear that we need stability and a network that is able to be relied upon. We have certainly said that there is an ongoing role for onshore gas exploration and further gas into the system with a domestic reservation policy to make sure that gas is in part reserved for users domestically.

We also have, importantly, I think, a focus—and this is partly Mr Hayes's focus too—on tree canopy. We see the significance of greening the city and reforesting the city and many other areas of the state, but in particular our urban areas, as the truth of the matter is that as you chop down canopy, you build dense buildings and you build with concrete, steel, brick and asphalt, you actually end up with a hotter suburb and a hotter area, especially where so much tree canopy has been displaced. The work to increase tree canopy in the west of the city of Melbourne is a very significant task. It needs to be pushed as quickly as possible. But all over Melbourne the truth is we are losing tree canopy, and that is true in my area of Southern Metro—in Boroondara and Stonnington and Whitehorse and Bayside and Kingston. All of these municipalities are facing a very significant chipping away at the canopy both on private land and indeed, outrageously, on public land. We need to address this. Mr Hayes certainly had a motion for an inquiry into planning provisions, which we supported. I should note for the record that I wrote to that inquiry and sought to expand and sharpen the terms of reference with concurrent consideration of tree-canopy issues and indeed a series of heritage matters. That was for additional terms of reference to be done concurrently, and it was framed in such a way that we would have had a lot of input from municipal planners and others. I think that this was one of the more

important aspects that should have been considered. Sadly it was rejected by the committee, and I think that was a significant mistake. I record now my disappointment in that significant matter.

I should say on the loss of tree canopy, in particular on public land, that there have been absolutely devastating impacts from government working in a thoughtless and outrageous way over the last eight years. We have seen transport projects, for example, constructed and put forward in such a way that maximum damage has been done to tree canopy—old, established trees torn down. I think with horror of the behaviour of the Level Crossing Removal Project on the sky rail corridor—taking out more than 1000 established trees in a very short period and, in an Orwellian twist, releasing their tree-retention policy the week after the cull. This was clear-felling in the city in established suburbs. You can go to areas like Noble Park, where there is inadequate tree canopy—and I see Mr Tarlamis listening as I say this. He will know those great and wonderful red gums that were there, which are no longer in existence, in that pocket near the station. Those sorts of decisions—thoughtless decisions, decisions made by bureaucrats who do not have a deeper or broader understanding—are the sorts of decisions that have got to be dealt with by proper mechanisms. It could have been done quite differently. It could have been done in a way that did not destroy every single tree in that corridor. They could have actually retained many of the trees. They could have done so.

**Mr Tarlamis** interjected.

**Mr DAVIS:** Yes, you know those large trees. That was a tragedy.

**Mr Tarlamis** interjected.

**Mr DAVIS:** I know. That is why I picked Noble Park, Mr Tarlamis, because I thought you may respond. But you actually understand the point I am making. It is a tremendous loss. That canopy is important, and the importance of trees, as was said earlier in my contribution, and the contribution of trees is, I think, very significant to our city. We need a very close focus on bringing large numbers of trees back into our areas. The Big Build has been undertaken in a way that has done maximum damage—not minimum damage but maximum damage—to the city, and I think people will look back in years to come with horror at the way that these things have been undertaken.

Further, in our policy announced a few weeks ago we made very clear provisions, as I say, for a transition with gas, but we have been very clear too that there is a close involvement for electric vehicles. We have got to have more support for those to be brought forward. We need to, beyond that, as I said, focus on hydrogen, and we need to be taking steps to enhance our infrastructure with respect to electricity coming to the city. Solar and other electric generation—including wind in the ocean, offshore—need transmission lines to get to the city, and there needs to be a clear policy to do that. The state government has floundered on this. I am not pretending this is an easy part of the equation, but the building of an established and solid network to provide reliable inputs of renewable energy—solar, hydro and wind—is a very important part of the equation.

But this bill does not get there, sadly. I just note that Mr Hayes's attempts here have been, as I say, sincere. The issues with this, I think, are pretty clear. One of my notes here says most of the projects under the Big Build, which were referenced in the second reading, have their own respective legislation that circumvents the Planning and Environment Act 1987. Amending the Planning and Environment Act would be a pointless exercise. Strengthening this act will not stop the problem with those projects. You have actually got to deal with this on a broader front than is proposed by Mr Hayes in his bill. The bill appears to focus on developers and individuals for their impacts on climate change, but it does not deal with so many other aspects. We are certainly aware of the government's view on this, and it has been strongly communicated to us by bureaucrats. There are many things that we disagree with the current government on, but on this matter we have the same view: we think this bill does not get there.



**Dr RATNAM** (Northern Metropolitan) (16:30): It is a pleasure to rise to speak to the Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022 that Mr Hayes has put before this chamber, one that is long overdue and I hope sparks a conversation about how we need to urgently act on reforms in this area, as has been presented in this bill. We have an opportunity to support reforms that will have a material impact on improving biodiversity, broader environmental and broader planning outcomes across neighbourhoods in this state should we embrace them. I note that it is a response to two major inquiries this Parliament has conducted within this term: the inquiry into ecosystem decline that Mr Hayes referenced in his second-reading speech, as well as another inquiry he referenced, the recent inquiry into the planning framework in Victoria. It is a really commonsense bill that addresses a major gap in our planning legislation. The current Planning and Environment Act 1987, although it is 'Planning and Environment' in name, is almost all about planning and does very little to protect or conserve the environment and completely ignores the threat of climate change. We know from the outcomes that we see every day that development trumps environmental concerns every single time, but planning and climate and environment are actually intrinsically linked, because the way we develop and use the land we have will have a long-term impact on our climate and our ability to mitigate the worst impacts of climate change. This bill would ensure that the purpose of the principal act is to establish a framework for planning the use, development and protection of land, the protection of the environment and native species and the response to climate change.

We know through these really significant inquiries that the Parliament has conducted recently that planning in Victoria is totally failing to both protect the environment and properly prepare for climate change. Instead it favours developers and their profits. We hear it so often, and my office has certainly heard over the years from residents who have been devastated by vegetation and tree canopy loss in their community, something that Mr Davis referenced as well. Developers just build to the edges of lots and raze the existing vegetation because there are very few protections for existing trees and other vegetation. Tree canopy loss on private property is one of the biggest issues facing urban development. There are so few protections of the private tree canopy on people's private lots. There is work happening in the public realm, but one of the reasons we have had to accelerate the work of tree planting in the public realm is to compensate for the really rapid decline in the private tree canopy that we once had. There has been a total lack of statewide guidance or rules on planning for climate change, and this is demonstrated in example upon example, particularly from our local councils. While the government will cite work that is underway, and we commend the work that has begun, we know this work has to accelerate as quickly as possible. It is important that we have these ongoing reviews and reforms, but what has come through very consistently both from our local councils, particularly the local residents who are fighting planning matters on all fronts every single day out in our communities, and from experts in planning law and statutory planning is that the lack of consistent and enforceable guidelines and the fact that it has taken years to even get some of that review work underway have meant that we have lost so much of our local environment, our local biodiversity and the opportunity to actually improve urban development outcomes—because of the lack of consistent guidelines for a number of years.

In terms of the inquiries that have recently been conducted, and most recently the planning inquiry, many submissions, as Mr Hayes referenced, specifically mention the lack of any consideration of climate change in planning rules and guidelines. This came through very strongly particularly from our local councils, who in their written submissions said that while local councils could have strong aspirations for climate change action and mitigation, they were let down when it came to implementing those aspirations within the planning system under a planning framework that they have to adopt because it is state planning policy, which often overrides and supersedes local planning policy and local strategic visions in other areas—for example, in terms of climate and environmental protection. So the state rules trump the local rules, and there is this real disconnect, they were telling us, right across the board—and this was planning experts as well—in the fact that we can have aspirations at a local council policy level but then the local council are hamstrung by state policy. This is why we need reform at the state level, which is what this bill is aiming to achieve.

The inquiry also suggested through its evidence that we need to more explicitly link planning decision-making and outcomes with climate change adaptation and mitigation. As I and others have expressed in this chamber previously, there was a real missed opportunity in the planning inquiry in that we did not have public hearings for that inquiry, despite hundreds of submissions of really high quality, in-depth submissions and a real thirst from the community, who have been crying out for some attention on what has been happening with the planning system in Victoria. While the government might claim that they are on to it and they are conducting reviews—and we welcome that work—we should not be afraid of hearing from the community who are at the interface of the planning system being implemented into reality. They experience the development next door that is able to get away with so much because there are not strong enough rules. They get to experience what happens when local planning decisions are made on a lot-by-lot basis without thinking about the broadscale implications of what all that development will do to the built form of that neighbourhood and what it will do to the local environment for transport, ensuring sustainable and active transport can prosper as well. Our planning system lets our communities down day in and day out, and it is really important that we get on with that urgent reform.

The inquiry had so much potential to make very strong recommendations about where we could start with that work, what gaps we need to fill urgently. While the submission evidence is captured in the planning report, it was a real missed opportunity not to be able to make very strong recommendations to government. I suspect this would have been one of the strong recommendations that we made to government should we have been allowed to make recommendations in that report, but the Greens will not stop pushing for a full parliamentary inquiry with full public hearings so we can hear from the community, hear from planning experts, hear from local councils who have been doing years of work, who have the solutions, if only the state government was willing to listen and partner with communities in improving our planning and environment framework.

Coming back to the bill in terms of what this bill is aiming to do and what it is aiming to mitigate in terms of the long-term impact of bad and unsustainable development, what it is attempting to do is ensure that we do not see the worst effects of the urban heat island effect, which is caused when you do not have enough green open space and tree canopy cover. It traps heat in developed places with lots and lots of concrete and can make areas up to 3 degrees hotter or even more. We are on the precipice of experiencing some of the really dangerous impacts of climate change. We are seeing that in cities across the world, and our cities are just not ready to adapt to some of those changes, so it is really important that we pay attention to what this bill is aiming to do, which is to get our local environments ready for, unfortunately, impacts of climate change that we could have prevented if we had acted earlier. Hopefully we will be able to take the action to prevent further impacts from climate change if we can limit global warming.

We also know that when you do not plan for your cities properly and you do not take into consideration environmental and climate issues what you end up with is unlivable cities where people are just not able to inhabit sustainably places that they need to call their home, where the air becomes unbreathable, the places become unmovable and places become unsafe and uninhabitable. We need to think about how we can turn this around, and we have opportunities in this place with bills like this before us and with parliamentary inquiries that we have moved and begun in this place to put solutions on the table and to work across the board to put these solutions into practice.

I commend Mr Hayes for his work in this area, for the work that we have done in the planning inquiry. That work is unfinished, but we will continue to pursue that because it is really, really important. We hear day in and day out from communities that this reform is urgent. It is very, very overdue, and it would have an immediate material impact if we took changes like this and implemented them straightaway. I urge the government to listen to what communities are saying, and while they were not willing to hear from communities directly in the inquiry, there are other platforms in which you can listen to communities in terms of what they are experiencing and the frustrations they are feeling when they see their urban neighbourhoods being degraded by poor decision-making and lack of consistent

strategic planning, oversight, enforcement of rules and having the rules in place in the first place. I commend this bill, and I look forward to working with others to advance a number of the objectives of this legislation.

**Dr CUMMING** (Western Metropolitan) (16:39): I rise today proudly to support Mr Hayes's Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022. He has shown much passion for the environment in this chamber over the last four years, and for me as an independent here I have really enjoyed working with Mr Hayes.

For the Western Metropolitan Region and for the people of Victoria, the environment is something that they care about passionately. For me, in this chamber I have brought up air pollution in the western suburbs of Melbourne. My community has been fighting for better air quality in Victoria. Air pollution is one of the issues that I was able to raise here in this Parliament, and I was able to have an inquiry. My community in the west also cares strongly about waste management. There have been many times around waste management that the community has looked forward to actually having a waste-to-energy plant or some other solution to our waste problem. My community in the west are sick of seeing the amount of plastic on our beaches—at Altona and Williamstown. They have had enough. They want to actually see real action when it comes to our waste management, because we all understand that by not having proper solutions around waste and recycling, not having the opportunity to have a container deposit scheme, we are continually having litter in our streets that ends up in our drains and then ends up in our local waterways, and we are absolutely drowning in plastic.

Our environment is one of the major concerns, I believe, of all Victorians, because we are actually seeing the lack of species, habitat loss and the reduction of tree canopy. Most local councils in the western suburbs have been pushing very strongly. In the west of Melbourne we really lack trees and tree canopy, and for the last 20 years I know that there has been a great push for more tree planting to make sure that we are actually changing our landscape and having those cool zones that are much-needed. Nearly every member of council in my area has been pushing to have the funds to make sure they can actually plant the trees.

I went for a drive only this weekend through Sunbury, and you can still see kangaroos on the side of the road. If you go down through Keilor and along the Maribyrnong River, there are still kangaroos and wallabies and echidnas. We are not far from the city, so we need to be able to protect the native environment in our area and make sure that the development encroachment does not stop our locals being able to walk into a lovely bush environment or a lovely environment along the Maribyrnong River or our wetlands or our coast in Altona or Williamstown. We need to still have those for future generations. My community in the west are so passionate about their little local pockets of beautiful parks that are just pristine. There are so many community groups that I could thank that come out and pick up rubbish and do the planting, making sure that there are the right trees planted for the birds in my local area.

But obviously our environment is under extreme pressure, and I believe this bill goes towards pushing this government to make sure that they actually take our environment more seriously. When it comes to air pollution—and pollution in general, whether it is litter or in our air—we need to actually have some proper targets. We need to make sure of our air quality. We all breathe air, and we want to make sure that our air is clean for us and our children. We need to find innovative solutions to make sure that our air is clean by actually not pumping pollution into the environment. I will leave my contribution at that. I would like to thank Mr Hayes for bringing this forward today. I am looking forward to hearing the next speaker.

**Mr QUILTY** (Northern Victoria) (16:46): I will in fact be brief. The Liberal Democrats will not support this bill. The key feature of this bill is to create an obligation on planners to consider not only significant effects of climate change but insignificant and incremental ones as well. Under the current code the Victorian Planning Authority is already required to consider the environmental impacts of developments, and there are already an increasing number of hoops that need to be jumped through

before any shovels hit the dirt. Planning already involves unnecessary green tape, and this bill represents little more than an attempt by the Sustainable Australia Party to use climate change to tighten the grip of green tape around planning in Victoria and to limit future developments, to keep the green, leafy suburbs for those wealthy enough to already own houses there—and the rest can presumably eat cake or at least smashed avo on toast because they certainly cannot afford a house of their own.

As we know from the existing swamp of red and green tape, this bill would have a clear effect: to increase the cost of developments, limit the supply of new houses and damage the economy. At a time when government regulations have placed home ownership out of the reach of far too many Victorians, this is a reckless course of action. We have a housing crisis, and this bill deliberately sets out to make this worse. We want to cut through red tape and green tape, not add to it. The Lib Dems do not want to further limit the supply of housing and push up prices beyond the reach of even more Victorians. We want to release more land and build more homes as fast as possible. We need to build enough new homes in Victoria so that property prices stop rising. This bill is the opposite of what Victorians need.

**Mr MELHEM** (Western Metropolitan) (16:48): I also rise to speak on Mr Hayes's bill, and I want to acknowledge and thank Mr Hayes for his interest in climate change and his desire to change the Planning and Environment Act 1987. I sit with Mr Hayes on the Environment and Planning Committee. I know his views very well in relation to the environment and planning, and I commend him on his views. I will say that I agree with a lot of the stuff Mr Hayes is trying to achieve in this place, but unfortunately, with the time frame he is proposing and because there has not been significant or any engagement with stakeholders, we are not able to support the bill in its current form.

I just want to talk about the things we agree on and about the Andrews government's commitment to addressing the issues of climate change. I think the state of Victoria is probably one of the most progressive states in relation to action on the environment. For the past eight years we have been in government we have been actually delivering on improving our standing in relation to the environment overall. For example, in terms of targets, the Victorian government has legislated to basically have net zero greenhouse gas emissions by 2050. On that point, I welcome the Albanese federal Labor government's legislation of only a few weeks ago committing to a 43 per cent reduction by 2030.

Unfortunately the same cannot be said about the former federal Liberal government, which basically treated the climate change issue as a joke. This target, which is zero greenhouse gas emissions by 2050, has been set by the Victorian government through the Climate Change Act 2017. We are consulting on the 2035 target, which will be settled by April 2023, particularly should we get re-elected and given the honour to continue in government going forward. I am looking forward to that further work and setting the new target for 2035.

I want to now talk about some of the areas we have not talked about but we have actually implemented in the past eight years. I want to congratulate not just the Premier and the whole cabinet but Minister D'Ambrosio, who has done a lot of work in this area through her commitment to achieving zero emissions by 2050 and implementing all the policies of the government—things like, for example, the National Construction Code. There is a lot of work on the way at the moment, trying to get some improvements in relation to the efficiency and performance of residential dwellings, which is currently being considered through the National Construction Code. That will introduce a 7-star national home energy rating scheme requirement and a whole-of-home energy budget for residential dwellings. Some of these areas we are working on already in Victoria, whether we talk about the take-up of solar systems or whether we talk about, for example, replacing inefficient hot-water systems in homes in Victoria or replacing gas heaters in Victoria. They are a few examples. Even recently an announcement by Minister D'Ambrosio came out of the Environment and Planning Committee, which Mr Hayes and I sit on, in relation to whether new dwellings in Victoria need to be mandating installation of gas, for example. What some of these examples I have given show is, basically, we are doing things to achieve

these aims. We do not just want to meet the minimum standards in the Paris agreement, we want to be the leaders. I think Victoria is the leader when it comes to climate change action.

We all know that, due to climate change and global warming, since 1910 Victoria has warmed by 1.2 degrees Celsius, and we have got floods, bushfires et cetera. Climate change is real, so we are definitely not deniers. Some people in this house, in the conservative part of politics, think it is all a conspiracy and it does not exist. Well, it does exist, but we are doing something about it. That is why the built environment adaptation action plan was released in April 2022. It is one of seven adaptation action plans that are required by legislation and guided by Victoria's climate change strategy. The action plan will include a five-year strategy to enhance the resilience of our cities and towns to the elevated impact of climate change. As part of that, it identifies 19 actions for the Victorian government, including staged updates to planning and building standards to address the elevated risk associated with floods, fire, heatwaves, drought and erosion. The point I am making is—and this goes to what Mr Hayes is trying to propose in his legislation—we are already doing a lot of that stuff, and we will continue to do so because actions speak louder than words.

I talked about the Solar Homes program—200 000 households to install solar panels and hot-water systems. I talked about heat pumps, hot-water systems, batteries in the home et cetera. That has taken off really well, which is welcome. The zero-emissions vehicle road map, investing in the rollout of public and fleet-charging infrastructure across the state, is again a Victorian initiative. We are pushing that nationally. And again, now with the Albanese Labor government we should be able to work together to make sure we can achieve a national policy in relation to that. Also we are looking at establishing the six renewable energy zones.

Ms Terpstra talked about in her contribution—in my own electorate of Western Metro—supporting the Greening the West initiative to plant 500 000 new trees in growth areas across six councils in my electorate, providing more shade and green spaces. That is not something we are just talking about, we are actually doing it. We are close to being halfway towards achieving that goal. We all know the western suburbs, the western part of Melbourne, has experienced enormous growth over the last 10 years, and potentially in another 10 years it is going to be double or triple the size of what it was a few years ago. Therefore as a result of that we need to change the way we live in the west. I live in the west, and I have noticed that change; in one area the west is now getting greener and greener. By investing in planting half a million trees in the west we can help in reducing the impact of heat, because if you have simply empty paddocks or concrete, it is a recipe for disaster, particularly in the hotter months. It is important as well, and I want to thank the minister for actually leading that project in my own electorate.

There is also the commitment for Victoria's 18 water corporations to reach net zero emissions by 2035—Minister Shing talked about that this morning in her ministers statement to the house—which will make Victoria's water sector the first in Australia to commit to net zero by 2035. The \$20 million New Energy Jobs Fund will support Victorian-based projects to create long-term, sustainable jobs. That is another example.

So if we want to talk about energy efficiency and talk about achieving some real, tangible goals in relation to climate change, I think it is fair to say that the Andrews Labor government is leading the way, and rightly so. I think it is not something that we just have to talk about, it is not a luxury that is something we may need to do; it is something we must do. We must deliver on that, and we are delivering. We will continue working on that. For example, the wind tower project in the Bass Strait, when it is up and running, hopefully can replace some of the coal-fired power stations which we rely on today to basically power our houses and our industries in Victoria. I think Dr Ratnam proposed something the other day in relation to closing down the coal-fired power stations by 2030. I would love to see that happen, but the question is: is it a realistic time frame? Possibly not. We need to move to renewable energy, and the government is working hard to make sure we achieve that, but at the same time we need to make sure we have got a balanced approach and make sure that we have a sustainable industry.

In conclusion, Victoria will continue to work towards achieving a decent climate change outcome for our citizens of Victoria collectively. These measures will outline the significant work the Andrews Labor government is doing and will continue to do to ensure Victoria will protect its natural environment and be responsible and adaptive to climate change. With these words I will finish my comments. Again, thank you, Mr Hayes, for bringing this to the house.

**Ms PATTEN** (Northern Metropolitan) (16:59): I am pleased to rise to make a very brief contribution to Mr Hayes's Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022. I think we need to give Mr Hayes credit. I think this is the best title of a bill this term. It is very snappy, Mr Hayes. Well done.

As I said in the address-in-reply to the Governor's speech at the commencement of this term, we are seeing more and more weather extremes and we do need to start thinking of mitigation plans for that. We are looking at La Niña going on for a fourth year, so we are going to see floods on top of floods on already soaked land. We need to be really leading in this very true and existential threat of climate change. The forecasts are compelling, the scenarios are devastating. The other big issue is how we restore. This is the decade. We are probably too far along so we are going to just be looking at mitigation, but can we restore some of these? Can we pull it back? And that means we need to be transitioning quicker than we are now to zero emissions.

There is work being done, and it is not bad. As we heard from Dr Ratnam and then we heard from Mr Melhem, there is some work being done, but it does need to go faster. Looking at the zero emissions that Scotland is working towards, they are much more ambitious than Victoria. Also their housing will be zero emissions by 2030. By 2030 they will be at zero emissions. If you look at the big build over there, it is 100 000 houses in 10 years—100 000 social houses—and they will all be double glazed, they all will be zero-emissions housing, and that will be done by 2030, including the retrofitting of existing public housing. Other countries show us that we can take a lead as long as we pay attention to it, and that is what this bill does. This bill insists that we pay attention to climate change when we are looking at planning decisions.

I think this is an intelligent bill. As Mr Hayes pointed out, it brings us into line with the Local Government Act, which requires us to be considering these issues. To that end, Mr Hayes's bill can engage us to consider more and more how we deal with the consequences of climate change but also how we can look at reducing climate change in the coming years, which will be absolutely crucial. On that, I support this bill.

**Mr HAYES** (Southern Metropolitan) (17:03): I would like to thank everyone who spoke. Thank you, Ms Patten, for saying it is an intelligent bill. The title is Wake Up to Climate Change but unfortunately, as I suspected, the two major parties have not yet woken up. They say that we can slumber on for a few more years.

Ms Terpstra said that these amendments are not required because everything is already there in the act. If that is the case, why did submitter after submitter to not only the planning scheme inquiry but the ecosystem decline inquiry say that we were not performing well, that a link had to be made in the planning scheme to climate change. We had many submissions along those lines; I raised them in my second-reading speech. There were many submissions on this. Even the Department of Environment, Land, Water and Planning, which I am sure advised the minister on my bill, said that challenges and threats arising as a result of climate change need to be addressed. They said that at a hearing in the inquiry into ecosystem decline. Even the Planning Institute of Australia said in response to the Auditor-General's report into the planning scheme that there is lack of clear guidance to address climate change in the planning scheme.

So you have got people like that saying that there needs to be action, as well as local councils and environment groups such as the Victorian National Parks Association, Environment Victoria, Friends of the Earth all saying that this sort of objective—talking about climate change—needs to go into the

planning scheme, yet it is resisted here by the government and the opposition. How are they going to meet the net zero 2050 target if they do not start doing something about it?

I want to read something from some notes I was given. Decisions made today will be seen in buildings for decades to come. More than half of Australia's 2050 building stock will be constructed in the next 30 years, with no legislation to guide it on climate change. This bill, as Ms Patten said, is an intelligent bill. It sets broad objectives here and a broad framework. That framework, yet, has to be put into the state planning provisions and local planning provisions. They are worried about unforeseen consequences and the effects that would have on development for private and public projects. All that can be fleshed out as we draw out the regulations that need to inform the planning framework. All that stuff can be done.

But demolition and construction, which we do all the time—we are knocking down buildings; some of our buildings will not last 20 years and yet we knock down and rebuild—has to meet climate change objectives. The Australian Institute of Architects say 25 to 40 per cent, depending on how they are measured, of our greenhouse gasses come from demolition and construction and how we handle this at the moment, yet there are no clear guidelines in the planning scheme. There are vague references to protecting the environment, but that usually comes down very low in the list after the economic considerations are taken into account. So we really need to strengthen this if we are not going to try to fix up the mistakes that have been made in the past—we have got to fix them—and the future mistakes that are coming. Unless we take action, they are going to present even more and more problems.

As Dr Ratnam talked about, decisions need to be made on the macro and on the micro scale, otherwise you are taking out trees—two or three trees at a time. But where that destroys a wildlife corridor you have to take that into account, otherwise you are taking out a mini forest bit by bit. And this is what has happened in many, many suburban developments. We are seeing that go on more and more. At the moment you can clear any amount of trees as long as you are not exceeding something like 4000 square metres without a permit. You can just knock down a mini forest without a permit at the moment. This is crazy stuff. And we have got all that stuff about the heat island effect that has been raised here today too—that we are creating a heat island effect—and there is nothing in the planning scheme with teeth. Mr Davis says he wants to protect trees, and he makes that part of his speech, yet he resists putting anything into the planning scheme that is going to protect trees. He says, 'I want to protect all these trees out in the eastern suburbs'. But when it comes to putting teeth into the planning scheme, they go silent on that; that is not what they want to do.

So, really, we have got to get on with it. We have got to be proactive on this. The Victorian Greenhouse Alliance and the Council Alliance for a Sustainable Built Environment, supported by councils across Australia, are calling on all MPs to come together to make essential changes to the Planning and Environment Act 1987 to include obligations around climate change. They are calling on MPs to do this. The government and the opposition say they are listening to that, but I say both the Liberal Party and the Labor Party went backwards in the last federal election. People elected teals on climate change. We are facing an election coming up in November. So MPs facing election: have you woken up to climate change? I will be interested to see how we vote on this.

**House divided on motion:**

*Ayes, 8*

Barton, Mr  
Grimley, Mr  
Hayes, Mr

Maxwell, Ms  
Meddick, Mr  
Patten, Ms

Ratnam, Dr  
Vaghela, Ms

*Noes, 26*

Atkinson, Mr	Finn, Mr	Quilty, Mr
Bach, Dr	Gepp, Mr	Rich-Phillips, Mr
Bath, Ms	Kieu, Dr	Shing, Ms
Bourman, Mr	Leane, Mr	Stitt, Ms
Burnett-Wake, Ms	Limbrick, Mr	Symes, Ms
Crozier, Ms	Lovell, Ms	Tarlamis, Mr
Davis, Mr	McArthur, Mrs	Taylor, Ms
Elasmar, Mr	Melhem, Mr	Terpstra, Ms
Erdogan, Mr	Pulford, Ms	

**Motion negatived.**

**Statements on reports, papers and petitions**

**DEPARTMENT OF TREASURY AND FINANCE**

*Budget papers 2022–23*

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (17:18): Today I want to talk about the transport infrastructure section of the state budget. The current government has devoted a lot of activity to transport infrastructure, building a range of new projects, but one thing that is in common with every project is a huge cost blowout. Whether it be the Metro Tunnel, almost \$4 billion over budget; the West Gate Tunnel, well over \$5 billion over budget as we speak, and growing; or whether it be the many smaller projects or even level crossings—where the state government has never released the final cost of the completed level crossing removals individually or even in sets—this government cannot manage money. It cannot manage major projects. We heard the other day from the FOI that the North East Link project had blown out to \$18 billion, more than doubling earlier estimates—a huge blowout, and additionally with the state government through the Treasurer providing a Treasurer’s indemnity to the Spark consortium. There is more than \$30 billion now in cost blowouts under this government, with debt rising and rising very seriously. Well, I say to the chamber today that the coalition, the Liberals and Nationals, have made a significant decision: that if we are elected we will reprioritise the money from the Suburban Rail Loop, in particular the Cheltenham to Box Hill section of that project. That project is a project that has already blown out of control. The government initially said the three stages would be completed for \$50 billion, but now we know that at a minimum \$35 billion is what the state government are going to expend on just one stage, and the truth of course is that as with every project they touch, the cost will blow out massively and easily the \$50 billion is what they will spend on just one stage—the Cheltenham to Box Hill stage.

Meanwhile our health system is in chaos in Victoria. We have got massive and terrible outcomes and delays with the 000 ambulance response service. It has been a disaster for so many people, with more than 20 people directly impacted and likely losing their lives through the failure of this government to provide a proper 000 service. We have seen waiting lists go through the roof. When I left government the last waiting list as health minister was just over 38 000. It is now 87 000, and that is not fully accounting for the huge surge in those wanting to get onto the waiting list waiting for their first appointment. The waiting list before the waiting list has blown out seriously. There are almost 90 000 people waiting in the state. Our health system is crumbling under Daniel Andrews and his many health ministers—he has had four in four years. No wonder it is chaos. The state’s debt is up, the health system is in crisis, waiting lists are up and the 000 service is in absolute and total chaos with lives being put at risk. We say that the money devoted to the Cheltenham to Box Hill section should be reprioritised and ploughed into our health system to make sure that our health system delivers for all Victorians. We need to fix the health system. We need to repair the damage done by Daniel Andrews and repair the damage done by his long list of health ministers, all of whom have failed badly in delivering for this system and for the state.

Victorian patients deserve better. We need our new hospitals built. We need hospitals across country Victoria, whether it is in Mildura or whether it is down in Gippsland, and we need new hospital



capacity in the city too, at Sandringham and out in the western suburbs that have been so sorely forgotten by Labor. We need to make sure that the Melton hospital is built. The government promised this; they have never delivered it. They have not made the allocations. They have not delivered the outcomes that the people of the west require, despite the huge growth in population. In the east we need to make sure that our health system is rebuilt. The Caulfield campus of Alfred Health is one of the important ones, and we have made significant commitments today that if elected we will deliver a rebuild of that campus. I know that campus very well; it is part of my electorate. The community may not know, but one of the wards goes back to 1918, and it is frankly a disgraceful ward in the sense that it is not able to deliver in this 21st century.

We need a modern health system—a health system where the damage that has been done by Daniel Andrews is repaired. We need a health system that is properly funded, has proper support for staff and can actually deliver for Victorians. We will deliver that by reprioritising the money from the Cheltenham to Box Hill rail line and ploughing that into health to make our people safe.

### LEGAL AND SOCIAL ISSUES COMMITTEE

#### *Inquiry into Homelessness in Victoria*

**Ms LOVELL** (Northern Victoria) (17:23): I rise once again to speak about this government's deplorable record in public housing. The government keep claiming they are spending more, they keep claiming they are doing more, but in reality their housing waiting lists are blowing out and the numbers in houses are not increasing. We have had two different figures published by this government for the March 2022 waiting list. First of all they said the March 2022 waiting list had blown out to 54 945 applications. We now read on their website that there are actually 64 304 applications on the total waiting list. This is an absolute disgrace. This has blown out by 85.7 per cent since this government came to power in 2014. In addition to that, we are now at 17 August and we still have not seen the June waiting list. God knows how much that has blown out by that the government are hiding. The housing waiting list is available to the minister on a daily basis in live numbers; I know that. I know that the quarterly figure comes to the minister in the first few days of the month. Yet this list that should have been published in early July is still missing in mid August.

Why is the Minister for Housing hiding that list? Well, there is no doubt it is because there is a blowout in it, and we know that he is not delivering more houses in this state. In fact the latest figures he has published show that in Benalla the actual number of public houses under the term of this government has gone down by six, and yet the waiting list has gone up astronomically. We now have more than 460 additional families on a waiting list for priority housing. There are 582 families waiting for priority housing. These are people who are at risk of homelessness, escaping domestic violence or living with disability, yet the number of houses in Benalla has actually gone down by six under this government.

*Members interjecting.*

**Ms LOVELL**: Of course we hear the cries from Minister Shing and Ms Terpstra on the other side, trying to distract me, because they do not want these figures on the record. We see the houses going down time and time and time—

**Ms Shing**: On a point of order, President, I believe that Ms Lovell is misleading the house. All I suggested was that she could go to Brighton, get her sneakers and her iPhone and actually see what is being done as far as public and social housing is concerned.

**The PRESIDENT**: Thank you, Ms Shing. There is no point of order.

**Ms LOVELL**: Well, that is typical of this government, that they would try and misrepresent something, because they do not want their record on the record. We know that in June of 2019 this house gave a reference to a Legislative Council committee to do an inquiry into homelessness. Twenty-one months—almost two years—of work was put in by that committee to table that report on homelessness. It was tabled on 4 March 2021, yet this government have not even responded to it—

because they do not care. They do not care about the amount of people who are homeless in this state. They do not care about the providers who are trying to solve that problem, who contributed to that report and who actually contributed to that inquiry because they thought something was genuinely going to be done. They do not care about that. All they care about is trying to hide the facts. They have ignored responding to that report, which is a vital report for this state. Not only do the committee deserve a response, the people who actually contributed to that report and the people who are homeless in this state deserve a response from this government. But this government has ignored that report for well over a year. For 17 months they have ignored that report, because they do not want to face up to their failures in public housing in this state. In addition, this government should hang its head in shame at its lack of response to the housing crisis in Victoria and its lack of response to the Legislative Council committee that conducted that inquiry.

### AUDITOR-GENERAL

#### *Kinship Care*

**Ms MAXWELL** (Northern Victoria) (17:28): I rise to speak on the Victorian Auditor-General's Office (VAGO) report *Kinship Care* of June 2022. This is yet another report that brings attention to the failures of Victoria's child protection system. This report notes that between 2017 and 2021 the number of children and young people in kinship care grew by 33.2 per cent. The Auditor-General's report into kinship care has once again shown that the Department of Families, Fairness and Housing cannot ensure it is meeting its obligations to keep children safe on its watch.

The Auditor-General found that the department was failing to properly monitor placements for children and young people in kinship care. The department does not ensure that staff and service providers complete mandatory assessments. They cannot demonstrate whether children are safe because they do not monitor it; they simply leave things to chance. Less than 1 per cent of annual assessments were completed on time, and more than half of assessments at the six-week placement mark were still not completed. What are we saying to these children when our state does not even bother to check on their safety?

The report exposes that community service organisations and Aboriginal community controlled organisations are provided only limited training from the department. Further, the department does not even know if the Aboriginal kinship funding program is even working, because the referral systems are not effective and not monitored. There is no reporting on how many children have been referred to the Victorian Aboriginal Child Care Agency, the time lines of the referrals or the outcomes. Kinship Carers Victoria said that none of the failings highlighted by the Auditor-General are a surprise and that the greatest barrier continues to be a lack of resources to implement the Auditor-General's recommendations. The Auditor-General noted with urgency that kinship carers do not receive the level of financial support necessary to address the needs of children in their care. This propels kinship carers into a cycle of hardship and deters new carers. Kinship Carers Victoria notes that successive governments have been warned by investigative reports, and ministers and the department continue to be warned about this issue and yet have failed to respond.

I did a quick scan in preparing this statement on report and counted 15 reviews and systemic inquiries relating to child protection since 2009. The child protection system is certainly placed under some scrutiny, and this continues, with good reason, because report after report is damning. It seems that we go from bad to worse despite commissioners' reviews, ombudsman's investigations, parliamentary inquiries, VAGO reviews and coronial inquests that keep telling us the child protection system is completely failing and the response is half baked. We risk being completely desensitised to the horror that is befalling these children because it is just a roundabout of report after report, with each one painting a more damning picture than the last.

That is why I brought a motion to the Parliament this week calling for an independent monitor to be appointed to oversee child protection and get the system back on the right footing. This happens regularly in local government as a way to support effective governance. Given the government says

all the time that nothing is more important than the safety of children, we should be addressing the system's failures in a holistic and ongoing way and getting child protection back on track.

I really feel for this sector's workforce. I have absolutely no doubt about their personal commitment and dedication to these children. It is not the workers, it is the system that is the problem. It is no wonder there are high rates of turnover and burnout as the workforce is seemingly forced to cut corners. It literally puts lives at risk.

The recent case in our County Court of a four-year-old boy being left with 60 injuries is a heartbreaking reminder of what can happen when the system is not watching. That poor child will have a lifetime of consequences from the psychological and developmental impacts of this abuse. The judge said that the department placed this boy 'in harm's way'. Every week a child in contact with child protection dies. The commissioner continually refers to a pattern in our child protection system of multiple reports being made, followed by case closure, referral to child and family services, followed by no engagement.

The system remains in crisis and children are unwilling victims. It will probably end up requiring a royal commission, which would cost billions of dollars. If this was invested in early intervention with robust and ongoing oversight, I would like to think these children would be a lot safer. They would certainly have a much better chance.

## ENVIRONMENT AND PLANNING COMMITTEE

### *Inquiry into Ecosystem Decline in Victoria*

**Dr RATNAM** (Northern Metropolitan) (17:33): I rise to make a statement on the ecosystem decline inquiry report. This report was tabled on 2 December 2021, yet we still have no formal response from the government. It is one of the largest in the history of the Victorian parliamentary committee inquiries and the biggest for the Environment and Planning Committee. It received nearly 1000 substantive submissions and heard from more than 130 witnesses. It builds on the already unequivocal evidence of the Victorian state of the environment report and now the federal state of the environment report that our ecosystems, biodiversity and precious plants and animals are in dire straits.

I will not report all of the evidence which demonstrates the ecological crisis that we face but will share several deep facts highlighted by this inquiry. Victoria has 2000 species at risk of extinction, up from around 700 just a few years ago. Victoria has several ecosystems, including the mountain ash forest and the Murray-Darling Basin, on the brink of collapse. All life has intrinsic value, and we also depend on a healthy environment for our own survival. This report and many others make it abundantly clear that governments need to get their heads out of the sand and act to protect and restore the environment. Some good news is that this committee report sets a blueprint for doing just that. It is a vital report that needs to be picked up and acted upon, not left on the shelf to gather dust. I am disappointed that we are now past the deadline for the government to respond and so far have heard nothing.

The report makes 74 recommendations to the Victorian government. Among many recommendations I would just like to highlight a few key ones: recommendation 27, to allocate adequate resources to administer our state's nature laws; recommendation 31, to significantly increase funding for habitat protection and threatened species conservation; recommendation 37, to increase funding for Parks Victoria. Instead of a formal government response to the inquiry—beyond the due date—not only did we see no increase in funding for biodiversity in the latest state budget, we actually saw what will be a nearly \$1 billion cut to the Department of Environment, Land, Water and Planning over the forward estimates. I urge the Labor government to respect the enormous effort the committee members, secretariat, submitters and witnesses made on this inquiry. I urge the government to release its response to this inquiry. Further, I urge all political parties, independent MPs, and candidates running in the upcoming state election to take note of this inquiry and to commit to the urgently required nature policy required to secure the future of our state's environment.

**ALBERT STREET, SEBASTOPOL***Petition*

**Mrs McARTHUR** (Western Victoria) (17:36): This morning I was pleased to table a combined hard copy and electronic petition on behalf of the traders of Albert Street, Sebastopol, who have been treated so appallingly by this government, its local members, its ministers, departments and agencies. 1392 people showed their solidarity and support for businesses that are losing up to three-quarters of their income due to the nearly year-long roadworks, which have closed their shop frontages, obscured their properties from view and made access incredibly complicated. The roadworks have an estimated duration of 43 weeks, and they come on the back of two years of near constant Andrews government COVID closures.

I have spoken to these people at length. I have visited them and talked to them about the situation they face. They are not unrealistic. They do not oppose progress, and they recognise that sometimes inconvenience is unavoidable. But this project has been a disaster from the start, and the finish is still nowhere in sight. Not only has the duration and phasing been designed without thought for businesses, the communication has been non-existent. Road closure timings and long-planned temporary access have been modified without notice. In one case a business arranged an expensive shop refitting to coincide with an enforced closure only to find out on the day that the dates had changed and their carefully coordinated works closure and access closure no longer coincided. Deliveries have been impossible. Screens have hidden businesses. Pedestrian and traffic access has been made all but impossible. Basic services like water have not been consistently maintained by contractors. Unplanned water outages have cost businesses thousands in lost revenue and in damage to equipment. Yet despite this incompetence the businesses have been offered no hope—neither improved communication nor a rethink of the closure duration—or financial support.

Technically Major Road Projects Victoria, which is managing these works on behalf of the Department of Transport, is ‘maintaining access’, so no-one is eligible for support. But that is not the reality. The numbers do not lie. The car wash has gone from 150 cars a day to just three on Sundays, and it is no surprise when the access maintained is along a dirt track—hardly acceptable for a freshly washed car. Businesses are losing tens of thousands of dollars. That is simply a fact. Labor local members and ministers seem to be nowhere in this. They did not meet the traders for months, and when they were eventually forced into doing so, they offered precious little. Coffee vouchers and car-cleaning credits do not pay rents, rates, utility bills and bank loans. Vouchers are a cynical tool to make government popular with locals getting freebies but do little to help the businesses destroyed. Life savings are being lost due to the poor design of the project, the incompetence in delivering it and the heartlessness in failing to react to the problems raised. Traders have lost hundreds of thousands of dollars because they do not know how to run their businesses. It is because the Andrews government has cut them off. I have huge sympathy for those affected. They have done everything right and received no hearing or help. Hence this petition to Parliament, which I am so pleased to support.

I implore the Minister for Roads and Road Safety to intervene, get this project delivered quickly and smartly and let businesses open and get back in the black. If he does not, the next step, legal action, is being prepared. It is sad to think of the waste of time, stress, money and effort which will go into lengthy court action. It is a terrible condemnation of the project, of the complaint management, that these citizens may be forced to sue their own government to get a fair hearing.

**PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE***Review of pandemic orders*

**Dr CUMMING** (Western Metropolitan) (17:40): I rise to speak on the *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders* report by the Pandemic Declaration Accountability

and Oversight Committee. Now, I should not really be surprised by the findings contained in this report, but I think it just confirms what we already knew. The first finding is:

Significant visitor restrictions for hospital patients were in place between March 2020 and 22 April 2022, aside from a brief relaxing of restrictions between November 2020 and February 2021. During this time, the majority of hospital patients were not eligible to have visitors outside of seeking an exemption as the criteria for permitted visitors was narrow.

Just think about what this means. People in hospital, scared and sick, were often left to cope on their own without any support of family, of friends or of loved ones. They were not able to celebrate the births of nieces and nephews and grandchildren. They were not able to see their friends or family in their last days, even though it could have been done safely with a RAT and precautions in place.

Finding 3 in the report says:

Due to legalistic and complex language, pandemic orders have been difficult to interpret and understand. A lack of plain language guidance for the Victorian community risks orders being misinterpreted or misunderstood.

The committee has recommended that:

Summary documents should be drafted according to plain language principles, including using language equivalent to a Year 7 level and incorporating graphics where appropriate.

To me, that is just plain common sense that should have been used since day one in a crisis. Why, if you wanted people to follow the orders, wouldn't you have made them as easy to understand as possible?

Finding 4 is possibly the worst of all, and it says:

The evolving nature of the COVID-19 pandemic, in particular the spread of the Omicron variant of the virus, required rapid changes to pandemic orders and the public health response. A range of key stakeholders such as hospitals and care facilities were not informed of major changes to pandemic orders ahead of public announcements in the media and did not receive official communication from the Victorian Government until close to when the orders were to come into effect.

So hospital and care facilities as well as other major stakeholders, such as police, were watching the daily Dans along with the rest of us to see what was going on. Why wouldn't the government tell the hospitals, care facilities and stakeholders as soon as possible so they could actually have procedures in place? It was probably because they were too busy looking at the Premier's social media.

Then we have finding 5:

In some instances, public statements and announcements made at Victorian Government and agency press conferences differed from the detailed changes made to pandemic orders. This led to confusion for key stakeholders and the general public when official advice received from the Victorian Government differed from that announced in the media.

So the hospitals were watching the daily Dans to find out information as they were not being notified in a timely way, and then they found the announcements were not right when the orders were published.

No wonder our health workers were exhausted when besides their work overload they constantly had to chop and change and follow the orders. No wonder all Victorians were confused.

Finally, finding 6:

The effects of the COVID-19 pandemic itself, as well as the public health response, have contributed to Victoria's mental health crisis. Pandemic orders which require levels of seclusion, such as isolation, quarantine and visitor restrictions, have significantly contributed to—

*(Time expired)*

**Adjournment**

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (17:45): I move:

That the house do now adjourn.

**KYNETON TOWN HALL**

**Ms LOVELL** (Northern Victoria) (17:45): (2058) My adjournment matter is directed to the Minister for Regional Development, and it concerns the Macedon Ranges shire's Kyneton Town Hall Reimagined project. The action that I seek from the minister is for her to approve the funding grant application for \$200 000 that the Macedon Ranges Shire Council will submit through Regional Development Victoria's Investment Fast-track Fund to develop schematic designs for the Kyneton Town Hall Reimagined project to create a contemporary entertainment facility that will host a wide variety of arts- and culture-related events for both tourists and the local community.

The Kyneton town hall was constructed in 1879 and served as the Kyneton shire hall until the town became part of the Macedon Ranges shire. At that time it became a town hall and performing arts centre, and it is now the premier performance space in the shire, hosting a wide range of events. The Kyneton town hall also serves as an administration hub for the Macedon Ranges Shire Council and is a heritage-listed building, reinforcing its historical and cultural significance in the community. In 2019 council completed a compliance check of the building that identified a redevelopment is required to meet current building requirements and community expectations. The Macedon Ranges council has completed an extensive refurbishment of the building's exterior and is now seeking funding to complete the redevelopment by refurbishing the interior of the hall.

The planned renovation is designed to provide a functional and flexible space to deliver extensive programs and services to the local community. The project will include a complete refurbishment of the theatre's interior, including improved theatre seating, a redesigned backstage area and an upgrade of performance audio. Quality meeting rooms will be constructed that will be available for use by both council and the local community, and fire and security systems will be upgraded to meet current standards. The refurbishment of the Kyneton town hall will enable the hosting of a wider variety of events for the enjoyment of both the local community and visitors to the region. The increased tourist visitation attracted by events at the hall will provide significant economic benefit to the Macedon Ranges economy, with additional tourist spending in local retail, hospitality and accommodation venues.

Macedon Ranges Shire Council officers are in the process of submitting a grant application for \$200 000 through Regional Development Victoria's Investment Fast-Track Fund to develop schematic designs of the planned works. This is a very important step towards making the Kyneton Town Hall Reimagined project a reality, and I call on the minister to ensure this grant application is approved once it is received.

**WYNDHAM ACTIVE TRANSPORT**

**Dr CUMMING** (Western Metropolitan) (17:48): (2059) My adjournment matter is to the Minister for Roads and Road Safety in the other place, and the action that I seek is for the minister to commit to funding active transport projects in Wyndham. The pandemic has changed the way people travel to work, school and leisure. Neighbourhoods with housing near local jobs and services encourage a vibrant and healthy local economy that can meet the majority of people's daily needs. Wyndham City Council has been advocating for \$12 million in funding for active transport projects which provide better connections to local destinations in their area—one being delivering a shared-use path connection to the Federation Trail along the Old Geelong Road bridge at Hoppers Crossing and another constructing the K Road Cliffs trail in Werribee's tourist precinct.

Strategic works are needed to connect and improve the trails through Melbourne's west to make them easier to access and more sustainable. These include Greening the Pipeline at Hoppers Crossing and Laverton North, fixing the missing link at Lollypop Creek Trail in Wyndham Vale and connecting the Werribee River Trail to the Federation Trail and the Werribee Regional Park at Riverwalk estate. Crossing points are also needed at Derrimut Road and Heaths Road to link up the D1 drain path and provide active transport connections to local schools, sporting facilities, AquaPulse and the youth resource centre. These key cycling and pedestrian links support the social and physical health of Wyndham's community, making it easier and safer for the community to choose walking and cycling over other methods of transport.

In this year's budget there was nearly \$22 million allocated for active transport. Projects announced in the 2022–23 budget papers included upgrades to the bike facilities along the Capital City and Merri Creek trails, new cycling infrastructure for the Bendigo city centre strategic cycling corridor and delivery and construction of the new path between Greensborough and Montmorency. Yet again the west has missed out—no funding for active cycling in the fastest growing region in the state. The west deserves better than this. They pay their taxes the same as every other Victorian and they deserve a fair share of the funding. Instead most of it is going to the east and north of Victoria, in marginal seats.

### SUBURBAN RAIL LOOP

**Dr BACH** (Eastern Metropolitan) (17:51): (2060) My adjournment matter tonight is for the Minister for Transport Infrastructure, and the action that I seek is for her to update me as to whether she has sought an independent analysis of the business case for the government's proposed \$35 billion rail line from Cheltenham to Box Hill from Infrastructure Victoria. Previously I have sought information from the minister as to why it is that she has never sought independent analysis of the business case from Infrastructure Australia. In 2015 the Premier stood in the other house and said that 'never again' would the government fail to hand over a business case seeking independent assessment from Infrastructure Australia. Mr Pakula said to fail to do so would be 'economic vandalism'. Yet since the government announced its so-called Suburban Rail Loop—with much fanfare on Mr Andrews's Facebook page, to the great surprise of half of his cabinet and the Secretary of the Department of Transport, who then resigned—the minister has continually refused to seek independent analysis of the business case. Why would that be?

Today in the other place the minister got to her feet to read out a very short list of people who thought that the government's proposed \$35 billion rail line from Cheltenham to Box Hill is a very good thing. But I was struck by the names that she did not read out. She did not read out the names of Infrastructure Australia or Infrastructure Victoria, a creation of this government. She certainly did not read out the names of the Rail Futures Institute or the Grattan Institute. She did not read out the name of Michael Buxton, professor of environment and planning at RMIT. Recently he wrote a scathing opinion piece in the *Age* newspaper, and he called this project 'world's worst standard'. The very next day, in a clash of the titans, the government sent out somebody else to also write an opinion piece in support of the so-called Suburban Rail Loop. They sent out a gentleman by the name of Frankie Carroll. Do you know what his day job is? Well, he is the CEO of the Suburban Rail Loop Authority, but he is the only person the government could find to send out to support its plan. The minister did not read out the name of Professor Jago Dodson, the director of RMIT University's Centre for Urban Research. She certainly did not read out Sir Rod Eddington's name, and she did not mention the federal department of transport. All of these expert bodies and all of these experts have a very strong negative view about this project.

The minister continues to say that this project will deliver 24 000 jobs. That is the government's assessment over the next 40 years. She says there are significant economic benefits. Well, Sir Rod Eddington thinks not, Michael Buxton thinks not, and so do the Grattan Institute and the Rail Futures Institute, among others. If the minister would like to know whether or not she can continue to make these claims while holding her head up high, will she hand over the business case to Infrastructure Victoria or Infrastructure Australia?

### WYNDHAM PUBLIC TRANSPORT

**Ms VAGHELA** (Western Metropolitan) (17:54): (2061) My adjournment matter is directed to the Honourable Ben Carroll MP in the other house for the minister's portfolio responsibilities for public transport. Wyndham City Council is located in my electorate of Western Metropolitan Region and is one of the largest and fastest-growing municipalities in Australia. Between 2019 and 2020 Wyndham's population grew by 12 687 residents. By the year 2041 Wyndham's population is expected to grow to 512 591. Housing development continues in new estates across Wyndham such as the Mambourin and Cornerstone estates in the suburb of Mambourin and the Grand Central estate in Tarneit.

Many new residents moving into Wyndham are from our migrant community, and English is their second language. Residents need to access community centres and support programs to assist with their settlement in Australia. Often these community centres and support programs are not available in the immediate neighbourhood, resulting in residents needing to travel far distances. Some families have both primary school aged and high school aged children from the same household, and parents need to travel to different parts of Wyndham to drop off their children to school. The new development areas are isolated from the existing bus networks and train stations, making it difficult for residents to access public transport. In some new residential estates the closest bus stop is approximately 30 minutes walking distance. Residents accessing these bus stops are concerned for their safety when they need to walk to and from the closest bus stop at night when it is dark, particularly in winter.

The absence of adequate bus services for these areas is resulting in social isolation for some. The residents in these new residential estates require necessary bus services and transport solutions to commute safely, quickly and easily. While the required transport infrastructure is being established in the new estates demand-responsive bus services should be provided as an alternative solution for their transport needs. Better bus services across Wyndham and the new development areas will improve access to services, education and employment opportunities, assist with reducing traffic congestion and support residents with their settlement needs. The action I seek from the minister is to provide me with an update on what action the Victorian government will take to provide better bus services and access to public transport for residents of growth areas in the Western Metropolitan Region.

### BAKERS DELIGHT INVESTIGATION

**Mrs McARTHUR** (Western Victoria) (17:57): (2062) My adjournment matter is for the Minister for Industrial Relations. It relates to the Victorian Equal Opportunity and Human Rights Commission's three-year-long investigation into Bakers Delight and its sexual harassment policy. The commission was not responding to a complaint; no problem, no single incident or allegation was reported. In short, they went looking for a problem, and like any bureaucracy seeking to justify its existence, unsurprisingly they found one. What did Bakers Delight do to deserve this? It is not just the time, effort and stress inflicted upon a business by investigation, but the reputational damage which might result, all without any incident actually occurring. Yet even this does not seem to be enough for some. Emily Howie, general counsel for the Victorian Equal Opportunity and Human Rights Commission, recently tweeted that 'we need to boost the regulatory powers given to commissions like ours'. This is terrifying for business, especially for small businesses which do not have the HR, PR and legal departments or budgets of big companies like Bakers Delight. It is yet another example of this government thinking only about big business and big unions.

Those who suffer are entrepreneurs, family businesses, people who believe they are doing the right thing, who would never dream of doing other than supporting their employees, but who face investigation from a government bureaucracy even with no indication of any sexual harassment occurring. I have spoken to small business owners concerned by this, and they want to know if the government understands the consequences of this overreach, so the action I seek is simple. I invite the minister to join me to meet employers who feel that this threat of extended regulation and reputational ruin could be the straw that breaks the camel's back.



**BLUEHUB AND POLICE VETERANS VICTORIA**

**Mr GRIMLEY** (Western Victoria) (18:00): (2063) My adjournment matter is for the Minister for Police, and the action that I seek is for funding to be made available to BlueHub and Police Veterans Victoria. As a police veteran myself—although technically I am still a police officer and might be back on the beat come December if I am not re-elected—I do know the struggles my former colleagues and blue family go through. When you get into the police force you start off with a very full emotional bucket, and for each violent, scary, awful, tragic, confronting, saddening job you go to a hole gets poked into that bucket. For every police officer their bucket is different. For some it will take just one incident, and for others it will take many, many incidents before the final hole means that there is nothing left.

Over 80 per cent of Victoria Police employees report exposure to traumatic events, which is why BlueHub and Police Veterans Victoria are so important to ensuring the mental health of our police. BlueHub provides evidence-based psychiatric help to police who need it. Over 400 police have reached out to BlueHub; 255 members have been referred for treatment, and about half of those are currently in treatment. Whilst just 7 per cent of some post-traumatic stress injury control program participants return to work, almost half of the VicPol employees who engage with BlueHub return to work or participate in the process to return to work.

In terms of Police Veterans Victoria, it is something I have spoken about in this place before, but this registered charity and not-for-profit provides mental health help to Victoria Police veterans and their families. Whilst we rightly have huge funding available to defence veterans, there is no such organisation for police veterans in Victoria. At their recent annual fundraiser the former minister, Ms Neville, gave a glowing commendation to Police Veterans Victoria but stopped shy of committing to sustained funding. Now we have got a new minister, Minister Carbines, who I have met very briefly, and it was great to know that we hopefully had another minister who is passionate about police mental health. On that note, Minister, I request again that you make funds available to both BlueHub and Police Veterans Victoria to ensure that they can continue their important work.

**VIDA**

**Dr RATNAM** (Northern Metropolitan) (18:02): (2064) My adjournment matter tonight is for the Minister for Women. I recently had the pleasure of meeting with Diya and Angela, the two young founders and co-directors of Vida. Vida is a financial literacy educational initiative targeted at young women aged 14 to 25 and their parents. Vida knows that Australia's gender wealth gap begins in youth. While financial literacy forms part of the Victorian schools curriculum, it is still overwhelmingly underdelivered in schools, and informal education from parents and families tends to favour young men over women. As a result over 85 per cent of young women under 35 cannot identify basic financial concepts and 41 per cent of young women find dealing with money stressful and overwhelming. The gap in financial education means that young women are more likely to rely on others to manage their financial choices and are more likely to experience financial abuse. And when women enter the workforce, their financial disadvantage increases. On average Victorian women still earn at least 14.3 per cent less than their male counterparts and at the end of their working life retire with significantly less super than the men.

Vida aims to tackle the gender wealth gap in its infancy by providing workshops on personal finance basics for young women. So far it has been a remarkable success. Participant feedback is extremely positive, and Vida are seeing growing demand for their workshops. As demand grows they are hoping to expand their horizons and share their project and their services more widely. Improving young women's financial literacy is an important step in addressing the gender pay gap and women's economic and financial disadvantage, both of which I know are priorities of this government. Particularly in the wake of the COVID-19 pandemic, where women were disproportionately affected by job losses and industry shutdowns, it is even more important that we invest in programs that aim to close the gender wealth gap. I would strongly encourage the minister to take a more proactive approach

to improving financial literacy education for women, particularly young women. I ask the minister to meet with Diya and Angela to discuss Vida's work and how she can support them to partner with more educational institutions to deliver their fantastic program.

### MATERNAL AND CHILD HEALTH SERVICES FUNDING

**Ms MAXWELL** (Northern Victoria) (18:04): (2065) My adjournment is to the Minister for Health, and the action I seek is for the minister to address the funding gap affecting maternal and child health services across our state and return it to a 50-50 split with local councils. Maternal and child health services in my electorate have been under pressure since before the pandemic, with staffing shortages and the tyranny of distance placing stress on already stretched systems. Staff in councils continue to do a wonderful job in challenging circumstances, and maternal and child health nurses are some of our most treasured and trusted healthcare workers. I speak about early intervention so much and consider maternal and child health services as a critical early response that can prevent health and safety matters from escalating to crisis. The challenges that existed before COVID are now compounding, and there are reports that appointments are being cut and wait times are blowing out. This could result in thousands of children missing crucial checks.

The Municipal Association of Victoria has identified that the traditional 50-50 split of funding between councils and state government has tilted and leaves services short. I know that for some councils in my electorate this split is more like 40-60. The widening funding gap could have significant effects downstream, not only for the individual wellbeing of children and their families but including long-term consequences for our health, child protection, education and justice systems.

There are proactive solutions being proposed by the City of Whittlesea, in partnership with neighbouring Mitchell shire and Hume city councils, which also need support to improve maternal and child health services. A little over \$2 million would deliver the KAS 45 pilot in the City of Whittlesea, and there is a broader call to review the key ages and stages framework and improve IT systems. Mitchell shire is an area with strong population growth and high rates of family violence. Extending this successful multidisciplinary workforce approach operating between the cities of Whittlesea and Hume into Mitchell shire would require funding for a social worker and family violence practitioner. The City of Whittlesea has proposed a nurse educator program, which would cost \$360 000 and provide a work-ready program for students undergoing clinical placements and support services for supervising nurses. There are proactive solutions being proposed from the front line, and I strongly support these being implemented as soon as possible.

What is also urgent is for the government to rebalance the funding model before it blows out even further. The impact of a positive early childhood experience for both the child and the parents can help set a family on a positive pathway and prevent a host of issues downstream. Maternal and child health workers are adept at identifying developmental delays. They assess safety and health risks and provide valued support and connection for parents. They are particularly relied on to give enhanced support to vulnerable parents and those who might be in contact with child protection and our justice system, but the support and service they provide is important for all children.

### ROADSIDE VEGETATION

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (18:07): (2066) I wish to raise a matter for the attention of the Minister for Roads and Road Safety in the other place, and it relates to the management of roads and road environs by the Department of Transport. This is now a recurring theme that I have received from a number of my constituents throughout the south-east, and the most recent constituent is actually in the Premier's electorate of Mulgrave. It relates to complaints about road management around Springvale Road and Mulgrave Freeway in the vicinity of Mazenod College, where the road verges are not being maintained. Blackberries are growing wild, and they have not been dealt with by the Department of Transport or their contractors for many years. This is an issue which is recurring throughout the south-east: road verges not being maintained, median strips not being maintained and the centre of divided roads not being maintained, which is becoming a road

safety hazard where drivers cannot see vehicles at roundabouts because the grass in the median or the grass in the middle of the roundabout itself is too high and blocking traffic views.

Complaints from constituents are going unanswered. The Department of Transport, formerly VicRoads, are not responding to emails. Multiple emails from constituents are not being responded to. The works are not being done. Presumably the Department of Transport has contractors in place to manage roadside maintenance, but it is not occurring. Whatever management arrangements are in place to oversee those contractors within the Department of Transport are not working.

So the action I seek from the Minister for Roads and Road Safety is to ensure that his department is doing its job—to ensure that the road verges and road environs throughout the south-east are maintained in the way that they should be. Budgets are provided by this Parliament for that work to take place. Contractors are in place from the Department of Transport, but the work is not being done. People within the department are not doing their job, this work is not being completed, and the residents throughout the south-east, including this most recent complainant in the Premier's electorate, are sick of it. They are not getting the services they have paid for, and it is about time that they did.

### CHRONIC PAIN

**Ms PATTEN** (Northern Metropolitan) (2067)

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

My adjournment matter is for the Minister for Health and relates to chronic pain.

One in five Victorians are affected by chronic pain. Nationally over 3 million Australians live with chronic pain, which results in more than \$73 billion in lost productivity annually.

It is debilitating.

Despite its prevalence, sufferers continue to feel stigmatised, particularly when interacting with medical professionals.

Interactions can involve ignorance or the thinly veiled suspicion of addiction. Patients often feel forced to prove their diagnosis is legitimate, over and over again.

Honestly, it's just not fair, where life is already made harder by this pain, for that suffering to be compounded by stigma from the very professionals meant to understand and help.

So the action I seek is that the minister take specific steps to address this problem and enhance the professional understanding of chronic pain via dedicated education and training across the Victorian health system.

### RESPONSES

**Mr LEANE** (Eastern Metropolitan—Minister for Commonwealth Games Legacy, Minister for Veterans) (18:09): There were nine adjournment matters from members in this chamber tonight directed to eight different ministers. I will make sure that those matters are passed on to those ministers and those matters are responded to in kind.

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

**House adjourned 6.10 pm.**

**Joint sitting of Parliament**  
**LEGISLATIVE COUNCIL VACANCY**

**Members of both houses met in Assembly chamber at 6.17 pm.**

**The Clerk:** Before proceeding with the business of this joint sitting, it will be necessary to appoint a Chair. I call the Premier.

**Mr ANDREWS** (Mulgrave—Premier): I move:

That the Honourable Nazih Elasmr, President of the Legislative Council, be appointed Chair of this joint sitting.

He is willing to accept the nomination.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the motion.

**The Clerk:** Are there any other proposals? There being no other proposal, the Honourable Nazih Elasmr, President of the Legislative Council, will take the chair.

**Motion agreed to.**

**The CHAIR (Hon. N Elasmr):** Under the Constitution Act 1975 this joint sitting must be conducted in accordance with rules adopted by members present at the sitting. The first procedure, therefore, will be the adoption of rules.

**Mr ANDREWS** (Mulgrave—Premier): I move:

That joint rule of practice 2 be the rules for this joint sitting.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the motion.

**Motion agreed to.**

**The CHAIR:** The rules having been adopted, I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

**Mr ANDREWS** (Mulgrave—Premier): I propose:

That Mr Thomas McIntosh be chosen to occupy the vacant seat in the Legislative Council.

He is willing to accept the nomination. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise that the President has received advice from the state secretary of the Victorian branch of the Australian Labor Party that Mr McIntosh is the selection of the Australian Labor Party, the party previously represented in the Legislative Council by the Honourable Jane Garrett.

**Mr GUY** (Bulleen—Leader of the Opposition): I second the proposal.

**The CHAIR:** Are there any further proposals? As there are no further nominations, I declare that nominations are closed.

**Motion agreed to.**

**The CHAIR:** I declare that Mr Thomas McIntosh has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly.

I now declare the joint sitting closed.

**Proceedings terminated 6.20 pm.**