

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**WEDNESDAY, 11 MAY 2022**

[hansard.parliament.vic.gov.au](https://hansard.parliament.vic.gov.au)

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

## Legislative Council committees

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

Mr Barton, Mr Erdogan, Mr Finn, Mr Gepp, 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 Shing, 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, Ms Garrett, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

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

### **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, Mr R Smith, Mr Walsh and Mr Wells.

### **Electoral Matters Committee**

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

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

### **House Committee**

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

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

### **Integrity and Oversight Committee**

*Council:* Mr Grimley and Ms Shing.

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

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

*Council:* Ms Crozier, Mr Erdogan and Ms Shing.

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

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

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

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

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

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

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

## Heads of parliamentary departments

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

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

*Parliamentary Services:* Secretary: Ms T Burrows

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

**President**

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

**Deputy President**

The Hon. WA LOVELL

**Acting Presidents**

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

**Leader of the Government**

The Hon. J SYMES

**Deputy Leader of the Government**

The Hon. GA TIERNEY

**Leader of the Opposition**

The Hon. DM DAVIS

**Deputy Leader of the Opposition**

Ms G CROZIER

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

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

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

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

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

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

<sup>6</sup> Resigned 23 March 2020

<sup>7</sup> Resigned 11 April 2022

<sup>8</sup> Resigned 26 September 2020

<sup>9</sup> Resigned 1 December 2021

<sup>10</sup> ALP until 15 June 2020

<sup>11</sup> Appointed 23 April 2020

<sup>12</sup> ALP until 7 March 2022

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

<sup>14</sup> Resigned 28 February 2020

**Party abbreviations**

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice 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, 11 May 2022

**The PRESIDENT (Hon. N Elasmarr) took the chair at 9.34 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.

**Papers**

**PAPERS**

**Tabled by Clerk:**

Auditor-General's Reports on—

Fraud Control Over Local Government Grants, May 2022 (*Ordered to be published*).

Offsetting Native Vegetation Loss on Private Land, May 2022 (*Ordered to be published*).

Planning and Environment Act 1987—

Notices of Approval of the following amendments to planning schemes—

Melbourne Planning Scheme—Amendment C385.

Whittlesea Planning Scheme—Amendment C259.

Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan—Amendment 122, under section 46D of the Act.

Subordinate Legislation Act 1994—Documents under section 15 in respect of Statutory Rule No. 28.

Wildlife Act 1975—

Wildlife (Prohibition of Game Hunting) Notice (*Gazette No. S114, 8 March 2022*).

Wildlife (Prohibition of Game Hunting) Notice No. 2 (*Gazette No. S122, 11 March 2022*).

Wildlife (Prohibition of Electronic Acoustic Quail Lures) Notice (*Gazette No. S152, 28 March 2022*).

Wildlife (Partial Closure of Dowd Morass State Game Reserve) Notice (*Gazette No. S153, 28 March 2022*).

**Business of the house**

**NOTICES**

**Notice of motion given.**

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

**Members statements**

**SENATOR LIDIA THORPE**

**Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (09:39):** I want to agree with Mr Grimley and his motion. I think it is a very important matter that he has brought to the chamber. Senator Lidia Thorpe was a member of this place and has now become a Greens senator in Canberra, representing Victoria. I think her extraordinary attacks on the police are simply unacceptable, and I think that Mr Grimley's point is—

**Mr Gepp** interjected.

**Mr DAVIS:** Are you supporting what Lidia Thorpe said? Are you supporting what she said about—

## MEMBERS STATEMENTS

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Legislative Council

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**The PRESIDENT:** Mr Davis and Mr Gepp, that is not acceptable.

**Mr DAVIS:** Let the record record that Mr Gepp is standing by and supporting Senator Thorpe.

**The PRESIDENT:** Mr Davis! Your members statement, not against Mr Gepp, please. And I ask you to withdraw your comment.

**Mr DAVIS:** President, I was provoked by his behaviour.

**The PRESIDENT:** I ask you to withdraw your comment, please, against Mr Gepp.

**Mr DAVIS:** I withdraw that Mr Gepp is supporting Lidia Thorpe.

**The PRESIDENT:** Thank you. Continue your members statement.

**Mr DAVIS:** I can only conclude that Labor and Mr Gepp and others do stand by Senator Thorpe in the sense that they are very touchy about any point being made—

**Ms Shing:** On a point of order, President, if Mr Davis wants to level allegations, he should do so by way of substantive motion—and he knows this full well—in accordance with the standing orders.

**Mr Finn:** On the point of order, President, the point of order by Ms Shing is a nonsense. Mr Davis was referring to the Labor Party; he was not referring to any individual.

**Ms Shing:** Mr Gepp in particular. He named him.

**Mr Finn:** He was referring to the Labor Party. It is standard practice in this house that anybody can do that. For it to be ruled out would be a gross breach of the standards and the traditions of this place.

**The PRESIDENT:** Mr Davis to continue.

**Mr DAVIS:** I have only 13 seconds remaining, and I want to make the point that the police do an extraordinary—

**Ms Shing:** On a point of order, President, I have raised a point of order in relation to substantive allegations being raised by motion, rather than in a members statement.

**The PRESIDENT:** I believe Mr Davis is still within his members statement, not against it, but I will allow him to finish his members statement.

**Mr Gepp:** On a point of order, President, Mr Davis named me and Ms Shing's point of order is absolutely correct. If he wants to press those allegations against me, he needs to do it by way of substantive motion, not hide behind the cover of the members statement. He named me after you had asked him to withdraw.

**Dr Cumming:** On the point of order, President, could I request that the member be allowed to have his members statement time again?

**The PRESIDENT:** Mr Gepp, I understand Ms Shing's point of order and I understand your point, but I asked Mr Davis to withdraw his comment and he did. While he has gone back on it, there are still not allegations there. That is why I will allow him to finish it.

**Dr Cumming:** On another point of order, President, I am of the understanding that a members statement is not a debate. It is actually a statement. So please could he be allowed to have a members statement without a debate?

**The PRESIDENT:** I understand that. At the same time, a members statement is not to be used to attack others. There are other motions you can use. That is what Ms Shing is talking about.

**Ms Shing:** On the point of order, President, for avoidance of any doubt in relation to the issues that have been raised in the course of this point-of-order debate, can I ask that you review *Hansard* and make a determination based on what Mr Davis has said?

**The PRESIDENT:** I am happy to do that.

**Mr DAVIS:** This is a very simple matter. I respect the police, the opposition respects the police, I know Mr Grimley respects the police and the Victorian community respects the police. But clearly Senator Thorpe does not, and it seems that some in the Labor Party do not.

#### RED SHIELD APPEAL

**Dr KIEU** (South Eastern Metropolitan) (09:45): Recently I had the pleasure of attending the Salvation Army's multicultural launch of the 2022 Red Shield Appeal with my parliamentary colleagues Minister Shaun Leane and Matt Fregon. It was truly heartening to see influential leaders, entrepreneurs and philanthropists from multicultural communities across Victoria come together to support this cause and to celebrate diversity, hope, community and kinship. The 2022 Red Shield Appeal multicultural launch also showcased community services, meeting the local needs and their mission to reach into multicultural Australia, promoting cultural inclusivity and belonging. I extend my thanks to the Salvation Army for their ongoing work.

#### SUMMERTECH LIVE

**Dr KIEU:** On another matter, earlier this month I was delighted to meet with students and business owners who took part in the Victorian government's SummerTech Live program on behalf of Minister Jaala Pulford. This outstanding program, now in its fourth year, has given Victorians the opportunity to develop the digital skills they need to succeed in today's workforce and in the future. This year 128 students took part, solving technology challenges for business to 75 projects across Victoria. Such programs are now more important than ever. Innovation is the key to overcoming our greatest challenges and to building a stronger, more inclusive Victoria. Congratulations to everyone who took part in the program.

#### BUDGET 2022–23

**Mr MEDDICK** (Western Victoria) (09:46): After what is clearly the most animal friendly budget in Victoria's history, it was a pleasure to visit some of my successful bids to announce important funding. Earlier last week I visited Cherished Pets in Ocean Grove along with the Minister for Agriculture, Mary-Anne Thomas, Minister Lisa Neville, the member for Geelong, Christine Couzens, and the member for South Barwon, Darren Cheeseman, to announce the \$465 000 they will use to continue their renowned social work and veterinary program and to provide emergency assistance for women with animals fleeing family violence.

I also visited Ballarat Animal Shelter with Minister Thomas, mayor Daniel Moloney, CEO Evan King, the member for Wendouree, Juliana Addison, and the member for Buninyong, Michaela Settle, to announce the \$11.5 million for their new purpose-built shelter, which will service not just Ballarat but six surrounding local government areas. This shelter is a project I have advocated for in this chamber from when I was first elected and was a priority for the council.

I was also chuffed to visit the Horsham incubation hub with Minister Thomas to announce the almost \$13 million for a state-of-the-art glasshouse and incubation hub, supporting grain crop industries to diversify into the plant-based protein market. We have worked hard to show the government the opportunities for the state in alternative proteins, and now they have started to deliver.

This budget is a huge win for local jobs, the climate and, importantly, animals. With a federal election underway it proves why representatives for animals in Parliament are so important.

#### SANDRINGHAM EAST PRIMARY SCHOOL

**Mr ERDOGAN** (Southern Metropolitan) (09:48): Last week I was very proud to announce that the Andrews Labor government is investing \$3.8 million to upgrade Sandringham East Primary School. The funding, delivered as part of this year's Victorian budget, will deliver the final stage of the school's master plan, including upgrades to the administration building and the prep learning area.

The new investment builds on the \$7.8 million allocated to the school in the 2018–19 budget and will ensure that current and student future students at Sandringham East Primary School have access to modern, engaging learning environments to give them the best start in life. Sandringham East Primary was the first school I visited after I was elected to this place and is one that I have visited many times since. I would like to congratulate the fantastic school community and in particular acknowledge the principal, Laureen Walton, for her advocacy on behalf of Sandy East Primary over a long period.

Since coming to government we have invested over \$12.8 billion in building new schools and upgrading more than 1800 schools across the state, creating 17 000 jobs in construction and associated industries. This government is well ahead of schedule in its work to deliver 100 new schools between 2019 and 2026, with 75 new schools opening between 2019 and 2024. It is all part of our commitment to keep Victoria as the Education State.

### NEIGHBOURHOOD HOUSE WEEK

**Mr ERDOGAN:** On a separate matter, I would also like to acknowledge that this week is Neighbourhood House Week. There are over 400 neighbourhood house locations across our fantastic state, and they do amazing work in terms of bringing the community together and lifelong learning. They are an essential part of the social fabric of our community and suburbs.

### LEADING SENIOR CONSTABLE PAT STORER

**Ms MAXWELL** (Northern Victoria) (09:49): I wish to commend Leading Senior Constable Pat Storer, who recently retired from Victoria Police. Leading Senior Constable Pat Storer, known to many as simply Pat, proudly served in the Victorian police force for 44 years. Fourteen of these years have been dedicated to local service as the officer in charge at the Violet Town police station. I recently attended a community celebration for Mr Storer that was hosted by local Chris Raeburn and the CFA, who set up a great guard of honour to farewell and thank him for his service. A lot of community members were in attendance to give their well wishes and thanks. In speaking with locals, a consistent message was how these are going to be hard shoes to fill. Indeed many of them joked that they had trained Pat so well they would have a tough job ahead to train a new officer in the ways of their community. I get a sense that a caravan is going to be a key part of Mr Storer's next chapter, and I wish him all the best in his retirement with his beautiful wife, Kate.

### CROYDON SPECIAL DEVELOPMENTAL SCHOOL

**Ms TERPSTRA** (Eastern Metropolitan) (09:50): Society is judged by how we care for our most vulnerable, so I could not have been prouder last week to visit the Croydon Special Developmental School to inform them of a very important announcement. It was wonderful to visit with parents, students and teachers to advise them that in our 2022–23 budget Croydon Special Developmental School will receive \$11.75 million for upgrades to their school. This will include an upgraded gymnasium, administration area and hydrotherapy pool building, and I can report to the house that the announcement around the improvements to the hydrotherapy building was met with such delight by the children. It was just a fantastic opportunity to visit that school and to share in the good news. This is of course part of our commitment to see every student with special needs receive the very same opportunities as every other student in our state, and I could not be prouder that our government is delivering on these very important reforms.

### GAMBLING HARM

**Dr CUMMING** (Western Metropolitan) (09:52): I speak today about gambling. Gambling throughout the western suburbs is on the rise and continues to be a pressing issue for many in my community. The Victorian Gambling and Casino Control Commission has revealed that Brimbank recorded the highest amount of player loss—\$55.18 million—from electronic gambling machines in the state between July 2021 and January 2022. The highest monthly loss was recorded in December last year, \$14.98 million—that is almost \$15 million. The data also showed that the monthly amount

lost at Melton venues rose to more than \$7.2 million in March this year. The total amount of gambling in Melton for the current financial year is over \$20 million.

A councillor in Hume is calling for the SBS to stop broadcasting gambling advertisements. According to a federal government commissioned study from the Australian Institute of Family Studies, CALD people who gamble are more likely to develop complex problems and are also often less likely to seek help due to the social stigma and shame. These figures are really disturbing, and more needs to be done to curb gambling losses throughout Victoria.

### **AUSTRALIA'S BIGGEST BLOOD PRESSURE CHECK**

**Ms WATT** (Northern Metropolitan) (09:53): May is blood pressure awareness month, and it is timely that I make this members statement. It is a reminder for all of us to get to the pharmacy or doctor and check our levels. It may indeed save your life. High blood pressure, or hypertension, is the greatest modifiable risk factor for stroke. A quick and painless blood pressure check can be all it takes for someone to change their lifestyle and reduce their stroke risk. Each May the Stroke Foundation promotes the importance of blood pressure checking as part of Australia's Biggest Blood Pressure Check campaign. It coincides with World Hypertension Day on 17 May.

High blood pressure often goes undiagnosed as it has no immediate symptoms. Over time it puts extra stress on blood vessel walls and can lead them to narrow or even break down, which may eventually lead to a stroke. A staggering 4.7 million Australians are living with uncontrolled high blood pressure, and many do not realise it. High blood pressure puts you at an increased risk of stroke no matter your age, no matter your health. To find a local pharmacy which provides blood pressure monitoring services, head around to your main shopping strip and I am sure you will find one there, or head to [findapharmacy.com.au](http://findapharmacy.com.au).

### **CANNABIS LAW REFORM**

**Ms PATTEN** (Northern Metropolitan) (09:55): On 20 April, also known as 4/20, around the world people gather peacefully to have picnics to rally for cannabis law reform. This has been happening in Melbourne for decades. This month, when people went down to Flagstaff Gardens to peacefully rally around drug law reform and call for changes to cannabis laws in this state, they were met with police on horses, they were met with sniffer dogs and they were wrestled to the ground and stripsearched. They were meeting peacefully for a picnic in Flagstaff Gardens. It was an extraordinary sight. It was a frightening sight. It was totally out of step with the police strategy and with the government's own position that we treat drug use as a health issue, not a criminal one. I have no idea how much this action cost. I expect it cost tens of thousands of dollars. It was just outrageous. These were young people. In fact one man who was tackled to the ground for being in possession of medicinal cannabis had a prescription for his cannabis on his person. This was in the same week as the budget, which saw the alcohol and drug services sector lose \$40 million. We can do better.

### **GEOFF DYKE**

**Ms SHING** (Eastern Victoria) (09:56): I am rising today to pay tribute to a remarkable contributor to the union movement. Geoff Dyke was a formidable figure in the Construction, Forestry, Mining and Energy Union. He was vice-president and president of the mining and energy division. I did not always agree with what it was that Geoff had to say. In fact I frequently disagreed with the positions that Geoff took on a range of matters. But I absolutely respect the contribution that he made over so many years to the community around him, to workers at Loy Yang A and B, to significant work associated with the worker transfer scheme and to the inaugural model for transition for workers affected by the closure of Hazelwood. Geoff most recently attended hearings in relation to the closure of Yallourn and Hazelwood last year and was an integral part of the discussions within government and more broadly across the community around how to take care of affected workers. Geoff died at the age of 61. I want to pay tribute to his work. I want to send my love and my respect to his family, to his children, to his grandchildren and indeed to all who loved him.

**NEIGHBOURHOOD HOUSE WEEK**

**Ms SHING:** On a brief matter I want to acknowledge the important work of neighbourhood houses this Neighbourhood House Week and acknowledge the extremely significant contribution, enthusiasm, care, love and support that every neighbourhood house brings to communities all over Victoria.

**INTERNATIONAL WORKERS MEMORIAL DAY**

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (09:58): 28 April marked International Workers Memorial Day, a day where we remember those who have died or been seriously injured at work in Victoria and around the world. The day is a rallying cry to honour the dead and recommit to fight for the living. In 2021 alone 68 workers lost their lives at work in Victoria. So far this year 15 workers have lost their lives at work, and all but one of those workers were men over the age of 40. Every one of those deaths was an unacceptable and preventable tragedy and highlights that our work is not done and will never be done while one worker fails to return from work safely. I send my deepest condolences to the families, loved ones and workmates of all Victorian workers who have been killed at work.

This year I had the honour of attending the memorial at the Victorian Trades Hall Council alongside my colleagues the Minister for Industrial Relations, Tim Pallas MP, and Bronwyn Halfpenny, the Parliamentary Secretary for Workplace Safety, and my upper house colleagues Ms Watt and Mr Melhem. The Andrews Labor government is absolutely, steadfastly committed to delivering important reforms to make sure that every workplace in Victoria is safe and that injured workers and their families get the support that they need. We have got to all recommit to collectively work together to prevent both physical and mental injury in Victorian workplaces. Every single person should be safe at work and should return home safely each day. It is an absolute fundamental right.

**BILL LUDWIG**

**Mr MELHEM** (Western Metropolitan)

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

Earlier this month on the 11th of April we lost a titan of the union movement and one of the greatest advocates of working people's rights—'Big' Bill Ludwig.

Bill spent his entire working life making sure that people got a 'fair go' in the workplace—advocating for better working conditions, improved OH&S standards and fair pay.

He began his working life as a gun shearer in the 1950s, where his first contact with the union occurred. It was not long after that he started advocating for shearer rights and was part of the bitter shearers' strike in 1956 for which he was blacklisted.

He served as AWU QLD branch secretary for 25 years and AWU national president for 16 years.

A quiet but commanding figure, he never shied away from a battle—big or small. He was fearless and dogged in his approach to ensuring worker rights were always represented, and he was certainly the type of person you wanted on your side.

Bill stood up for all working people even when sometimes they were unable to advocate for themselves. He lived and breathed by the motto of 'A fair day's pay for a fair day's work'.

During my time at the AWU, I had the great honour of working with this remarkable man, and his knowledge and determination to make working life better for not only AWU members but all working Australians was extraordinary.

Many AWU members today owe their working conditions and safe workplaces to Big Bill.

He had 67 continuous years as a proud AWU member.

I send my deepest condolences to his family.

Solidary forever, mate. You will be deeply missed.

**Motions****NON-EMPLOYEE TRANSPORT WORKERS**

**Mr BARTON** (Eastern Metropolitan) (10:00): I move:

That this house:

- (1) calls on the government to establish a tribunal comprised of industry experts to oversee all non-employee transport work and workers, regardless of label, in Victoria that will have the power to:
  - (a) set minimum and enforceable standards, including pay and conditions, across a company, sector or industry;
  - (b) enter into enforceable and certified collective agreements through a bargaining regime;
  - (c) resolve any disputes, including unfair terminations of contract, through conciliation and arbitration;
  - (d) review unfair contracts, including where the contracts become unfair in the course of operation;
- (2) further calls on the government to:
  - (a) ensure that there is an adequate enforcement regime underpinning the work of the tribunal as well as appropriate auditing, training and education through the transport industry;
  - (b) require the tribunal to report back to the government on the exercise of its powers in its first 12 months of operation by no later than four months following the conclusion of the tribunal's first 12 months of operation; and
  - (c) table the tribunal's report in the Legislative Council.

Owner-drivers running small businesses off their trucks, vans, cars or bikes are the salt of the earth. They are everyday Australians, entrepreneurs and contributors to our society. Their jobs are based on a fair go. They have a vehicle, they are skilled at driving it, and they will do so for a reasonable fee to get passengers, food, medicine and parcels to the places where they need to be. The problem is Victoria is missing the regulation to make sure that a fair go applies to them. Unlike employee truckies, couriers or delivery riders, owner-drivers have next to no entitlements. This is a problem now more than ever.

Following the emergence of the gig economy, transport is an industry that has seen major changes over the last few years and certainly since I started driving professionally more than 30 years ago. I witnessed the years of hard work as we built up regulations to bring our taxi industry up to a reasonable standard. It was certainly not perfect, but it was far from the free-for-all we have got today. Things must change. The arrival of the gig economy giants like Uber and Amazon Flex have distorted the transport industry. They have hidden behind laws that were never written to capture this kind of work, and they have shifted the goalposts every time the law has tried to catch up.

In fact I have personally been affected by this. When Uber arrived, it slashed my income. I had to sell the family farm, and I am still dealing with the fallout of that. Yet I know that thousands of other families were worse off than me. I know that Uber drivers are struggling to make ends meet. I know that without regulation the future of transport is Amazon Flex, an arrangement that pays less than the minimum wage and sees drivers fired if they cannot deliver high volumes of parcels within a 4-hour window. This does not just affect workers in the gig economy. There is downward pressure on the transport industry, and our state is not prepared to protect its drivers.

Truck drivers were our lifeline during the pandemic. We recognised our reliance on them when driver shortages led to empty supermarket shelves. So what will become of us when they are forced to park up because they can no longer turn a profit? Victorian Autocare owner-drivers recently had to do just that. These workers are car carriers, transporting the Toyotas and Mitsubishi's. With skyrocketing fuel costs and high inflation across the board, some of these drivers were making just \$10 an hour after costs. Some are barely breaking even. Yet their company, their principal contractor, wanted to slash their pay even further—to just \$1.65 a kilometre. It would have cost them more to work than it would to park up their trucks, so they switched off their engines for weeks. Thousands of cars were left stranded in the holding yard with no-one to carry them to the dealerships.

Striking is not the first option or the second option, it is the last option, because the bills do not strike with you. You will not get any solidarity from the banks. These owner-drivers had no choice. They had no choice because refusing to work was the only thing that they could do to stop their pay being further slashed. Last week those workers won. They achieved pay increases that will help them somewhat keep up with the rising fuel costs and the burdensome cost of living. They should not have had to struggle through weeks without work to achieve a reasonable outcome. No owner-driver should be without a guaranteed minimum rate.

Here is the clincher: there is a ready-made way to fix this. New South Wales has had legislation in place since 1996 that protects the pay, the conditions and the rights of owner-drivers. It is not perfect, particularly as it does not cover many workers in the gig economy or extend to all parts of the state, but it is a damn sight better than what we have. We have nothing in place to set enforceable minimum rates or conditions for drivers to keep them turning a profit. Chapter 6 of the Industrial Relations Act 1996 in New South Wales sets minimum rates of pay for owner-drivers. Earlier this year it was extended to Amazon Flex, providing the first minimum rate for Amazon Flex drivers in the world. Chapter 6 has a mechanism to apply for rate increases to support cost recovery.

In April, the same month Autocare trucks were gathering dust in the parking bays, the New South Wales Industrial Relations Commission approved an increase to minimum rates so that owner-drivers could recover the price hike in fuel. What took weeks of strikes to resolve at Autocare took days to resolve in New South Wales, and workers there never had to sacrifice a day's pay to achieve it. I commend the Autocare workers and their union, the Transport Workers Union, for their great win. In their honour, I think we owe it to the state to make sure that no owner-driver has to fight so hard and sacrifice so much just to receive fair pay again.

The Victorian government recently announced it would create fair conduct and accountability standards to help improve the bargaining position of owner-drivers, among other workers, before working on other platforms in the on-demand economy. As well intentioned as this legislation is, it again fatally misses the point. It adopts the same flawed approach at the heart of the Owner Drivers and Forestry Contractors Act 2017—no enforceability, no ability for workers to effectively collectively bargain and no effective solution to the pressures which these workers face.

Chapter 6 allows drivers to bargain for agreements rather than have rates unilaterally set or slashed on a whim. It allows for dispute resolution over issues like unfair termination, something that would come in extremely handy with the likes of Amazon Flex, Uber and Deliveroo. For a quarter of a century chapter 6 has been an incredibly useful tool in New South Wales, ensuring industry standards and fair competition. In 2022, with the erosion of rights we are seeing at a rapid pace, it is shameful that we have no system like this one in place in Victoria. Clearly we cannot wait for the commonwealth to act. We need our own robust system—an independent body to create legislated standards for all transport workers. We need regulation to kill off contractor loopholes that enable the exploitation of drivers and encourage this race to the bottom for pay and conditions.

Transport is a hardworking industry; I know that from experience. All these small business owners are asking for is the ability to make a fair living, and Autocare drivers are far from the only ones. In fact these companies are driven to these extreme measures because of a dog-eat-dog market with no safety net. The likes of Uber and Amazon Flex are driving standards into the ground and obliterating any sense of fair competition. Drivers in the gig economy do not even have basic working rights like a minimum wage, and they can be terminated from their jobs via an app, without even speaking to a person. They have no real way to appeal industrial disputes or unfair dismissal and they do not have proper access to workers compensation.

Take the case of Diego Franco, a young father and a Deliveroo rider, sacked with no warning or right of reply because Deliveroo said he was too slow. Last August Diego won an unfair dismissal case at the Fair Work Commission. Now he stands to have that decision overturned. That is because to win an unfair dismissal you first must prove that you are an employee. A recent High Court decision made



it harder for Diego to make this case. And why should he have to? If the court finds that he was not an employee, does that mean he was wrongly sacked? Commissioner Cambridge described Diego's sacking as 'most notable for its absence of compassion'.

Workers like Diego deserve protections against cruel terminations, and they should not have to prove they are an employee to be treated with respect. Owner-drivers most often work for one principal contractor. When they have no rights or legal protections, they are at the whim of these companies. It is a lethal power imbalance that puts drivers in danger. When margins are tight, truck maintenance is the first thing to go. Then there is the pressure to work longer and harder and stay on the road well past the legal limits, and we know drivers fall asleep at the wheel.

We cannot afford to leave this crisis alone. Enforceable minimum standards would insulate the transport industry. They would give owner-drivers back the right to a fair go. They would promote healthy competition and keep owner-drivers in business. They would save lives on our roads. That is what we could achieve today, and we would be wrong not to do so.

**Mr MELHEM** (Western Metropolitan) (10:12): I also rise to speak on this motion. I want to commend Mr Barton on his motion and his commitment to the industry and improving standards in the transport sector. But can I just make this comment about this very issue, which I am passionate as well about because I think that workers, regardless of their status, should be entitled to a fair day's pay for a fair day's work and to a safe work environment. We would not be here if it was not for the Turnbull government decision to abolish the federal Road Safety Remuneration Tribunal. This is such good timing now, when we are less than two weeks away from the federal election. I want to just reflect on the Leader of the Opposition, Anthony Albanese. One of his key achievements as Minister for Infrastructure and Transport back in the days of the Rudd-Gillard government was establishing the Road Safety Remuneration Tribunal, which regulated the industry. They did some terrific work until they saw their demise. That was established back in 2012 but saw its demise in 2016 when it handed down the decision in relation to minimum wages and entitlements. That was not acceptable to the coalition government back then, and their response to that was to actually abolish the tribunal. That was their response: abolish the tribunal. Years and years of work basically went down the drain. And the reasons for that work were that—Mr Barton outlined some of the difficulties faced by the transport industry—there was no proper regulation and the award system probably was not adequate to actually deal with it. That is why the federal Labor government established the tribunal.

I am referring to the federal system because back in 1990, people may recall, our industrial relations powers were transferred by the Kennett government at the time to the commonwealth, so the state of Victoria's ability to regulate industrial relations is basically now limited; in fact it is zero. It is restricted to certain areas in the public sector. So a lot of the stuff Mr Barton is talking about—establishing a tribunal to determine wages and conditions and collective bargaining, which I totally support by the way—is somewhat prohibited because of the situation we are in. Having said that, what the Andrews Labor government has been doing over the last few years is actually a lot of work in that space to make sure that we do whatever we can within our jurisdiction to assist and help and address some of the issues Mr Barton talked about.

For example, we established the indicative rates for a range of owner-drivers in the transport industry, including the established mandatory rate for tip truck owner-drivers, and also under the Victorian Owner Drivers and Forestry Contractors Act 2005 hirers who engage an owner-driver for 30 days or more are required to provide the owner-driver with a rates and cost schedule relating to their vehicle et cetera. So we have established already with the industry and stakeholders that we are able to regulate some wages and conditions to cover the operating costs, provide a good return on the drivers' labour and provide a good return for the owner-drivers' investment, which is important. So that has been set.

We also went further. On government major projects, for example, where there are a lot of owner-drivers, whether they are excavator owners or truck drivers, it is now part of the contract that the principal contractor has to make sure they are giving fair compensation for their labour and their

investment in their equipment. So that has been put in place. The minimum rates, for example, are based on the rates and cost schedule, and these rates apply to all tip truck owners that are engaged in government-funded projects, which I talked about earlier—so that is any project awarded on or after 27 August 2018. The effectiveness of the system, I think, has been demonstrated recently with the publication of the interim rates and cost schedule, which was developed in response to the significant increase in fuel prices as well as being updated to account for other costs. So what I am trying to illustrate here is that the system in that sector is working, but it is still a fair way from being perfect because there is a fair bit of work to actually do.

The other thing we talked about was the Uber drivers and the gig economy, and there is a fair bit of work that needs to happen in that space. We still have a long way to go. Can I just say that in the 2022–23 budget the Andrews government has committed funding for the provision of support services for on-demand workers, including advice in relation to their entitlements and work status, and for the administration of the fair conduct and accountability standards. As I said, there is a bit of work still to go there.

That is why it is important to note that there are certain things the state can do, but more work needs to be done at the federal level because they are the ones who control the whole landscape of industrial relations in this country. We cannot force employees to go and collectively bargain. I think that is the way to go for workers in order to improve their living standard—collective bargaining and enterprise agreements are the way to go—but that is governed by the workplace relations act which is controlled by the commonwealth. That does not mean we cannot continuously advocate to make sure these vulnerable workers in the transport sector are looked after. I think we all agree there is a fair bit of work that needs to be done in that space.

But also it is important to note the work the Andrews Labor government has been doing in the past eight years to gradually improve living standards and make sure these workers in the transport sector are being given a fair go. I think the work we have done here is probably second to none in comparison with the other states. I know Mr Barton talked about New South Wales, but I think all the stuff we have done in Victoria far exceeds what New South Wales have done—but there is more work to be done. I can talk about labour hire, for example. It is another area in which we have done a fair bit of work to make sure workers are being treated fairly.

One other thing in the time I have got left is, for example, the changes we have also made in relation to safety. One of the main drivers for the federal transport tribunal was actually safety. Safety was a big factor. And hourly rates was actually one of the drivers, because drivers are being asked to drive excessive hours to be able to feed their families and pay for the costs of their investment. A lot of people have lost their lives as a result, and also a lot of motorists have been killed as a result of that. So safety was the biggest issue. That was the first motivator—to address fatalities in the industry—and that led on to trying to address the underlying cause, which was wages.

As of 1 July 2020 one of the changes we made was that fatalities that occur on the road while working, suicides attributable to a workplace health and safety failure, deaths from industrial diseases such as silicosis and workplace deaths resulting from a criminal act will be recognised in the WorkSafe Victoria toll. These changes will mean Victorians will be entitled to WorkSafe family support services following the death of a loved one at work, and the broader reporting will bring increased focus on workplace health and safety issues. Now, it is important to make sure that road fatalities in the transport sector are counted as workplace-related deaths so we have more focus on that, because that is the main contributor to people losing their lives in all of these fatalities.

I will conclude by saying this: I want to commend Mr Barton again on his motion. A lot of good work has already been done and is underway in Victoria to address these issues. More work will be done hopefully with the election of an Albanese Labor government, so we can get the tribunal reinstated and re-established. I am not speaking on behalf of Mr Albanese, but I am sure that will be one of the things on his mind, and I am sure the Transport Workers Union will be advocating and lobbying and

Mr Barton will be as well. I am somewhat optimistic that that will be back on the agenda. I am happy, for one, to call, in a personal capacity, for the re-establishment of that tribunal to make sure we have better regulations. Workers in the transport sector—all transport workers—should have a fair go to make sure they arrive home safely to their families, because they are entitled to that, and to make sure they have fair compensation. With these comments, I will leave my comments at that.

**Mr ONDARCHIE** (Northern Metropolitan) (10:22): I rise to speak to Mr Barton's motion 742 today around the transport industry. Unlike my learned colleague Mr Melhem, I am not going to use the chamber today to rally the troops for the federal campaign; I am going to talk to Mr Barton's motion instead. It is interesting that Mr Melhem today used this chamber just to promote the ALP's chances at the federal election, but I will talk rather about Mr Barton's motion here today.

Firstly, can I say to Mr Barton: good on you for bringing this to the chamber today to highlight the challenges of owner-operators, taxidrivers and Uber drivers, and indeed your own personal experience. Our transport workers are very hardworking people, particularly as we have been through a period in this state of being the world's most locked-down city. People were doing most of their shopping online and ordering things, and our transport workers were running around busily every single day, dropping parcels and groceries and a range of things to people's homes. In fact I remember, like most of us, at one point working from home. I watched a chap pull up outside my property and run all the way up to the house to deliver a box. I went to the front door and said, 'How are you, mate?', and he looked absolutely beat. This was only about 10.30 in the morning, so I have got no idea what time he started. He probably loaded his truck at about 3 o'clock in the morning and had been going ever since then. I said, 'Would you like a glass of water? Would you like a Coke Zero or something?', and he looked at me with this almost forlorn look on his face and said, 'I would love something'. I gave him a bottle of water and a can of Coke Zero and off he went, hopefully to continue his day in a safe manner. We should recognise today how hard our transport workers work, not just in delivering parcels and groceries but in taxis and Ubers and in a range of things—Deliveroo's. I saw someone on an electric scooter last night delivering a pizza. How he was able to balance riding that scooter and carrying a pizza surprised me.

We should thank Mr Barton for bringing this here today. His motion talks about establishing a tribunal comprised of industry experts. Respectfully, I say to Mr Barton: thank you for bringing this motion to the chamber today, but I have to say from a perspective of trying to bring this forward it is a little ill-defined in terms of exactly what you want here. I say that with all due respect, because when we talk about a tribunal looking to solve problems, I would have thought when it came to your own personal experiences around taxi operators and drivers we already had something in place in this state called the Taxi Services Commission.

**Mr Barton** interjected.

**Mr ONDARCHIE**: You will get a chance to rebut all this in your summing-up, I suspect, Mr Barton, so could you afford me the honour of just letting me continue for a moment? There are a number of steps that owner-operators can go through under the current regime in this state through the taxi services commission. I will not read all the steps that operators can take if they have a dispute, but they do include that if the parties are unable to reach a conclusion they can go to the Victorian small business commissioner. Indeed they can go to VCAT to solve this as well, so I just wonder why we would need to add another layer of an additional tribunal to the system as well.

I have to say, of those outside—not me, but those outside—who have read this motion, some of them have come to me and said, 'This is a 'job for Rod' motion, after November. This is about getting Rod a job after November'. Now, I am not saying that, Mr Barton. I am not saying that. You might say it is a pretty good idea. I am not saying that, but people outside, people involved in the industry, have said, 'This is just about Rod getting himself a job after November 2022'. It would be inappropriate for me to name them under parliamentary privilege, but I am sure you know some of them. But I do not suspect in total that is what this is about.

When it comes to this sort of matter, there was an inquiry done into Victoria's on-demand workforce, which I know Mr Barton contributed to. He passionately wrote in his submission about his experiences and the fact that he has been a hire car driver and a commercial passenger vehicle business owner for over 30 years, and I have had the privilege—and I say that sincerely, the privilege—of listening to Mr Barton's contributions around that matter and his own personal experiences in this chamber. So his passion in bringing this motion forward today has a lot to do with this personal experience, and I respect that.

Reading through the submissions to the on-demand workforce inquiry, which Mr Barton contributed to, can I just make a couple of points. One is from the Victorian Chamber of Commerce and Industry and reflects on Mr Barton's desire to set up another tribunal in Victoria. It says:

The Victorian Chamber considers that the existing well-established test for determining whether a worker is an employee or independent contractor remains broadly fit for purpose. The regulatory framework works effectively to target those who ... avoid their obligations in relation to pay and conditions under the *Fair Work Act 2009*. The consequences for breaching these provisions are already significant.

The VCCI submission then goes on to say:

As noted in the discussion paper, Victoria has referred ... all its industrial relations powers to the Commonwealth. This means that subject to a few limited exceptions, Victorian workers and businesses are covered by federal industrial relations laws that are administered by the Federal regulator.

It goes on to say:

It is likely that a state-based response to the regulation of on-demand workers would face constitutional barriers based on inconsistency between state and commonwealth laws, on the basis that federal laws already 'cover the field'.

It goes on to say, from VCCI:

State based regulation could also result in a fragmented regulatory approach with overlapping state and federal regulators.

...

If any new regulatory approach is proposed, it would make far more sense for this to occur at the federal level.

So said VCCI.

The Australian Chamber of Commerce and Industry also made a submission to the Victorian on-demand workforce inquiry. It said, and it relates to this motion:

... touching on areas where Federal legislation applies, as well as established principles from longstanding case law applying to employees and independent contractors nationally, the Inquiry is of interest to the Australian Chamber.

It does talk about, their submission, how there is no accepted definition of 'on-demand' or, as Mr Barton referred to it today, 'gig economy' workers. There is no definition of that, and it does talk about the limited number of those workers. But I have to say that, as things have moved on since 2019, I think there are a growing number of people involved in the gig economy. Its submission concludes with this:

In any case, the Australian Chamber submits that fragmented state-based approaches to the on-demand workforce would inevitably add further complexity to the system and cause difficulties with enforcement.

It does say:

... the ... Chamber submits the Inquiry should approach any recommendations concerning Federal matters with caution. Any recommendations impacting Federal matters would need to be examined in their entirety—that is, nationally—and the full impacts ... assessed.

So that goes to Mr Barton's motion this morning about having another tribunal here in Victoria.

I would say to Mr Barton that, aside from the fact that people outside this place have suggested this motion has an ulterior motive, this is adding another layer. I still commend him for his passion and his energy to make sure our transport workers are looked after; I commend him for that. But I think adding another layer—and surprisingly, for once in the chamber I am agreeing with Mr Melhem on something—

**Mr Bourman** interjected.

**Mr ONDARCHIE:** It is a red-letter day. You are right, Mr Bourman, it is red-letter day. But I will quote Mr Melhem: ‘There are certain things the state can do’. And he also said, ‘But it must be done at the federal level apropos of the commonwealth Workplace Relations Act 1996’. I have to say to you, Mr Barton, good on you for your passion. Good on you for trying to ensure that owner-operators and those involved in the transport industry are looked after—so they should be. But legislation exists in this country to make sure they are looked after and there is a regime available to them to deal with matters that are before them and their concerns.

I am not sure that I agree with people that this is a motion just to ensure that Rod Barton gets a job after the November 2022 election; I am not sure I agree with them at all. But I do take some comments that have been fed back to me in the last 24 hours, and these have been fed back to me from outside. They were, ‘If Mr Barton had more passion for taxi operators during the debate around the pandemic bill, we would be more supportive of his position today’. Those are comments that have been brought to me from outside. There was another comment made to me—sent to me by text message actually, which I do not have in front of me—that read, ‘He sold us out during the pandemic bill. I wish he had given us as much care then as he has this motion today’.

This motion, whilst it has great passion about it, is overridden by federal legislation, and to paraphrase both VCCI and the ACCI, adding this complexity is just going to make it more difficult. I do commend Mr Barton for bringing this motion to the house, but the state opposition will not be supporting it today.

**Dr KIEU** (South Eastern Metropolitan) (10:32): I also rise to speak to motion 742 put up by Mr Barton. First of all I would like to recognise and commend Mr Barton for his interest in and passion for transport workers, particularly taxidriviers and also the gig economy workforce. Before I go into some of the details of the motion I would like to go through the history a little bit. In 2012, 10 years ago now, the Road Safety Remuneration Tribunal was actually established by the Gillard Labor government. That tribunal also set the minimum pay rates for employees and contractor drivers in 2014 and 2016. The 2016 order also included a provision for hirers and supply chain participants to audit supply chain contracts. But sadly, only a few weeks after that order was handed out, the federal coalition government dissolved the tribunal and dissolved the order for the provision of minimum rates of pay. That was in 2016.

In 2021, just last year, there was a Senate committee report. The Senate Rural and Regional Affairs and Transport References Committee handed down a report with some reference to, among many other things, the importance of an enforceable minimum award rate and sustainable standards and conditions for all stakeholders in the road transport industry. Also the reference talked about efficient cost-recovery measures for industry stakeholders, including subcontractors. And what happened to that report? In response to that report in 2021 the Morrison government affirmed its intention to ‘never re-establish’ the Road Safety Remuneration Tribunal or any ‘similar body that sets mandatory rates of pay for owner-drivers and small transport businesses’. So the Morrison government has emphatically rejected the recommendation of that Senate committee report to establish an independent body that would, among other things, be charged with setting universal mandatory rates for transport workers and ensuring that owner-drivers be paid for all the work done. The conclusion from that is that not only the federal coalition government but also those opposite do not care about workers and do not care about enshrining fair minimum standards for all workers.

Back to here in Victoria, we have new-style legislative powers to establish indicative rates for a range of owner-drivers in the transport industry and particularly for the tip truck owner-drivers—we have established mandatory rates for those drivers. That rates and costs schedule is designed to help industry participants understand the typical operating costs of an owner-driver business and assess whether an offer of work will, first of all, cover their operating costs and provide a good return for the driver's labour and also a good return on the owner-driver's investment in their time and money for the vehicles in operation. The obligations relating to rates and costs schedules are monitored and also enforced by the Wage Inspectorate Victoria. The schedules are set in consultation with industry and worker representatives who sit on the Transport Industry Council, which is a body that makes recommendations to the Minister for Industrial Relations.

Just a few words about the tip truck sector: we have the *Tip Truck Code of Practice*, which sets out best practice to follow when tip truck owner-drivers are engaged on building and construction sites in Victoria. In addition, whenever the work is carried out on Victorian government construction projects, the owner-drivers are entitled to minimum rates of pay. This was particularly developed in response to certain significant increases in fuel prices as well as being updated to account for all the variations in costs and price.

The Victorian laws also provide some pathways and venues for dispute resolution for owner-drivers in the transport industry. Under the Owner Drivers and Forestry Contractors Act 2005, hirers, owner-drivers and forestry contractors can contact the Victorian Small Business Commission to arrange fast and low-cost alternatives to dispute resolution. If that is not able to be done, then those disputes could be referred to VCAT.

In addition to all the above, the Victorian government has also committed to implementing its response to the inquiry into the Victorian on-demand workforce, which of course includes the setting of fair conduct and accountability standards. The standards are currently the subject of an ongoing consultation process with stakeholders from across the on-demand committee. As my colleague Mr Melhem has mentioned, in this year's projects for the 2022–23 budget the Andrews Labor government has further committed funding to the provision of support services for on-demand workers, including advice in relation to their entitlements and work status and administration of the fair conduct and accountability standards.

So the Andrews Labor government is committed to ensuring Victorian workers are treated fairly and to tackling issues with job insecurity. In the transport sector we have demonstrated that commitment through our work in setting indicative rates and a cost schedule for owner-drivers, and by our commitment to supporting workers in the gig economy. We remain committed to these principles and to working with industry, with unions and with workers in the sector to further develop our work in the gig economy and to provide security, transparency, fairness and accountability to those in the transport industry.

**Mr BOURMAN** (Eastern Victoria) (10:40): I rise today to speak on Mr Barton's motion that calls on this house to establish a tribunal comprised of industry experts to oversee all non-employee transport work and workers, regardless of label, in Victoria that will have a number of powers. It has been very enlightening listening to the contributions of the previous speakers, because we are hearing from here and there about how there is this done and that done and there is stuff happening and it is someone else's fault. There are all sorts of things going on, but they all seem to miss the one problem that Mr Barton has identified: that it is not working. It blows my mind that it is now 2022 and we still have truck driving where it is cheaper to park your truck and not work than it is to work, or Uber drivers—in fact any of the gig economy drivers, whatever you want to call them—who are making so far under the minimum wage that I am not entirely sure how they do survive.

I think rather than casting aspersions about how someone voted on a bill previous to this and whether Mr Barton should have looked after it then, this is not about Mr Barton; this is about the people at the end of this. This is about the people that wake up and slave their guts out for untold numbers of hours

for what most people would not go to work for. It is less than the dole. I think one of the things that any parliament in Australia should be doing is trying to get enough work for people so that there are the minimum people possible on unemployment benefits. There should not be people for whom it is actually easier—well, I should say it is actually more rewarding financially—to go on the dole. That this still happens is an indictment on governments at all levels, of all flavours.

What we have here is that Mr Barton wants a tribunal established that will set minimum and enforceable standards, including pay and conditions, which is fair. Getting told you are sacked via an app for being too slow—if you were an employee, you could not just be sacked like that. Then if you get a Fair Work hearing, that is not enforceable because you are not an employee. What that basically means is that the worker is a commodity in themselves, but they do not have the ability to set their own rates. People want to work, people want to earn a living, people want to make their way in the world. We should be doing the best we can to help them.

It was kind of mystifying listening to how basically this tribunal is not needed. Whether it is at a state level or a federal level, I will not get into that, because I do believe there is some validity in the comment that it should happen at a federal level. But if it is supposed to happen at a federal level and it is not happening, then we, being the Parliament of Victoria and the people of Victoria, need to start looking at what is going on. I will be supporting this motion. If nothing else, it is because I cannot believe that we still have people that will park their vehicles rather than work because it is cheaper. We have got enough problems with new vehicle deliveries in this country as it is. There are so many problems with COVID issues in the place where we are manufacturing integrated circuits. Vehicles that do come need to go somewhere, but if they are not going to pay people a decent rate to do their job, then I absolutely have no qualms with people doing that. I think it took a while to get there, but we need to really revisit this whole thing. We need to really look at this system because it is not working. It makes me sound like a unionist, and I can guarantee that I am not, but I have got to say one of the things I have always supported is a fair day's work for a fair day's pay, and that clearly is not happening.

**Mr MEDDICK** (Western Victoria) (10:45): I am pleased to speak briefly in support of my crossbench colleague's motion today, and I would like to thank Mr Barton for all the advocacy that he has done for transport workers in this place. This motion calls on the government to establish a tribunal comprised of industry experts to oversee all non-employee transport work and workers, regardless of label, in Victoria. It will have the power to set minimum and enforceable standards, including pay and conditions, across a company, sector or industry. It is absolutely incredible that we even must bring this to the Parliament and that it is not already in place. I take up some comments from other members—from Mr Ondarchie, stating that this is a federal responsibility, which is sort of followed on by Dr Kieu, saying that the Morrison government has no intention of doing such a thing. Well, if we put all of that together, what we have is nine years basically of inaction by the federal government and an admission from them that they have no desire to do anything—but also then handballing it during an election period to an incoming government perhaps of a different flavour so that it is their responsibility. What you have got in that space then is a complete abrogation of responsibility from all concerned at a federal level, so it is clear that there is no appetite.

That is a red flag for our state government to actually do something about it. They should be supporting Mr Barton's motion, because if oppositional politics teaches us anything, that is exactly what they should be doing. If one side says no, the other side will say yes. That is how that works. And they should do it because all workers, regardless of industry, should have the right to enter into enforceable and certified collective agreements through a bargaining regime and resolve any disputes, including unfair terminations of contract, through conciliation and arbitration.

Establishing this tribunal will create a fairer and safer transport industry, which we know is under threat in this state. There are many challenges facing owner-drivers. Many of us engage with owner-drivers every day through food delivery, rideshare and courier services. We rely on them, but most of us would not know or understand the challenges that they face. Despite being nominally self-

employed, owner-drivers are often subject to poor working and safety standards, owing to a lack of bargaining power. Just on that, how would we all feel if suddenly on a Saturday night when we have placed on an app an order for our favourite food delivery it never shows up? If all of those owner-drivers were suddenly to remove their labour from every single restaurant in Melbourne for 24 hours, there would be mayhem—absolute mayhem. People would not get their orders. People would be absolutely screaming at the restaurants. Maybe that is what they should do. Maybe that is what is needed—a bit of a show of force and of collective care for each other in trying to get a good outcome for themselves.

With few exceptions, owner-drivers are often entirely dependent on principal contractors and transport clients who unilaterally set the terms and conditions under which owner-drivers are engaged to perform that work. Disturbingly they are not provided legislative protections which apply to employees under the Fair Work Act 2009 and other industrial laws. The lack of legal protections combined with the poor bargaining position of owner-drivers too often creates exploitative and dangerous standards in the road transport industry. It can result in them not having the ability to recover costs. They delay maintenance on their vehicles. They speed, skip rest breaks and drive tired because they are just trying to earn a living.

Many of us know about the emergence of the gig economy and the challenges it has created. It has compounded the pressures placed on workers and businesses in the road transport industry. Reform is urgently needed or all of these problems will continue to worsen. It puts not just transport workers at risk but all Victorians who rely on them. What this motion calls for today is clearly sorely needed. We are a state that prides itself on our leading workers rights reforms, often going it alone on many issues to better the lives and safety of Victorian workers. No worker should be left behind. I am proud to support this motion today, and I call on all my colleagues in this place to do the same.

**Ms SHING** (Eastern Victoria) (10:51): Thank you for moving this motion today, Mr Barton, and for raising an issue which is of enormous importance to us as it relates to not just safe workplaces but a recognition of the value of work undertaken across the owner-drivers industry.

**Mr Ondarchie** interjected.

**Ms SHING**: It is unfortunate that Mr Ondarchie would seek to attribute an earlier comment that I made about the speaking order to a contribution being made in relation to this motion. I assure you, Mr Ondarchie, that I am looking forward to making a contribution with the time that I have available on the importance of safety in the workplace and in relation to the fact that vehicles are considered workplaces within the meaning of the Road Safety Act 1986 and within the meaning of legislative frameworks as they relate to safe workplaces and indeed the attendant obligations that exist for safety at work and those duties and obligations that exist at large.

Many years ago I worked as an adviser and then a senior adviser in the office of the Victorian workplace rights advocate, and in the course of that work by that office, set up as a statutory response to the worst of WorkChoices at a federal level, the Victorian jurisdiction looked very closely at the impact of a lack of safe rates and indeed a lack of a framework to protect and to provide a measure of fairness and a safety net to workers in this industry. The Owner Drivers and Forestry Contractors Act 2005 was a key part of this work. In recognising the importance of providing a safety net, we began a public discussion which polarised people around Australia. On the one hand we had discussions about productivity and efficiency, led at a federal level by former minister Kelly O'Dwyer, the subject of a review and the subject of a dismantling of a federal framework, and on the other hand we had repeated calls for an understanding of and a respect for the impact of unfair and unsafe terms and conditions of labour, whether undertaken under an employee arrangement or under the guise of independent contractors. Do not get me started on independent contractors, because I see I have only got about 7 minutes left on the clock.



But what I do know from years in the space of workplace relations—and understanding the nature by which Victoria’s referral of industrial relations powers to the commonwealth, at least within the private sector, operates—is that we are at the whims and the mercies of recharacterisation of modes of engagement that create fundamental unfairness, fundamental insecurity, fundamental unsafety and fundamental poverty, particularly within that independent contractor framework. From the very first case that went to the High Court in *Hollis v. Vabu*, whereby a bicycle courier was determined to be an independent contractor and therefore beyond the scope of redress following a collision, we have seen this issue time and time again become a political football to be used for improper purposes, to be used in fact to avoid, to circumnavigate, the actual issues that are at play here for people involved not just in this sector, not just in this industry but more broadly in the gig economy, which Mr Meddick spoke about earlier, right through to long haulage and to hire car operations within the state of Victoria. We need to do better.

When I worked at the Victorian workplace rights advocate I heard, as did that office, time and time again, as did the government, as did organisations such as JobWatch, from people who were unable to feed their families without going to unsafe levels in the work that they undertook to meet targets that were time based and did not allow for proper rest, did not allow for proper safety measures and indeed required a driver to traverse in many cases the width of Australia before turning around and coming right back again.

We have put in place a measure of protective mechanisms that sit alongside an ongoing commitment within Labor governments to a fair safety net of terms and conditions of employment. This has also extended to the way in which independent contracting arrangements have operated. It has also extended in this term of government to the way in which labour hire and contracting arrangements are covered within the scope of the workplace safety framework that we have, and that is a credit to the work done in this place and beyond as far as health, safety and occupational health and safety are concerned. Not only do we have the work which has been driven by Minister Stitt in place around labour hire, we also have industrial manslaughter laws. We also have the capacity to reach into wrongdoing as it might emanate from a denial of fair and safe terms and conditions of engagement to make it abundantly clear that a failure to provide a safe workplace and an exposure to unreasonable risks and a negligence which flows from that can satisfy the requirements of the tests set out in legislation which effects industrial manslaughter.

We have just had International Workers Memorial Day. We have just seen, as we do every year, dozens of pairs of shoes set out in a symbolic recognition of those who have lost their lives, who deserved to come home safe but did not. And we know the statistics are crystal clear: in sectors such as mining, agriculture and indeed on-road work fatalities are at their highest. We know that more needs to be done, and we know that in fact these responsibilities go on at a state level to the best extent possible within the legal framework that we have in our capacity to reach into a referred power of industrial relations functions under the corporations power of the constitution.

These are steps that we will continue to take. This is work which will go on to the best extent that we are able to reach into it and to provide regulation. And this will be in the face of the federal government’s dismantling of the road safety tribunal, work led by Ms Jenny Acton, former vice-president of the Australian Industrial Relations Commission, now the Fair Work Commission, to understand the impact of a lack of a fair safety net of terms and conditions of engagement. That work was significant, it was far reaching, and it was dismantled. It was pulled apart. That safety net was removed by a commonwealth government, a coalition commonwealth government—the Turnbull government in fact—which was wilfully blind to the importance of providing safe workplace terms and conditions where they might be considered to be eclipsed by the importance of productivity, efficiency and the benefit of businesses.

There had to be a better way. Those in Canberra shirked their responsibilities and turned a blind eye to the importance of workplace safety for these operators of heavy haulage and of vehicles in any manner of different circumstances, and we have seen the consequences of that negligence. The way

in which the dozens of boots are lined up in recognition of workers and lives lost, where these people had a right to come home safe and sound to their families, is in part because of a failure by governments to reflect the need for safe and fair workplace terms and conditions in the way in which regulatory systems operate.

This motion raises important considerations that I understand Mr Barton continues to prosecute, and prosecute well, which is his job and indeed his obligation, and indeed crystal clear from his inaugural speech as being the absolute priority for him as it relates to the stakeholders who are relying upon him to be a conduit for their priorities and their concerns. I am looking forward to that work continuing to happen. I am looking forward to continuing to hear from Mr Barton about the way in which changes to the regulatory and legal landscape continue to evolve, and I am hoping that Mr Barton and indeed the people he represents—the stakeholders and the communities and the interest groups—can understand and recognise that it has been the Andrews Labor government that has delivered the best possible suite of safety and fair work conditions and remuneration to people in these vulnerable situations, to people who deserve better. No amount of trying to squeeze the coalition's square peg into the round hole of workplace fairness will make it a fact that workers in these industries, these sectors, and indeed their families, do not deserve more and deserve better. On that basis I thank Mr Barton for moving this motion before the house today.

**Mr QUILTY** (Northern Victoria) (11:01): I will be brief. I am not going to start off by giving Mr Barton a little pat on the head, as a number of other speakers have done. In what will probably come as no surprise to anyone in the chamber, we do not like what Mr Barton has proposed this morning. I would prefer that he was not having a go, as others have described it. This motion seeks to increase regulation and turn a category of small business people into employees. It will stifle entrepreneurship and innovation, push up costs and make the Victorian economy a little slower, stiffer and less flexible. It is already slow, stiff and inflexible, but this will make it just a little bit worse.

The motion lumps together a number of different types of workers, from rideshare drivers to truck owner-operators. We know that Mr Barton is not a fan of the deregulation of the commercial passenger vehicle market, but the Victorian public are. Anything that moves us back to what is the bad old days of high costs and poor service would be a retrograde step. Owner-drivers of trucks do not exist in an unregulated sector of the economy. They are already very well regulated—many would suggest over-regulated. The Victorian economy does not need this tribunal. Owner-drivers do not need this tribunal. Mr Barton is not a fan of the free market, but we are. The market will solve the problems that this motion identifies. If owner-operators do not think they are well enough paid, they will remove themselves from the market and find something else to do. That is what small business people do. While at one end of the market some may have significant amounts of capital invested, no-one guarantees small business people a profit. They invest their money, and they take their chances trying to earn a profit. As people leave the sector, the supply will drop and the returns to those who remain will increase. Efficient allocation of capital is what the market does best. For the individuals involved this can be unfortunate, but for our society as a whole it drives prosperity and growth. We want more flexibility, not less. The Liberal Democrats do not support this motion.

**Ms TERPSTRA** (Eastern Metropolitan) (11:04): I rise to also speak on this motion 742 standing in Mr Barton's name. Despite Mr Quilty's quite nasty imputation that we are patting Mr Barton on the head—or rubbing your belly or whatever it is—when I stand here and say I do want to thank him for bringing this motion, it is actually because I mean it. It is quite patronising to characterise the government contributions on this motion in any other way. It is a sad reflection on you, Mr Quilty. I do acknowledge Mr Barton's strong, continued and consistent advocacy for drivers. His party, the Transport Matters Party, is all things transport. It is often a tough job to be a passionate advocate in this space. It is not an easy space to operate in, so I do want to thank Mr Barton for his continued advocacy on this matter.

These are matters that are important to a number of members on the government benches. I will just talk about his motion for a moment on the specifics, but clearly these go to a number of things in regard

to industrial relations. Having worked in the union movement for many, many decades, I fundamentally understand why he is bringing this motion to the house: because these matters are incredibly important to workers who work in this sector—owner-drivers, truck drivers and the like.

Obviously one of the things that has spurred on a lot of these issues being brought for discussion is the recent decision in *ZG Operations v. Jamsek*, which went all the way to the High Court. It is significant in the sense that this High Court decision has turned on its head the very case that Ms Shing mentioned, *Hollis v. Vabu*, and how workers who were working in this space could be determined as independent contractors or not. This has now been replaced with a multifactorial test. If you look at this case and you look at some of the commentary by academics and trade unionists and the like in this space, it has actually been met with surprise and dismay because it has literally turned on its head the test that has been applied for many, many years in regard to independent contractors. What it effectively says is the contract is king.

The problem with contracts being king in this space is that it completely disregards and fails to recognise the lack of bargaining power between an employer and an employee, and that is why unions represent employees in this space—so that they can help them with gaining the appropriate bargaining power to equal out the imbalance. I note that Mr Quilty talked about market power and all the rest of it. Well, markets fail too. Markets do not always deliver the best outcomes, and markets do leave people behind. That is why unions work to represent members—to equal out that lack of bargaining power. For the High Court to turn on its head *Hollis v. Vabu* and to replace the contracting test with this multifactorial test is concerning to trade unionists and workers who work in this sector.

I might turn to talking about a movie, and I know it is an odd pivot to talk about a movie. I encourage everyone in this chamber and those who might be playing along at home to watch this movie, because this is where we are headed. This is a race to the bottom. There is a movie that was directed by Ken Loach, and it is called *Sorry We Missed You*. That movie depicts a man who bought himself a van to become a delivery driver. I note that Mr Barton in his contribution talked about the Amazons of the world. This man became a delivery driver, an independent contractor. His wife was working as a personal care assistant. She sold her car, which she used for her business, so that he could buy a van and become an independent contractor. What the movie depicts is the standard of living for that family becoming incredibly strained. The driver worked so many hours he fell asleep at the wheel and had an accident. He then had no money to repair and replace his van. What was placed upon him as an independent contractor was an incredible burden—that he had to deliver so many parcels per hour. It was physically and humanly impossible to do.

It is appalling. We are in a race to the bottom; there is no doubt about that. So when we talk about markets, it is offensive to hear the contribution made by Mr Quilty when workers are having the ability to equalise the power imbalance taken away from them with the decisions that have been delivered in *Jamsek*, not having the ability to join their union and have their union bargain for them at the bargaining table. These are very real problems. Workers do not have the ability to equalise that bargaining imbalance, the power imbalance. I understand why Mr Barton is bringing this motion for all the reasons I just spoke about. I encourage everyone in this chamber and everyone who might be watching along at home to go and watch that movie, because it is terrible to think that this is exactly where we are headed.

I draw on the comments and what Ms Shing's contribution was about as well. Principally at the heart of this legislation we are talking about industrial relations. Victoria referred its industrial relations powers to the commonwealth thanks to Premier Kennett, and that happened a long time ago. So there are constraints around what can actually happen in this space for us, but it does not take away from the fact that what is happening in the transport sector means that people's lives are at risk. People are entitled to go to work, and their families are entitled to have that worker return home safely. It is unacceptable that people who are drivers will be faced with the situation where they must drive ridiculous hours without having appropriate breaks, all to meet ridiculous targets placed upon them. We have seen this before. From my previous role as a union official, I very well remember the strong

campaigns that were run by the Transport Workers Union in this space. National truck drivers—I think Ms Shing talked about it before—were driving from Sydney to Melbourne, but there was constant pressure to, rather than stop and have breaks, get back in that truck and continue to drive. Those days, I thought, were behind us, but here we are again.

The attacks on workers from conservative governments never end. They never end. It is all in the name of profit. That is why it is offensive to hear about market solutions, because markets do not care about workers. If you could, you would have robots driving trucks; you would have unmanned trucks. That is really what you want. But the bottom line is that we have seen how important truck drivers and other workers in this sector are. In particular COVID exposed those fault lines. Look what happened when workers were no longer able to work because they were sick with COVID or because they needed to isolate. We saw what happened. It beggars belief to me that we have to sit here and listen to these sorts of comments about the market when we know what is going to happen. We have seen these things happen before. It is not an unknown quantity. These things are a known quantity.

Again, I know there has been a lot of good work done in this space. I note that in the previous contribution Ms Shing talked about the tribunal that was set up. I know Jennifer Acton was heading up the Road Safety Remuneration Tribunal. That was one of the first things the coalition government got rid of. That would have continued to do great work in this space, but sadly that was taken away from that industry, the ability to reform and continue to work on why we need good rates of pay and why we need appropriate safety standards.

You know, I actually have a light rigid truck drivers licence, believe it or not. I can drive a bus. I will tell you one thing: when I have driven a bus that is over 16 tonnes, it does not stop very quickly. It takes a long time to pull up sometimes. If you are driving on a road and you are driving at the speed limit and you fall asleep and you suddenly wake up realising that you need to brake pretty heavily and quickly and you are driving something that is over 16 tonnes, or between 8 and 16 tonnes, you know that the car that is in front of you is not going to fare so well. These are all things that we need to take note of. These are all things that we need to balance out when we talk about markets. These are people that are behind the wheel of trucks. They are entitled to go home to their families at the end of a day's work. Their families are entitled to have them go home in one piece without the prospect of injury or serious accident or even death. It is unacceptable. Again I commend you, Mr Barton, for bringing this motion to the house today.

**Ms PATTEN** (Northern Metropolitan) (11:13): I rise to speak just briefly on Mr Barton's motion. It is sensible. Mr Barton and I did not come to fisticuffs, but we possibly did not see eye to eye in the last term when I introduced the Ridesharing Bill 2016, which was about recognising ridesharing, recognising that we needed to do something about that emerging part of the industry and recognising that it needed to be regulated. In doing so it was not great for the taxi industry, and I understand that, but it has been really wonderful to see how Mr Barton has been able to represent and advocate for the industry and is now seeing the industry as a whole. This motion goes to the fact that it is not just the taxi industry, it is the whole industry. It is all of those contractors. Whether they are driving an Uber or a DiDi, whether they are driving for Amazon or whether they are driving for Menulog or whoever they may be contracted to, they need the same protections.

Last week I was at the memorial for workers who have died, and it is one of the most moving memorials that you can ever witness, where you watch in silence as shoes are placed on stools in memory of each person who has died in a workplace accident. Those numbers are going to grow because—and it seems remarkable that we have not done it before—we did not actually count road accidents in workplace deaths up until quite recently, so we are now seeing that. We are now seeing the people that Mr Barton is working to protect through this motion being reflected in that memorial. Now their shoes are on a stool to be remembered, and if we do not do something, we will just keep having to put more shoes on more stools.

We need to introduce ways to protect that emerging cohort of workers. You know, this is not reinventing the wheel. This is not doing something that is out there. This is not doing something that is actually all that unusual. In fact New South Wales has done it. From both sides of the house it gets bipartisan support. For some reason I am hearing people in this chamber saying that we do not need it—that we have got adequate protections. We do not. We do not have adequate protections. In fact we have very few protections for these workers, and we certainly need to be able to set minimum standards.

The minimum wage at the moment is \$20.30 or something. I suspect that many of those delivery people would dream about getting the minimum wage. They would dream about it. They do not have even the basic minimum working conditions that most workers just assume would never be taken away from them. Quite rightly we are arguing for increases on the minimum wage, but here we are talking about workers who do not even have the privilege of being able to call to receive the minimum wage, do not have the privilege to be able to call to have proper meal breaks to ensure that they can work safely. We call them subcontractors, and I think the gig economy is changing the way we work. It is changing, and there is no point trying to put our head in the sand to say that it is not happening. It is changing, so our regulations and our enforcement have to reflect that.

I guess from my perspective, I draw on what we are doing with sex work. We have decriminalised sex work, but that is actually about providing greater protections to those workers who are self-employed. That is about the government recognising that those workers, even though they are self-employed or they may be subcontractors, need protection. They need workplace health and safety regulations and requirements to protect them and the people that they may work with. Drivers are no different. Drivers need that protection, and there should be a body to ensure that that happens.

We heard Ms Terpstra and Ms Shing speak about the various court cases on this, but I think we should also be really turning to what we have seen in New South Wales—what they have been able to do in setting minimum rates for some of these workers and what they have been able to do in setting work conditions which will improve the safety outcomes. You know, we see those ads about the reason we have these rules. It is so that people do not just work safely, they come home safely—they come home through that door. It is those ads you see on television about someone coming home to their family that really get to the point of our regulations in this community. And if we are a modern society, then we must be extending those protections, extending those rights, to all workers.

I think Mr Barton is being progressive in this motion, in recognising that this economy is here to stay. The technological revolution will change the way we work and will change the relationship between employers and employees. It is changing, and that is, probably sadly for some, inevitable. But introducing a tribunal such as this will provide a voice, will provide a really balanced voice, and it will be able to establish those protections so we are not seeing more shoes on stools at our memorials.

**Mr GEPP** (Northern Victoria) (11:20): I am very pleased to rise to speak on Mr Barton's motion, and I also congratulate Mr Barton for bringing this motion to the house. We have had many conversations about the gig economy and how it is now influencing so many aspects of workers' lives here in Victoria, across the nation and indeed across the world. Mr Barton would not be bringing this sort of motion to the house if the current system was supporting those workers. It is clearly not.

Ms Terpstra said most of what I would have said in relation to the contribution from Mr Quilty in the Liberal Democratic Party, but just to add my 5 cents worth to that contribution: if the LDP think that this is just about regulation, they need to read what is in the motion. They need to understand the issues, because it is far deeper than that. It is about, fundamentally—and Ms Shing is right—industrial relations: a fair day's work for a fair day's pay and having a system that supports that. But indeed the motion goes further than that and it talks about the safety of workers and the importance of the safety of workers and the right of everybody in our economy, regardless of the work that they do, to go home at the end of their working day, whatever that is, in whatever circumstances that might be—and I

remind Acting President Melhem about phones in the chamber. It is a very important set of issues that Mr Barton does bring to the chamber.

I have worked in industrial relations for most of my working life. We have seen over many, many decades changes to the working environment, not always for the better. Here in Victoria there was a lot of disappointment in areas that I worked in back in the early 1990s when Mr Kennett handed over the industrial relations powers from this state to the commonwealth. What we saw systematically and what we have seen systematically since then is an erosion of workers' bargaining power, an erosion of their rights and an erosion of their safety at work. Some people will say, 'Well, he's an ex-union official. He's just going to say, "Union power has reduced"'. Of course it has, because after Mr Kennett handed over those powers to the commonwealth, to Mr Howard, what was the first thing that Mr Howard kept telling the people of Australia? It was that unions are bad—'Unions are bad. They're horrible people, they're nasty people, they're terrible people. They shouldn't be trusted'. And yet today in 2022 the people who earn the most wages in this country are unionised workers. We have repeatedly had conservative governments in this state and federally and in other jurisdictions around this nation telling people that unions are bad, but just have a look at the reality of the situation.

Unions are not bad. Unions do unapologetically fight for better wages and better conditions for working people—and all strength to their arm and long may that continue because it is so important. It is so important that there are champions in the industrial relations system who do advocate for better wages and who do advocate for safer work practices, particularly in the area of transport. We have seen over the last few years this industry just explode in terms of the number of people that now participate in the transport sector. It is enormous, whether it is Uber rideshare or Uber Eats or many of the others—Menulog, all of these other players that now exist in the market. Of course what we see and what we hear are some pretty ordinary things about the conditions that those people work under. Indeed we hear often from the Transport Workers Union, even in the more unionised and regulated parts of the transport sector, that we still have some very, very unscrupulous and very ordinary work practices that are imposed upon people with the threat of, 'If you don't do it, then we'll get somebody to replace you. Somebody else will do it, and the choice is yours'.

Mr Quilty would remember back in the days when we were in the tax office together some of the early challenges that we had as workers in the tax office when the commonwealth government were looking to offshore or outsource our work—the introduction of these overseas call centres to replace the work that we were doing—and the disputes that we would have been involved in back in those days. It is all part of the same set of circumstances—that is, where we are seeing the growth of insecure work across many industries, particularly the transport sector through the gig economy, and the challenges that they face. I could stand up here for the next 4 hours and talk about this because this is a great passion of mine, but I know that in the time remaining Mr Barton has a lot to respond to from previous speakers. I am sure that most of what I have said has probably already been said, so what I am going to now do is sit down and finish my contribution to enable Mr Barton to at least have a few minutes to sum up.

**Mr BARTON** (Eastern Metropolitan) (11:27): I do want to reflect on a few of the things that have been said. It is clear—it is absolutely clear—that those opposed to this motion have never been in the position of these workers. They have no idea. This is a very serious issue, and we take it very seriously. Quite frankly, Mr Ondarchie's patronising response to me did not do anybody any favours, because I just want to tell you how many people this would affect. It is not a few thousand people, it is not tens of thousands of people, but hundreds of thousands of transport workers and their families who would be better off if we had this tribunal. This is a challenge. We can blame the feds, but nothing is ever written in stone. There is always a way we can change things.

I just want to back Ms Terpstra and Mr Gepp about the union movement. I have to say it has been my failing over the years that I have not been able to organise the taxi industry, because I reckon if we had organised that taxi industry we would still own our licences and we would be in a much better place. I urge everybody to support workers, support them today. This is a line in the sand. Who is going to

support small businesses? We talk about small businesses; let us see it. Let us see who is going to support small businesses in the transport sector.

**Motion agreed to.**

**PREMIER**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:29): I move:

That this house calls on the Premier, the Honourable Daniel Andrews MP, to stand aside from all official responsibilities until the Independent Broad-based Anti-corruption Commission's report on Operation Sandon has been tabled in Parliament and during this time not participate in any executive or administrative decision-making.

This is a very, very simple motion. It is a motion that is important because we want standards in our public life that mean that corruption cannot get going. We want to see our IBAC in a position where it can take the stands it needs and do the investigations it needs.

Indeed, the Premier has now made a habit of visiting IBAC. He has been for at least two inquiries that we know about, including the Operation Watts inquiry. We know the corrupt and grubby behaviour inside the Labor Party that is the matter in Operation Watts that has been looked at by IBAC with a number of public hearings. I note on this one that the Premier has also been called to IBAC but has not been called to a public hearing. He was called to a private hearing. I note also that the red shirts investigation by the Ombudsman going back into the last Parliament was a foundational investigation that exposed corrupt behaviour by the Labor Party, the theft of public money. The money was repaid when the Ombudsman blew the whistle, but the Labor Party did not pay the price that should have been paid for that corrupt and crooked behaviour.

At the same time we have seen more recently with Operation Sandon a series of very significant developments, significant developments where a range of individuals—Labor Party MPs, councillors and others—have been caught up in this Operation Sandon, and there have been a series of public hearings with respect to Operation Sandon. At the same time the Premier has been called to give evidence to IBAC as part of its Operation Sandon inquiry. We do not know because the Premier will not tell us the nature of that investigation, the nature of that questioning that occurred secretly at IBAC. We do know that he was questioned. We do not know the date he was questioned, we do not know the length of time, we do not know the nature of the questions, we do not know whether the Premier was merely there as a witness or whether the Premier was there as an object of direct investigation by IBAC. We do know that the government is very sensitive about this. The Premier will not give details about when he was investigated or when he answered questions, when he was at IBAC for questioning and when he was not. He has been tight-lipped, refusing to even give the basic details. He could have said, 'I went to IBAC on the following days, and I gave evidence on the following inquiries in the following way'. He did not choose to do this. He is determined to block any question or any investigation on that.

We saw the fiasco, I can only call it, at the Integrity and Oversight Committee earlier this week, where the feed was cut, the government went to every step that it could to block questions to the IBAC Commissioner—and it appeared to all the world that he was very willing to answer. He was very willing to answer directly, and it appeared to all the world that in fact he wanted to answer and be quite clear on these points. I think it would have been to the benefit of the public if he had. Let me just say here that the IBAC Commissioner understands his act better than I think do most people in this Parliament or people in the community. He actually understands his act and the lines and the points in his act where he can be direct—where he can be direct and provide information to the public. He wanted to provide that information in the appearance and the response he was giving, but that was closed down—shamefully in my view, shamefully.

At the same time we know the Premier did go to Operation Sandon. He did give evidence. We do not know, again, whether it was him as a witness or him as a subject of investigation. No-one knows

because the Premier will not tell us. But we know that Operation Sandon has a big smell about it. We know that money has changed hands. We know that a series of things have occurred there. There are a series of matters with Mr Woodman. There are donations, and there are a whole series of other points. The Premier, as we know, had a lunch at the Flower Drum—a very expensive lunch with Mr Woodman and others. We know that that occurred, and we know that there is a close link-up between the Premier and Mr Woodman. We do know all of those matters.

But all of this leads to the conclusion that there may well be very serious matters occurring here, and if the government, through the Premier, is making administrative or executive decisions that touch some of these planning matters, for example, is the Premier ruling out making decisions on planning where Mr Woodman is involved? The Minister for Planning might have official responsibility, but often those matters come to cabinet. The Premier could next week at cabinet be involved in discussing a planning application coming forward from Mr Woodman. Would anyone think that that is appropriate? There is a clear imputation that there may be corrupt behaviour, a clear link-up with the Premier, a longstanding link-up to Mr Woodman with the Premier, and at the same time a set of questions about whether he could this week or next week make decisions on planning where Mr Woodman's interests are concerned. That would be totally inappropriate, in my view—totally inappropriate. It would be bordering on scandalous for that to occur, and I say that in the interests of the Victorian community the Premier should stand aside.

If Operation Sandon comes down and it clears him, that is one thing. If it does not come down and clear him, it will mean all of these decisions, especially planning decisions, will be under a cloud. People would be asking: was that decision made in that period where the Premier was under a cloud, where the Premier had been called to IBAC twice, including particularly with Operation Sandon, and was he making decisions under a cloud of investigation? People would be asking that question. The safest course for the community is for the Premier to step aside and for the Premier to be quite clear that he should in that way clear the air, make things quite direct and make the decisions of government beyond reproach.

There is another question in terms of Operation Richmond. There is a question floating around. The Premier will not answer this. Has he been asked to visit Operation Richmond and the investigations that are going on with the links to the United Firefighters Union (UFU)—the series of doubtful links, grubby links that we know about from other discussions in this chamber and elsewhere? The IBAC is looking closely at some of these through Operation Richmond. Has the Premier been to IBAC on this? He needs to come clean and answer that question. Has he? What was the basis of his visit, if indeed he did visit Operation Richmond? Was he the subject of questions in terms of his own behaviour, or was he merely a witness to the side on matters of fact and matters around that? He will not answer those questions, so we need to know exactly what is going on. I think the community is entitled to know. Victorians are entitled to know.

He is after all the Premier of Victoria. He is the head of the cabinet. He is the head of the government in Victoria, and he is making decisions day by day which touch all of these areas. If he is under investigation by Richmond on the UFU, how on earth can we have confidence in decisions about emergency services? How on earth can we have confidence in decisions about firefighters? How can we have confidence about decisions made on the CFA if the Premier is under investigation for the links and the deals and the grubby relationship with the UFU? We need to know. The community is entitled to know. Has the Premier been to IBAC on the UFU matter, on Richmond? Has he been there? He will not answer that. I mean, I would say the Premier is now fast taking on the status of a frequent flyer at IBAC—a frequent flyer. Very few people go to IBAC once in their life; he has been twice that we know of recently.

He has been under investigation by the Ombudsman. Remember what the government did on the red shirts investigation? They blocked the investigation; they would not allow it to happen. Huge amounts of money—public money—were thieved, stolen, ripped off from Victorian taxpayers and used to



influence the election, and the Premier and the lower house members of this Parliament would not cooperate with the Ombudsman.

I say it is a very, very serious matter that the Premier, with two IBAC investigations, is now a frequent flyer at IBAC. Is he under investigation on a third matter? He needs to come clean. Is Operation Richmond something that he has had to go to IBAC on? Why on earth can't he at least be honest about this? Why can't he be direct and just say, 'Look, yes, I've been there. There was a matter under investigation, and it was on this date I spent an hour and a half—or 2 hours or 4 hours—'there under investigation'?

We have seen the Premier under these sorts of circumstances. We saw him with the Coate inquiry and the obfuscation and the bizarre amnesia that broke out with the Premier at the Coate inquiry. He could not remember who had ordered the hotel quarantine. No-one could remember. People recognised that suddenly this bout of amnesia broke out right across the top echelons of government.

**A member:** Ten bureaucrats.

**Mr DAVIS:** Ten bureaucrats. There must have been something terrible in the water that meant that 10 people could not remember who ordered the hotel quarantine arrangements. What an extraordinary set of matters. That is the way the Premier treats inquiries: he treats them with contempt. That is the way he treats Victorians: he treats them with contempt. And that is the way he is treating Victorians now. He needs to come forward, he needs to be honest and he needs to explain the visits he has made to IBAC—all of them. In my view—and I think this is a very important point—he needs to step aside so that no government administrative or executive decision is tainted by the investigations and the potential corruption around the Labor Party on these matters.

Nothing in emergency services should be decided by the Premier at this point. If he is under investigation by Richmond, he should not touch anything in emergency services. He should not be present in the cabinet room when the CFA is discussed. He should not be present in the cabinet room when the Metropolitan Fire Brigade is discussed. He should not be present in the cabinet room when emergency services are discussed, like ESTA. If he is under investigation directly for Richmond, he should not be touching or involved with any emergency services decision. That decision would be tainted.

In the case of planning, planning decisions often are discussed at cabinet, as they should be. Land use decisions have a huge impact on communities. They have a huge impact across a wide front. But suppose a planning decision in the City of Casey came forward to cabinet and was discussed at cabinet. Would it be appropriate for the Premier to be expressing a view or for the Premier to be directing traffic on a planning decision in or around the City of Casey when he has been to IBAC on the Sandon matter reflecting on and dealing with the City of Casey? Would it be appropriate for him to make a decision or to influence a decision on a matter that touches the municipality when he has been to IBAC on a corruption matter? How extraordinary that people would be arguing that he can just jolly his way forward, making important executive and administrative decisions and influencing decisions across the whole of government, whilst he is under investigation by IBAC. If he is not under investigation by IBAC, he should tell us that, but he will not tell us that.

My view is that on the Watts matter he may well be under investigation by IBAC, but my view is that on the Sandon matter he almost certainly is under investigation by IBAC. If the reports in the *Australian* are even remotely correct that he was handed mobile numbers and asked to make calls, and if he is having lunches at the Flower Drum with a developer that is actually the centrepiece of this, I think the likely thing is that he is one of those—he will not tell us different—who is being directly investigated for corruption. Now, he may be cleared—I cannot look in and see what IBAC will decide—but if he is not cleared, if he is the subject of investigation and he is not cleared, how extraordinary that he has been allowed to career along making decisions, directing traffic, making

administrative and executive decisions across a wide front in planning when he is under investigation for potentially corrupt behaviour.

I do not want to say too much more. I have been very clear about the problem. I think the fact is that there is a cloud over the Premier. I do not remember a previous Premier going twice to IBAC and potentially a third time—and he will not rule that out. Let us hear that. When was the last time a Premier went twice to IBAC on two different matters and on one of them almost certainly was one of the subjects of the investigation? So he needs to stand aside. If the Sandon report comes forward and it clears him, well, that is an entirely different matter. He should go back and resume his activities. But if it does not clear him, well, all of these decisions are being made under a cloud of investigation for corruption. What an extraordinary circumstance. I say this is the prudent way forward—it is a very prudent way forward—and the Premier should exercise the step in the public interest to step aside.

**The PRESIDENT:** Members, we have in the gallery a former member of this house, Mr James Purcell. Welcome.

**Ms TAYLOR** (Southern Metropolitan) (11:47): I rise to speak against Mr Davis's motion, which is a desperate attempt without basis. IBAC has an important function. Investigations are an integral part of IBAC's functions relating to corruption and police misconduct. There are longstanding rules of sub judice that members of Parliament should not run a commentary on matters being considered by a commission before it reports. This motion should not be passed, and the chamber should not depart from longstanding convention and undermine the work of IBAC.

On this side of the chamber we are focused on reforms to give IBAC powers to support its role, which has been demonstrated over and over again in recent years: measures in the Justice Legislation Amendment (System Enhancements and Other Matters) Act 2021 to allow IBAC and other integrity agencies to continue conducting inquiries and investigations over audiovisual links and embed modified service requirements; the Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019, which improved Victoria's public disclosure system; and the Justice Legislation Miscellaneous Amendments Act 2020, which gave IBAC the power to arrest a potential witness suspected of corrupt activity if IBAC believes that person is at risk of leaving Victoria. Our reforms have given the IBAC and the Ombudsman budget independence from 1 July 2020, which means their budget bids are not assessed through a single minister.

The Victorian budget 2022–23 provides IBAC with \$32.1 million in additional funding and a \$15.8 million boost in base funding for the Victorian Inspectorate. Total funding for Victoria's three key integrity agencies has increased significantly, with a 92.7 per cent increase between 2015–16 and 2025–26, or an additional \$45.8 million in funding allocated over that time.

**Mr HAYES** (Southern Metropolitan) (11:50): Is it any wonder that democratic disillusion is at an all-time high? It is an indictment on today's politics that a government's tight-knit relationship with property developers has led us to a motion where we are seriously considering asking a Premier to stand aside. At this stage facts about the Premier's examination by IBAC are limited and the circumstances merely speculative. We do know that developer John Woodman had privileged access to the Premier during an eye-watering \$10 000 dumpling feast. I hope the dumplings were worth it, Mr Woodman. I hope they were laced with gold; I suppose that was the intention, but whether it came about I do not know now. As reported in the *Australian*, that \$10 000 was just the tip of the iceberg, with IBAC estimating that Mr Woodman donated about \$970 000 to both major parties between September 2010 and 2019. That is nearly \$1 million. It is my view that this type of cash for ministerial access should be illegal. It highlights serious concerns about corruption, lack of transparency and unethical practice in Victorian and, more broadly, Australian politics and talks very much to residents' lack of success in getting any changes to the planning scheme if developers can contribute that sort of money to both major parties.

While this type of conduct by the government stinks, under current legislation, supported by both major parties, it is not considered unlawful. Funnily enough it was only last month that I tried to move in this very chamber that we crack down on our corrupt political donations regime, specifically addressing the issue of privileged access by way of fundraising and ticketed events, which would cover this event. Of course the government voted against it; they love the status quo. And of course the opposition voted against it as well; they love the status quo too. I would have more sympathy for the opposition's position on this issue if they had supported me with my motion to ban political donations. By my barometer, we have seen a lot of examples of what I and the community see as corruption of the political process—the politicisation of the public service, the super profits deal with developers and the branch-stacking fiasco, to name a few. These issues erode public trust in democratic politics.

In terms of the specific motion before us today, we have arguably seen signs of corruption by this government, but we are yet to see concrete proof of corruption that could be considered illegal under current laws. And we have both of the major parties to blame for this situation. There may be further information to come out in regard to the Premier's involvement in the current corruption investigation—which brings me to another issue. On IBAC's website it says:

The IBAC Commissioner may decide to hold public examinations when:

...

- it is in the public interest ...

Now, what is in the public interest? If these matters had been made public, it could well have increased transparency, which is desperately needed. The Premier could provide that transparency if he so desired. And on the note of transparency, I absolutely condemn the shambles at the Integrity and Oversight Committee hearing the other day. When the Victorian public finally had the opportunity to receive some clarification from the IBAC Commissioner himself on this very topic, the chair ordered the public feed to be cut. What kind of message does the government think this sends to the community? Once again, it erodes public faith in our institutions, and such censorship treats the community with contempt. We as members of Parliament have been left completely in the dark in regard to the Premier's involvement in this investigation, but more importantly the Victorian community has been left completely in the dark also. They deserve better. It underscores the need for serious reform. It underscores the need to abolish political donations or fees for privileged access to our ministers, make ministerial diaries public, clean up the mess, ban political donations and put caps on electoral spending. The current system is a pigpen and leads to the erosion of democracy, and the major parties are rolling in it.

**Ms CROZIER** (Southern Metropolitan) (11:56): I am very pleased to be able to rise and speak to Mr Davis's motion, because we have seen in Victoria over the last few years a lack of transparency, a lack of honesty and a real secrecy around the Andrews Labor government, and no more so than by the Premier himself. He is a man who is quick to deflect and to blame and to really spit the dummy when it suits. He puts on his political hat and goes hard, but he really is at the heart of this motion and integrity in terms of what this state needs. This state needs somebody that has got integrity. Daniel Andrews does not—he does not. That is why this motion is so important.

When you look at what has happened around the country with other premiers who have been before anti-corruption commissions, you see what they do with great integrity. Barry O'Farrell, a former Premier of New South Wales, resigned in 2014 owing to a massive memory fail in not disclosing a bottle of wine that he had received. Now, that massive memory fail came out through the anti-corruption commission process, and he resigned. We have seen this Premier have a massive memory fail on more than one occasion. Mr Davis mentioned the Coate inquiry. Well, before the Coate inquiry it was not just the Premier who had a massive memory fail, it was 10 bureaucrats, three ministers and the Premier—'I couldn't recall, I couldn't remember'. How many times did those bureaucrats and members of the Andrews Labor government utter those words to that inquiry? What a farce it all was,

and what a disgrace it was for Victorians who have suffered because of the policy failures of this government. And now we have reports—well, fact—that the Premier has been quizzed by IBAC.

**Mr Davis:** Twice.

**Ms CROZIER:** Twice that we know of. But he will not disclose if it has only been twice. Well, why won't he disclose if it has been more than two times? Why won't he be up-front with Victorians? Because he has something to hide. Because he is a man who is steeped in deception and disingenuousness and, quite frankly, does not believe in what integrity means to a decent society. I find it absolutely extraordinary. Operation Sandon's public hearings were focused on:

the transparency and integrity of planning and property development decision making within Victoria, including but not limited to, the provision of donations and in kind assistance to candidates at State and local government elections that may give rise to actual or perceived corruption

Now, we have heard what has happened; we have heard that in the public domain from a number of people. It was the Premier who was having dumplings with Mr Woodman at the Flower Drum. That is on the public record. When we go and have a look at Operation Watts, again, the scope of those public hearings was to investigate:

Whether public officers, including Victorian Members of Parliament, are engaging in corrupt conduct while in public office by directing ministerial and electorate office staff to perform party-political work during times when those staff are paid from public funds to perform ministerial or electorate work.

Well, we know that happened—red shirts.

**Business interrupted pursuant to sessional orders.**

#### Questions without notice and ministers statements

##### LEONGATHA ROAD SAFETY

**Mr BOURMAN** (Eastern Victoria) (12:00): My question today is for the Minister for Roads and Road Safety, Minister Carroll in the other place. I recently visited Leongatha at the request of a constituent, and I visited a very interesting and dangerous pedestrian and bike/walk intersection where the track meets the South Gippsland Highway. As you come up to it, you walk up to a fence and then the fence stops you from crossing the road whether by bike or by foot. Then you have to dismount and cross with no pedestrian crossings. It is a highly complex, highly dangerous intersection. It is very hard to explain, as you may have guessed. My initial question is: will the minister join me in visiting the walkway so he can see what is required, to assess how to make it safer for the local community?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:01): I thank Mr Bourman for his question and for his interest in this particular intersection and road safety—pedestrian safety and the safety of all road users—in this area and around the state. I will seek a written response from Minister Carroll for Mr Bourman.

**Mr BOURMAN** (Eastern Victoria) (12:01): I thank the minister for referring that on. If the Minister for Roads and Road Safety is unable to visit the crossing with me, will he at least commit to building an underpass under the road so that people can cross without crossing probably the most dangerous intersection in town?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:01): I thank Mr Bourman for his further question about Minister Carroll's ability to either visit or undertake some investigations about this particular spot. I will also seek a written response from Minister Carroll for Mr Bourman.

**EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY**

**Ms CROZIER** (Southern Metropolitan) (12:02): My question is to the Minister for Emergency Services. Minister, it was chaos last night, with a meltdown in ambulance dispatch and chaos in the ESTA system with 69 emergency calls pending. Minister, I ask: were all calls to ESTA last night answered within 5 seconds?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:02): Ms Crozier, I thank you for your question. I will have to get back to you. I have not received yesterday's data as of yet.

**Ms CROZIER** (Southern Metropolitan) (12:02): Thank you, Minister, for that assurance. Last night the failings of our emergency services response system were again on display—and tragically a very dangerous situation for all Victorians. I therefore ask: Minister, how many calls to ESTA last night between 6.00 pm and 6.00 am this morning took more than 5 seconds to answer?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:03): Ms Crozier, as I indicated, I will not get the data until later today for yesterday.

**Ms Crozier:** On a point of order, President, I seek an assurance that that will be provided to the house tomorrow, within one day.

**The PRESIDENT:** I will rule on that afterwards.

**MINISTERS STATEMENTS: KINDERGARTEN FUNDING**

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:03): We know how important it is for all children to have access to high-quality kinder education, and one of the many benefits of children now starting kinder at the age of three is that teachers can identify developmental delays and concerns at an early stage.

In this year's budget I am really proud that we are investing \$28.8 million to support children with a disability to access three- and four-year-old kinder in a way that is inclusive and meets their needs. \$16.9 million is allocated over four years for the kindergarten inclusion support program to meet growing demand. The KIS program enables children with a disability or complete medical needs to participate in kinder by providing access to additional staff, specialist training and building modifications. Since 2018 our government has invested a total of \$32.5 million in the KIS program.

This budget also delivers \$11.9 million for a further two rounds of the very successful Building Blocks inclusion program. This expands on the \$18 million in the previous budgets. To date this program has funded a total of 759 projects. Inclusion grants are being used for a range of purposes to support the access and inclusion of children with a range of special needs. Services are able to make modifications to their buildings, such as installing access ramps or upgrading bathroom facilities. Many kinders have upgraded their playgrounds to develop sensory gardens, and services are purchasing toys and equipment that cater for children with a range of abilities. These important investments are all about ensuring that all kids, no matter what their needs and abilities are, can experience the joy and learning of being at kinder.

**ALBURY WODONGA HEALTH**

**Ms MAXWELL** (Northern Victoria) (12:05): My question is to the Attorney-General for the Minister for Health regarding the need for a new single-site hospital in Albury-Wodonga. Albury Wodonga Health has completed a master plan that addresses the needs of the cross-border community. We know a new single-site hospital is desperately overdue. I have heard the call of local community leaders. They want focus on the dire health needs of the community and need a commitment from the Victorian government to deliver a new hospital. I have worked collaboratively with the minister and you, Attorney, on health projects for our communities. The great news last week for Bright hospital is

a prime example of that. So my question on behalf of this community is: will the minister also find the necessary funding for this critical project in the \$2.2 billion yet to be allocated in the current 2022–23 budget?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:06): I thank Ms Maxwell for her question for the Minister for Health. I too am familiar with the needs of that community. It is a hospital that is utilised by my family members as well. It has been a wonderful resource, providing great services to people in that region, and it is fair to say that we know that the infrastructure does not currently match the efforts of the hardworking staff up there.

In relation to your question, you referenced a completed master plan or completed business case. That is incorrect. It is still in progress, and I do commend Albury Wodonga Health, along with NSW Health and our health department, who continue to have discussions in relation to that. Similarly to the question that Dr Cumming asked me yesterday in relation to the Melton hospital, there are a lot of processes that need to be undertaken. You have referenced preference for a single site. I have received mixed advice from people on whether they think it should be in Albury or it should be in Wodonga, for example. There are ongoing discussions about these important matters, and in order to fulfil a business case it has to be completed with an idea of what you need to provide in the way of funding and what types of services and staff will be required.

Not all of those questions are answered yet, but I know that it is a priority for that community and a lot of people have views. A lot of experts have views, which is much more important than hearing from politicians. I know I have had advocacy myself from collections of health experts up there. All of those views are certainly welcomed by me, and I know that the Minister for Health is also very interested in progressing this project. As I said, the master plan process is well advanced and underway, and in relation to more detail I think it is probably more appropriate for the Minister for Health, because of course most of my knowledge about this is not in my ministerial capacities but in my role as a member for Northern Victoria.

**Ms MAXWELL** (Northern Victoria) (12:08): Thank you, Attorney, for your answer. A proactive group of community-minded leaders, including doctors and health workers, have established Better Border Health, a working group aimed at raising the profile of the urgent need for a new site for the hospital in Albury-Wodonga. They would be very interested to meet with the minister, and so my question is: will the minister accompany me—and perhaps you, Attorney, given that this, as you said, is not within your portfolio but within your electorate of Northern Victoria—to meet with this group and hear their aspirations for a new hospital?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:09): I thank Ms Maxwell for her supplementary question, and I will pass it on to the Minister for Health for his response in accordance with the standing orders.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:09): My question is to the Minister for Emergency Services. Minister, Stephen Leane has been given a role administering, reporting on and taking over the running of the ESTA organisation, yet he was appointed to the ESTA board for three years commencing in September 2020. My question, therefore, Minister, is: isn't it a fact that the government has charged Mr Leane with the task in a sense of marking his own homework or correcting his own mistakes—a task I think that anyone would find difficult to undertake?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:10): Mr Davis, your questions lately are just being used to facilitate your personal views of people, and it is really poor form from someone that has been in this place for so long. Most of your questions are not even in order. They are just an opportunity for you to put something on the record that you are probably not prepared to say outside.

What I will say is that Stephen Leane as the CEO has been a fantastic asset to that organisation. He has gone in there and really gotten to the bottom of the issues, dealing with staff morale and making sure that he is giving me firsthand accounts of the issues there so that this government can support that organisation as best as possible. He has my full support. He is doing a fantastic job. He and his team and every call taker and other support worker in that organisation share that confidence.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:11): You say that after last night's outing. Given Mr Leane's membership of the board of ESTA from September 2020, what share of responsibility must he carry for the shocking performance of the board, including its failure to meet benchmarks and the consequent deaths of many vulnerable Victorians? Or is it the case that responsibility lies with the government alone that appointed him?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:11): Mr Davis, it is a joint effort in ensuring that we support ESTA to be the very best service it can be for the Victorian community. To be frank, Mr Leane did not need to accept this role. He was working part-time and was reasonably happy but saw that this was an opportunity for someone with his experience, his expertise and his understanding to provide a benefit to the Victorian community. I thank him for that, because of course he did not have to accept this job but he has. He has gone in with every intention to ensure that he does not leave until he is very confident that he has done everything he can to ensure this service is up to scratch. We also have a very talented deputy in Deb Abbott, who has come from Emergency Management Victoria, so the expertise that is in there is what is going to ensure that we can as quickly as possible respond to the impacts of the pandemic, support the amazing staff there and get this organisation back on track. *(Time expired)*

#### MINISTERS STATEMENTS: SMALL BUSINESS SUPPORT

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:13): I am very pleased to update the house on what I have been hearing recently from small business owners in the north and west of Melbourne. Over the last few weeks I have had the great pleasure of meeting with traders, retailers and hospitality business owners who, having survived the first two years of this pandemic, are now poised to grow and thrive.

I was with my colleague in the other place the member for Northcote, Kat Theophanous, and was introduced to small business owners in Northcote and Fairfield. Some of those small businesses, with support from our government, adapted their business model so that they could operate online. Many spoke about how helpful the small business support provided had been to them at a critical point, but I think most profound was the gratitude that they felt for their local community in people going above and beyond to support them through some of the toughest times.

When I was in Melbourne's west on Monday of last week with the member for Tarneit, another fabulous local member, Sarah Connolly, we met with photographers, cafe owners, grocers, landscapers and small business owners across Tarneit, who told me that they are building their customer bases and expanding their operations. I also heard about the opportunity some of them had taken up to employ people through the Jobs Victoria program, which was fantastic.

Our government has stood by Victorian small businesses through this pandemic and continues to do so. They are such a critical part of their communities; they are such a critical part of our economy. Now our focus is on supporting businesses to fit out their premises with effective ventilation and to make sure that people have financial counselling and other mental health supports as well that are available free to small businesses and their employees. We are looking out for them as they look out for their workforce and indeed their customers and their community.

**LOCAL GOVERNMENT FUNDING**

**Mr HAYES** (Southern Metropolitan) (12:15): My question is to the Minister for Local Government. Following on from meetings with three local councils, I am concerned with the recurrent theme that is emerging of off-loading costs from the government to councils and changes to local government funding which are compromising councils' ability to fund essential community services such as maternal health centres, school crossing supervisors, child health services and libraries. Infrastructure Victoria has also supported this objection and says that the situation is dire. Libraries were funded 50-50 between the state and local governments in the past; councils now say they are paying 80 per cent of the costs. For maternal and child health services, which were previously funded in a 50-50 split, councils are contributing well over 60 per cent of the funding now. My question is: will the minister please advocate to address these funding shortfalls so councils can stop having to look at downgrading services due to a lack of government funding?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:16): I thank Mr Hayes for his question for Mr Leane. He will be most aggrieved that he is not here to answer your question today. He has a fantastic enthusiasm for local councils. The reports I get back from the many councils in Northern Victoria are that they are really happy to have such a passionate minister in the local government portfolio who is more than prepared to sit down and listen to their concerns. I am sure that Mr Leane will delight in preparing a response for you to be handed in hopefully tomorrow, I guess it might be.

**Mr HAYES** (Southern Metropolitan) (12:16): Thank you, Minister. I am glad to provide some delight there for Mr Leane, and I look forward to his reply. Councils in new growth areas such as Melton, Hume and Casey are struggling to fund the essential infrastructure required to match population growth in these areas. Housing development growth is exceeding supply of local infrastructure: pools, libraries and other community facilities. Comparative examples are Wyndham, with about 150 000 people per public pool and recreation centre, compared to 75 000 people per pool in Geelong. There are fewer libraries per person in the growth areas, while residents in new areas have no access to a library at all. The forecast growth in some areas means new road projects are unlikely to meet the demand for more homes and are already struggling under the current population growth. My question is: why is the minister not advocating for additional council funding to assist with costs and expenses, particularly in these new areas, so that new residents do not buy into a home and land package and then have to wait 10 years for additional facilities to be built?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:17): I will pass Mr Hayes's supplementary question on to Minister Leane.

**EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:18): My question is again to the Minister for Emergency Services. Minister, on the morning of Sunday, 16 March 2021, the husband of Bernadette Lancaster called 000 reporting that his wife was unresponsive, profusely sweating and grey in colour. Having waited in vain for an hour, Bernadette's husband rang 000 back asking for an ETA for Bernadette's ambulance but was told that ETAs were not given out by ESTA. When medics finally arrived at Bernadette's home in Doreen after nearly 2½ hours, Bernadette was classified category 1 and transported to the Northern Hospital. Minister, Bernadette's family are justifiably considerably distressed and concerned about her experience, and I therefore ask: why is your government's heartless policy not to give desperately worried Victorians like Bernadette's husband some idea of the time of arrival of their ambulance?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:19): I thank Mr Davis for his question. These are complex matters that are not as simplistic as the answer you are trying to extract from me. Similar to my explanation yesterday to Ms Crozier about how, when you accept a call at 000, it is triaged and an ambulance can be dispatched, there is another team that look at the call and make the clinical analysis. At times it is



category 1, lights and sirens, away the ambulance goes. If it is downgraded or if it is assessed at a lower category, it may still be sent as a priority, but if a category 1 comes up at the same time the ambulance then might be diverted to respond to that incident. So in terms of providing an ETA, this is a dynamic environment, so I would defer to the experts at Ambulance Victoria in determining the appropriate responses and the appropriate order of those responses.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:20): Minister, I thank you for your response on that. But Bernadette’s sister considers the situation that has been described to her by the family as unacceptable, and I might say she has spoken to me and a number of others. When will ESTA and Ambulance Victoria provide a level of service to Victorians that Stella, her sister, would consider acceptable?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:20): It is of course my endeavour, this government’s endeavour and that of the hardworking management and staff at ESTA to ensure that the services that are provided to the Victorian community are up to scratch, are what the community expects, and there have been ongoing improvements because of the government’s support since I have been minister. When I became minister, it was at the peak of some of the numbers of calls, which was extremely challenging. We talk about the benchmark often in this place of answering 90 per cent of calls in 5 seconds. We are regularly meeting that now—not every day, but that is what we are working towards. The fact is that we are seeing vast improvements each and every day. With the support of this government, with the management, with the additional resources and with the additional staff I do expect that we are getting closer and closer to that every day.

#### MINISTERS STATEMENTS: ADULT COMMUNITY EDUCATION

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:21): I recently had the pleasure of travelling to Swan Hill, where I met students, teachers and staff at Murray Adult Community Education, who deliver training to Swan Hill locals and the broader regional community. I was really impressed with what I saw and heard. They are a Learn Local and a registered training organisation who provide a compassionate learning environment with quality programs that meet the changing needs of the community. In 2021 Murray ACE supported 35 Reconnect students, and the numbers at that level have already been surpassed in 2022.

The Andrews Labor government’s Reconnect program supports vulnerable people to re-engage with studies and really makes a difference to people’s lives. The team at Murray ACE, led by Leanne Shannon-Kelson, are also committed to their students’ wellbeing and supporting them to a pathway to either further learning or finding a job. What was really impressive was their professional hair and beauty salon training space, which was buzzing with students during my visit. Murray ACE identified the niche in Swan Hill to deliver training where there are skills in demand. While I was walking through the streets of Swan Hill I could not help but notice how busy the beauty salons were. It was great to see that pipeline of skilled workers in this industry being trained in their own community. In addition, Murray ACE delivers training in digital, language and employability skills, and I was also pleased to hear that they have a great collaborative relationship with SuniTAFE. I am also proud that this government supports adult community education and has inspired very strong collaboration with TAFE to serve the very best interests of the communities in which they are placed.

#### UBER

**Mr BARTON** (Eastern Metropolitan) (12:23): My question today is for Minister Pulford, representing the minister for transport. The Australian Competition and Consumer Commission, the ACCC, has commenced proceedings against Uber in the Federal Court. Uber have admitted they engaged in misleading and deceptive conduct and have made false and misleading representations in their app. Uber have agreed to pay \$26 million in penalties, admitting they were guilty of breaching Australian Consumer Law. The ACCC estimates that 2 million Australians were affected by this misleading prompt in the app. This behaviour is not surprising. Uber have always followed their own

set of rules. So I ask: Minister, given Uber have themselves admitted that they have engaged in misleading and deceptive conduct, do you still believe Uber are a fit and proper entity to be operating here in Victoria?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:24): I thank Mr Barton for his question. As was the case with Mr Bourman’s question, I will seek a written response in accordance with our standing orders from the minister for transport—though one day I would like a question in one of my portfolios.

**Mr BARTON** (Eastern Metropolitan) (12:25): Thank you, Minister. On the same case I wrote to the ACCC in September 2019 raising the issue that Uber had been falsely representing taxi fare estimates displayed in its app. Uber misled consumers by providing taxi-Uber comparisons that grossly overestimated the cost of a taxi. Uber are now providing services to clients in the multipurpose taxi program, a service for Victorians with disabilities. My concern is that Uber cannot be trusted. These are Victoria’s most vulnerable. We are subjecting them to predatory surge pricing from a company with a history of misleading and deceiving Australian consumers and failing to notify regulators of sexual assaults and crashes occurring in their vehicles. Minister, can Victorians have confidence that the regulator has the right skills and the teeth to ensure Uber provides accurate and clear prices to the Victorian consumer, especially those in the multipurpose taxi program?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:26): I thank Mr Barton for his question and his ongoing interest. His advocacy for people in this industry is impressive and it is consistent, and his depth of engagement with the sector and knowledge of various issues I think is recognised by all members in the chamber. Indeed from Minister Carroll I will seek a written response.

#### WAGES POLICY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:26): My question is for the Minister for Small Business. Minister, yesterday the federal Leader of the Opposition called for a full 5.1 per cent pay rise for all Australian employees, a call that is likely to fuel inflation and make it more difficult for the many small businesses recovering from COVID lockdowns to survive. I ask, therefore: what is the Victorian government’s policy in light of this Albanese statement? Particularly, should every small business owner in Victoria be forced to increase employee wages by 5.1 per cent no matter the state of their sector or industry and no matter how hard they were hit by the 263 days of Andrews government lockdown?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:27): Thank you for a question for me in my portfolio as Minister for Small Business. I did express a moment ago some sorrow that the coalition pays no regard to the small business portfolio, and this is perhaps further evidence of that. But let me do my best to answer Mr Davis’s question about government policy on minimum wage case decisions, which is an area of responsibility for the Minister for Industrial Relations, which is Minister Pallas. What Mr Davis will know, because he has been here for 30 years or however long it is, is that after the Kennett government, which Mr Davis was here for and part of, referred industrial relations minimum standards to the commonwealth—and plenty of people around have not forgotten that—what has been the case is that Victorian governments of all political persuasions have provided a position from the Victorian government, a submission to an open process, about what we believe the national minimum wage case decision-makers, a tribunal of the federal government’s jurisdiction, ought to be. That happens every year, and I would encourage you, Mr Davis, to familiarise yourself with the Victorian government’s most recent position.

As for whether I have opinions about the federal election, whether I have opinions about—

## CONSTITUENCY QUESTIONS

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**Ms Shing** interjected.

**Ms PULFORD:** wage stagnation—yes, yes. I feel like I am going to be fighting Ms Shing for turf on this. It is such a shame we could not have spent all day Wednesday talking about the merits of a change of government to a caring and compassionate group of people, but I would suggest you are asking for an opinion that is probably outside of the standing orders.

**Mr Davis:** On a point of order, President, I think the minister is straying. It was a very simple question about government policy.

**The PRESIDENT:** The minister to continue.

**Ms PULFORD:** I have answered the question. I would love to use the rest of my time talking about the federal election, but I suspect the President would think that that was a bit naughty, so I might stop before I get in trouble with the President.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:29): Consequently my supplementary is: will you ensure, as small business minister, that the Victorian government's position to the Fair Work Commission represents the issues and concerns of small business owners fairly, including the toughness of recovery after 263 days of lockdown?

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:30): Again, with your forbearance, President, in answering a question in the portfolio of a minister that is represented by another minister in this place, I would encourage Mr Davis to familiarise himself with the reasoning which has always been in a public document every year by every Victorian government for decades—the submission to the minimum wage review. These things are always taken into account. I would restate my invitation to members—especially, frankly, you lot in the Liberal Party—to ask some questions in my portfolios. That would be very nice.

### WRITTEN RESPONSES

**The PRESIDENT** (12:31): Regarding questions and answers: Mr Bourman, two days, Ms Pulford for the minister for road safety; Ms Crozier to Ms Symes, one day for the question and supplementary; Ms Maxwell, two days, Ms Symes, for the question and supplementary; Mr Hayes, local government, one day, because he is a member of this chamber, for both; and Mr Barton, two days for the question and supplementary.

### Constituency questions

#### WESTERN VICTORIA REGION

**Mr MEDDICK** (Western Victoria) (12:32): (1770) My constituency question is for the Minister for Energy, Environment and Climate Change. The flying foxes in Colac Botanic Gardens are an iconic feature and are loved by many locals, yet right now they are being terrorised in their own home by flashing lights and blaring sound in an attempt to make them move. This might seem slightly annoying for us, but for our wildlife it is life threatening. They rely on their habitat to survive, and if any flying foxes are pregnant, it can result in miscarriage. Flying foxes are a keystone species and already face so many threats. They do not need any more. While this dispersal technique has been renamed 'nudging' in an attempt to make it sound more acceptable, it is nothing more than blatant cruelty to our native animals. Will the minister protect Colac's flying foxes and cancel the permit to disperse them?

#### NORTHERN METROPOLITAN REGION

**Mr ONDARCHIE** (Northern Metropolitan) (12:32): (1771) My constituency question today is for the Minister for Health, and it concerns waiting times at the emergency department of Northern Hospital. Over the last week I have had approaches and inquiries from people in Lalor, in Wollert, in

Roxburgh Park, in Mill Park, in Greenvale and in Craigieburn. These constituents are all concerned how long it takes them after their post-triage—and the staff do a really good job there—to actually get seen. I am aware that last night we had a code orange here in Victoria, and it seems that it takes longer to get an ambulance here than it does to get Menulog delivered to your home. So my question for the minister is: what are you doing to improve the wait times for my constituents so they can get the attention they need at Northern Hospital?

#### NORTHERN VICTORIA REGION

**Mr QUILTY** (Northern Victoria) (12:33): (1772) My constituency question is for the Minister for Tourism, Sport and Major Events. Victorians have now been signed up for the Commonwealth Games and all the costs associated with them, whether they want them or not. The regional games reveal that this government thinks of regional Victoria as only places within 150 kilometres of Melbourne. You have left out almost all of Northern Victoria. You have also left out the shooting sports. I have a solution to both these problems. Northern Victorian towns like Wodonga, Wangaratta, Shepparton, Swan Hill and Mildura all have sporting shooting facilities that would make perfect venues for shooting and archery comp sports at the 2026 regional games. The cost of upgrading ranges to international standards will be low and leave a legacy for northern Victorian sporting shooters. Northern Victorians and Victorians in general are keen supporters of shooting sports. Without them the 2026 games will be a sad show for many. My question for the minister is: will you bring the shooting sports to the actual regions and to the towns of Northern Victoria that are currently missing out on the so-called regional games?

#### NORTHERN VICTORIA REGION

**Ms LOVELL** (Northern Victoria) (12:34): (1773) My question is for the Minister for Regional Development and concerns funding for the redevelopment of the Shepparton Sports Stadium. I have spoken numerous times about the importance of this infrastructure project to the Shepparton region, which will transform the current stadium into a world-class Shepparton sports and events centre. Appropriately the redevelopment of the stadium is a high-priority infrastructure project for Greater Shepparton City Council as a job-creating project that will attract more major events to the region, equating to an additional \$12.3 million in visitor spending in the Goulburn Valley each year. Thanks to the Liberal candidate for Nicholls, Steve Brooks, federal Minister for Sport Richard Colbeck recently visited the stadium, and as a result the federal Minister for Infrastructure, Transport and Regional Development has committed the federal government's share of the project, being \$25 million. Will the minister commit the state government's funding share of \$20 million to stage 1 of the Shepparton sports and events centre?

#### WESTERN METROPOLITAN REGION

**Dr CUMMING** (Western Metropolitan) (12:35): (1774) My question is to the Minister for Housing in the other place, and it is from Brimbank City Council and one of my local constituents. In this year's budget, how much has been allocated to alleviate homelessness in Brimbank? My resident says:

I have 4 kids ... living in a tiny apartment ... sleeping anywhere on the floor or on some mattress ... We are in ... need of ... a permanent roof.

... help me in affordable long-term housing, so we can settle down and the children won't ask me 'where are we going next ...

In the budget \$32 million has been allocated to invest in making homelessness rare, brief and non-recurring through both output and asset initiatives. Brimbank is experiencing the highest rate of homelessness in the west. In the 2016 census 1460 people were experiencing homelessness, and that was an increase of 30 per cent from 2011. (*Time expired*)

**Motions****PREMIER****Debate resumed.**

**Ms CROZIER** (Southern Metropolitan) (12:36): As I was saying prior to question time in relation to the Premier being before IBAC, what a very important issue this is for all Victorians, because they do want integrity in government, and they want to be able to trust the man who is leading the state, or the person who is leading the state. I do not think many Victorians do. I think they see the Premier as somebody that they cannot trust because of how he has behaved and operated, particularly over the past two years, and what we see on a daily basis with some of his commentary. I note that in recent reports it has been confirmed that he has been grilled by IBAC in the past two weeks. This is from an article that came out in the *Australian* just yesterday:

In the past two weeks, it has been confirmed that Mr Andrews has twice been grilled in secret by IBAC as the agency explored his links to Mr Woodman and in Operation Watts, which was investigating ALP branch stacking and misuse of public funds.

That, as I previously said, is a very serious issue. We know what happened in the last Parliament around the red shirts and around what the government did—the obfuscation and the quite disgraceful disregard for proper process, actually, in not cooperating with these very important agencies that were investigating whether this misuse of public funds had taken place. Well, we know it did. We know what the Ombudsman said about it and we know what a former ALP member, Mr Somyurek, has said. He has said that it was systematic fraud that had occurred. He said that in public, and yet we do not know what the government's, and particularly the Premier's, involvement has been in that. We do know, according to Mr Somyurek, that the Premier had been at the head of a lot of these branch activities for many, many years prior to him taking on the lofty heights of Premier, and you would think that we need to have the utmost trust and integrity in that high office, because it is incredibly important.

We have seen this state get absolutely smashed over the last two years, a state that has got an increasing debt greater than that of a number of states combined. People are very concerned about that, but they are also concerned about what happened over the last two years in relation to the government's response to COVID, with the harshest of restrictions, the longest of lockdowns and the implications that we are seeing, whether it is in the health system—that we have just been talking about in question time—or the impacts of those significant lockdowns that have occurred and what has happened to Victorians who have got sicker over that time, who have not had their cancer screenings take place and who are needing care now.

What we get from the government is blame. They are either blaming Victorians for frivolously ringing an ambulance or blaming Scott Morrison for some other reason. I mean, this is just extraordinary, and this is what I think says so much about the Premier. He refuses to take responsibility—no accountability for the hundreds of deaths that occurred under his watch as a result of hotel quarantine failures and, as I referred to prior to question time, a lack of ability to recall or remember through the Coate inquiry.

I say again: those New South Wales premiers who took their position very seriously, when they were questioned and there was a question mark around the integrity of their position as premier, resigned and stood down. Barry O'Farrell stood down because he could not recall—he had a massive memory fail—whether he had received a bottle of wine. He stood down on the basis that it was the right thing to do. He was honest. His colleagues described him as being honest and a man of integrity doing the right thing in the interests of the public.

This is in the interests of the public, and that is why this motion is incredibly important. It is the heart of what we need to have to enable our public to have confidence in the system that we all have the privilege of serving—our Parliament, the laws that come through this place, the legislation that is put

in place and what we are asking Victorians to do on behalf of this Parliament—yet we have a Premier who has been embroiled in these very serious matters, Operation Sandon and Operation Watts, who refuses to stand aside while these inquiries are going on.

Mr Davis articulated in his contribution that this is very simple. It is just asking him to stand aside while this integrity investigation is taking place. If there was any ounce of integrity in the Premier, he would do that on behalf of every Victorian. Every Victorian deserves that because of what has gone on, and they do lack trust in what he says, whether it is the ‘Can’t remember; can’t recall’, the deflection, the blame or the lack of taking responsibility and accountability for the multiple failures—the litany of failures—that are occurring across our health system. He is more interested in sticking on a hard hat and a hi-vis vest or a mask behind closed doors than walking around in the community and hearing from real people. If he did, he would probably get an earful. I again say this is a simple motion, and I urge the house to support what is in the best interests of Victoria’s integrity.

**Dr CUMMING** (Western Metropolitan) (12:43): I, like many Victorians, have yelled out ‘Sack Dan Andrews’. Sack him. That is what every Victorian wants. If we cannot sack him—and I guess it is going to be the next election—then do the right thing, Mr Andrews, and stand down. Stand down now. Why won’t you stand down? Is it your arrogance? Is it that you believe that the truth will never be seen? Do you believe that you have buried the truth down deep enough? Do you believe that you have got rid of all your enemies—that you have dismissed them—and that you will not be found out? Do you believe that it is because of the bills that you have brought into this place to give you more power? The bills that you bring into this place actually give people like the chief health officer legal indemnity—allow them off the hook. You have that power to do that. You can bring bills into this place to make sure that things are buried and that you will have more power.

You must know that you have failed Victorians. You must know that during this pandemic you have actually failed every single Victorian. You locked us up. You did not allow us to visit our loved ones. You did not allow us to go to funerals. You stopped children from going to school, to playgrounds. You must know you have failed us. You must realise that we all know that the propaganda that you have pushed on us is all untrue. You are being investigated and you are being investigated in the dark, in the silence, in quiet, when what Victorians want is accountability, transparency and the truth. You have not allowed us to have any inquiries on COVID or any of your misgivings. You have not allowed us to actually get a royal commission. When the media and the public begged for you to stand down to give us a fighting chance to get back onto our feet, you refused. And you know four other premiers across Australia have stood down within this time, so why don’t you? Why don’t you give us all a break, Daniel Andrews? Give us the break that Victoria deserves.

We all know that the mandates currently for every single employee have nothing to do with science. You do not listen to the science. You have not listened to anyone. You have not listened to anyone in Parliament. You have not listened to anyone in your cabinet. You surely do not listen to the community, because they have protested. They have protested in the hundreds of thousands, and you have ignored them. You are just waiting for the election in November. You did not need to have these mandates for the last six months, and you are going to double down and continue them until everybody who has the opportunity to leave Victoria has left and the ones that are left behind only have the chance to vote you out in November. Fine—I think every Victorian cannot wait for November; they are looking forward to November. But for us now, why don’t you actually listen to Victorians and stand down? Just step aside, allow the corruption commission to do the job that they need to do, allow us all to actually see what has been said, bring it out into the open, stop hiding and stop allowing others to allow you to hide.

For Victorians, that is all they wish—for someone to actually hold you to account, to get some justice, for them to see what you have done to every Victorian and for all of that information to be brought to the surface. For me, really, just stepping aside is not enough. Being sacked is not enough. The community wants justice. They want you to be held accountable for everything that you have done to them, for every business that you have ruined, for all the time that we have lost in our lives due to you

locking us down for no reason whatsoever, for all the suicides and the deaths that did not need to occur, for you stopping the community from having a choice in this time and for enforcing vaccines that really, we all know, do not stop you from getting it, do not stop you from spreading it and have caused numerous vaccine injuries and long-term health effects—so many people unwell at this point in time. You need to admit your mistakes. Anyone who is half decent admits their mistakes and apologises or stands aside and allows somebody else to do a better job, someone who has actually got integrity and honesty. That is all we want in the way of a Premier, someone who will actually give us the information that we have been wanting from the start—just honesty, not propaganda, not spin. But all we have received for the last two years are lies—lies upon lies.

We only wanted a message of hope. We wanted a way forward, a plan. Dan has not given us any plan whatsoever, and he continues to bury the truth and not admit his faults. For my community this is not even enough—to stand aside. They want the truth to be put to the front. They want the Premier to be held to account. IBAC seriously is a toothless tiger. They want the full weight of the law to be put on top of him for everything that he has done to everybody. Standing aside is not good enough, actually, not good enough at all. They want justice. They want justice for everyone that has been killed, hurt or injured during this time that never needed to be because of this government's absolute arrogance and the way that it refuses to actually be transparent and inclusive and have the whole community talking together with its decision-making. Not once have you actually listened to the whole of the Victorian community about decisions that have been made, nor have you at any time actually given us the medical information, the background—anything—for us to know why you have done what you have done to us.

Sack Dan Andrews. That is what the community wants. They will get it in November. It will not come soon enough, but it will come. He will not do the honourable thing; he is far too arrogant. But sack Dan Andrews.

**Mr ATKINSON** (Eastern Metropolitan) (12:52): This is a most unfortunate motion coming to the Parliament today. I have got to say that I reluctantly enter the debate because there are matters here that I can understand—certainly not to barge in on some of the matters that are before the public at this time and for proper process to take its place. I was particularly alarmed when I noted that the IBAC draft report had somehow found its way into the public arena. It is my understanding that the way that IBAC operates is that it provides some information from a draft report to those people who are likely to be named in that report, for them to have an opportunity to respond and for IBAC then to actually give further consideration to the evidence that it has considered and to the response that is made, and then it reaches a definitive position and develops the final report, which does become public and which is presented to this Parliament to allow an opportunity for a considered position to be developed by the Parliament.

It was alarming to see that that report had made its way into the public arena without that sort of process being pursued. Indeed the fact that it has puts all of those people who are covered by the draft report in an invidious position, a position where I do not think that they necessarily ought to comment on the draft report itself and the matters canvassed in the draft report. If I was one of those people named, which I hasten to add I am not, then I would be basically withholding my position in terms of a response in the public arena until the final report was issued. So I can understand the invidious position of a number of people.

I am concerned, though, and where this motion does have some relevance to the process and is—whilst unfortunate that it has to be brought to the house today—a motion that needs to be considered carefully is the fact that sadly we have had a situation where the government has been reluctant to respond to matters of inquiry about some very serious matters in the public arena. The red shirts was simply a classic case in terms of being taken all the way to the High Court by the government to try and prevent a thorough investigation of that matter, where members who were involved in that program—and perhaps not by their own volition, perhaps forced by a party requirement to participate in a scheme that I know for a fact some of them questioned—were prevented by the party. They were

gagged by the party and by the party's legal representatives and told not to cooperate with any investigation, which included an investigation with the police.

As I have said before in this chamber, we make the laws, so we ought to be the very first people to abide by the laws. In the context of police investigations, we expect people to cooperate with the police and to own up for their wrongdoings. Indeed our legal system offers certain concessions to people who plead guilty or who make admissions that show some remorse, that show some regret, that show that they understand that what they did was wrong. In our laws we provide concessions. Here, back at that particular incident—the red shirts—there were no admissions, there was no cooperation with police or indeed with other investigations, including that of the Ombudsman, and there was every attempt to prevent any inquiry into that matter all the way up to the High Court, which was extraordinary. It was at a great cost to the taxpayers as well—\$1 million effectively in legal fees—and the response of the government is, 'Oh, look, you know, yeah, we made a mistake. We pushed the envelope'. I guess it goes back to that old saying 'It's better to ask for forgiveness than permission', because they then sent a cheque back as quickly as they could to try and shut the matter down. But as has been indicated already—\$1 million in legal fees.

We have then gone on to some other matters where there has been evident corruption, and it included some officers within our electorate offices who were found to have done the wrong thing by an examination by the Parliament. That indeed went on to further inquiries by the appropriate agencies. We have the matters that were raised by Mr Somyurek and have been covered by an IBAC investigation. We have now had the Ombudsman announcing yesterday that she has brought in a former ombudsman from New South Wales to investigate political appointments, partly on matters that have been raised by me, Mr Hayes and some other members of this chamber, partly by some sections of the media and indeed confirmed, if you will, by Mr Somyurek in his recent explanations to this Parliament.

It is interesting that we reflect, and Ms Crozier particularly reflected, on a Premier that stood aside in New South Wales, Barry O'Farrell, over a bottle of wine that had been presented to him and that he had not declared. It is interesting that on that occasion he did step aside and took full responsibility, despite the fact that subsequently he was essentially exonerated after the public persecution of an ICAC process. But there have been other premiers who have also stood aside when matters have come into the public domain and there have been questions about the way in which they have responded to matters.

Here we have a number of inquiries that are being made by IBAC, some in concert with the Ombudsman, and certainly the public does need some satisfaction about where those matters lie. I personally do not expect the Premier to make full statements on what he has discussed with IBAC. I believe that it would be appropriate for him to indicate the number of matters in which he has—the word I would use would be—assisted IBAC, because I do not know that he is the subject specifically of investigations; he may well be simply assisting. But the point is that whilst I do not expect him to comment in full verse on the matters of the draft report that has been issued or indeed on other matters that might be before IBAC, because I would not want to prejudice, from my perspective, the processes of IBAC and the Ombudsman, which I think are sacrosanct—I think they are very important processes and they should not be subject to any other interventions—I think that there is a need for some explanation by the Premier.

Can I just go back very quickly. Whilst we had one Premier with a bottle of wine, can I mention, which I meant to a few moments ago, that we also had another Premier in New South Wales—in fact the very one that set up their ICAC— (*Time expired*)

**Sitting suspended 1.03 pm until 2.05 pm.**



**Mr SOMYUREK** (South Eastern Metropolitan) (14:05): I support the motion in the name of Mr Davis. Before I do, if I could just commend the Ombudsman for her judgement in bringing in someone from another state to do the investigation into the stacking of the Victorian public service. I think that shows a lot of good judgement by the Ombudsman, let us put it that way. I think we might have just dodged a bullet by moving the motion that we did in February earlier this year.

In determining whether to support this motion here today, I have gone over what has actually happened to me. I see some parallels with the predicament that Mr Andrews finds himself in and what I actually went through. Let us recap. On 14 June 2020 a highly sensationalist television program ran an absolute hatchet job on me. It claimed essentially that I got into Parliament by branch stacking on an industrial scale, which is not true. The people that were branch stacking there—an IBAC investigation has actually proven this—were Anthony Byrne on one side and Daniel Andrews on the other side. Both of these gentlemen were on the public payroll. They were paid full time to stack branches, Mr Andrews and Mr Byrne. This was demonstrated at IBAC. I was a mere observer.

The narrative goes that after getting into Parliament, with my new-found status as an MP, I went even more crazy in stacking branches. Over the next 20 years I stacked on an industrial scale and took over branch after branch after branch across Victoria in the Labor Party to the point where I got to controlling two-thirds of the membership, which was 11 000 members. Those members had to be paid for somehow, so there were all types of suggestions about where the money came from. They were all scurrilous and defamatory suggestions. That is why I am taking to those publications with a defamation case.

I rocked up the next day to see Mr Andrews in his office, and he said to me that he cannot have me under an IBAC investigation and remain a minister of the Crown. In fact he said I cannot be a member of his team on the backbench in his caucus and have an IBAC investigation into me. I thought, 'Fair enough'. In politics it is all about optics. There was no natural justice. A fact-finding mission in a couple of weeks would have shown that the program was wrong, but in politics it is about optics. We were going to have an IBAC investigation into me, it was going to drag on for a year or so and he could not afford to have me in his cabinet or in his caucus. I get that. I respect that in politics it is all about the optics.

So I went away and I tweeted that I would no longer be voting. I would be disenfranchising myself, because I thought it was inappropriate to be under an IBAC investigation and voting in this place. So I disenfranchised myself. I did not want to, because there were a lot of important things happening in this chamber at that particular point in time, but I did. I thought that was the right thing to do. That is what I did.

A year and a half later, in November 2021, I was publicly grilled for four days. All the nonsense that was put out by the Sunday program was proven to be false. They had seven years of text messages, seven years of WhatsApp messages, 20 years of email messages, telephone intercepts. My best friends in politics of 25 years were recording unlawfully my telephone conversations in order to compromise me. Yet there was nothing. Over seven years there were about a handful of incidents, prima facie evidence, of staff members running errands around. That is all they had. So the fact is there was a public examination, I was grilled publicly and the public were given the opportunity to hear what IBAC had on me. After these four days I felt vindicated. I came back into this place, and I exercised my vote. I told everyone that I was going to vote, and I saved Victoria from tyranny, I reckon, by helping to dilute the Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021.

Just like I sat in Mr Andrew's office on 15 June 2020 when he told me that the optics of an IBAC investigation into me were so bad that he could not sustain me in his cabinet or on his backbench or in the party, I say to Dan this: it is about the optics, stupid. You cannot have a Premier of a state entangled in three corruption inquiries and expect that that is okay. You cannot. When people are looking to invest in this country and in Victoria from overseas jurisdictions, what they will do is they will have a look at advanced economies with comparable settings and they will look at Victoria. We have got a

Premier that has got the watchdog with three separate corruption inquiries on him. It is about the optics. You cannot have a Premier of a state being entangled in three separate corruption inquiries. It is a shocking look. He needs to stand aside. I am not even saying step down; I am saying stand aside. He needs to stand aside for the sake of his party too. He is not the popular, rockstar Premier he was. He is a drag on the party's vote. He can give a clean start to the next leader that can take over and lead the party to government. He needs to do the right thing by his party as well.

I do not know what the three inquiries are about. What I do know from when I was a minister is what the backbenchers and the fellow ministers were saying about the United Firefighters Union inquiry, and what I do know from when I was a shadow minister—I will not go into all of that, because I will not have enough time—is we were concerned that it was a blackmail attempt on the Premier. We were concerned that hundreds of millions of dollars of taxpayers money was being misdirected to pay for this blackmail attempt. I was a minister. We were concerned as ministers. IBAC are playing all types of funny buggers here. He needs to be grilled publicly. It was liberating for me to be grilled publicly when I had all these nasty allegations made about me. The Premier needs to be grilled publicly. Maybe it will do him good. Maybe we will all see there is nothing there. But the fact of the matter is he needs to be grilled publicly so we all know and so that his fellow ministers and backbenchers know that he is not paying off a blackmail attempt.

In terms of Operation Watts the Premier's faction was not investigated. There was a report in the *Age*, a draft report, which said that all of the factions have been involved, and that would be right—plus some. Daniel Andrews is the leader of the Socialist Left—not in name, but he is. I was the leader of the right. He is the leader of the left. He does not have that in his title as the Premier. Is Operation Watts grilling him on the \$500 000 of branch stacking money that is required to sustain the Premier's faction machine? Where is that money coming from? Is it coming from Woodman? This bloke is allegedly known to carry suitcases full of money and cash. Is it coming from fundraisers, where developers such as Woodman are contributing? Is it coming from powerbroker faction leaders that are giving kickbacks to the Socialist Left to pay for the branch memberships? Is it coming from printers? Where is the money coming from?

What we need is for the Premier, on behalf of the Socialist Left, to be grilled publicly by IBAC—not sit down and maybe over a bottle of wine shoot the breeze with the commissioner. IBAC is either devious, corrupt, stupid or incompetent. They need to be speaking to these witnesses, like New South Wales do, in public. It is about confidence. It is about the trust that the public have in their elected leaders. It is about community trust in IBAC as well. At the moment they have really, really let a body that should be beyond reproach down.

**Ms BURNETT-WAKE** (Eastern Victoria) (14:15): I rise in support of Mr Davis's motion. The Premier has twice now been given the right to be examined in private hearings before IBAC. We do not know whether he is under investigation or whether he was there in a witness capacity, because he refuses to answer basic questions from concerned Victorians. What we do know is that he has been given special treatment, and there is a real question around why he has been questioned privately when so many other hearings are in the public domain.

When we look to what is right, New South Wales Premier Gladys Berejiklian stood down immediately after the New South Wales state anti-corruption watchdog, ICAC, revealed she was under investigation. This was at the height of the pandemic, when the role of the Premier was integral. Because the Australian public deserves to have confidence in their leaders, she walked away from all official responsibilities.

Like our neighbours in New South Wales, Victorians also deserve to have confidence in their leaders, and from the general public I have spoken to there simply is not confidence in Mr Andrews's leadership. We have seen with Operation Sandon there have been numerous public hearings, but the Premier has had the right to speak in private. His contempt towards the general democratic processes is quite frankly outrageous in that he refuses to let Victorians know why he presented to IBAC or even

when that occurred. He and his government are determined to block any questions, which led of course to the shameful situation on Monday this week.

I was perplexed at Ms Shing cutting the feed during the Integrity and Oversight Committee hearings. Democracy thrives when people can see, understand and participate in decisions that affect their lives. It is about leaders acting with integrity and being accountable for their actions. When we start closing doors and cutting feeds there is a real problem and misunderstanding of transparent government. The burning question is: what are they hiding? This was Victoria's first opportunity to gain some clarity into these matters, and the government's response was to cut the public feed. I think that says all we need to know about the Andrews Labor government's position on transparency: there is none. This is just sheer arrogance from the Andrews Labor government and a completely shameful disregard of the principles of open, accountable and transparent government.

Victorians are completely shocked at how this government have been able to do the things they are doing—lockdowns, mandates, not releasing information on which they have based their decisions, removal of our personal freedoms and liberties—and they just keep on doing it. The best thing the Premier can do is stand aside from all responsibilities until IBAC tables its report in Parliament. As the Premier of our state, he is the one making decisions that affect the lives of every Victorian. Victorians deserve confidence in their leaders. At the very least they deserve answers from the person who is making decisions impacting their lives. But what they get is feeds being cut and an arrogant refusal to answer questions in the public interest. We cannot have confidence in the Premier when he refuses to come clean about what he is attending IBAC for. I commend this motion calling on the Premier to stand aside.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:19): This is a very important motion. It is a very simple motion on one level, calling on the Premier to stand aside from all official responsibilities until the Independent Broad-Based Anti-Corruption Commission report on Operation Sandon has been tabled and not to participate in any executive or administrative decisions. Many have spoken today, notably just one from the government, but the truth of the matter is this motion is important to ensure that decisions made by government are beyond question. It is important to make sure that decisions made by government are beyond reproach.

The truth here is that with the Premier it seems very clear—increasingly clear as the debate goes on—that it is likely that he is involved in at least three outings with IBAC. A frequent flyer at IBAC, a Premier at IBAC—as Mr Somyurek made very clear, overseas investors looking at this state will see the Premier of the state embroiled in corruption allegations and embroiled in hearings at a corruption board. These are very serious points. You cannot have the leader of the state—the leader of the government and the leader of the cabinet—in a position where they are being perceived as in fact corrupt and involved in the corruption that has gone on.

I say the sensible, the prudent, thing to do is for the Premier to step aside. If it is the case that he is cleared by these probes, if it is the case that he is not guilty, if it is the case that he is not corrupt and it is found that he is not corrupt, then I have to say he should return. But as has been laid out by a number in this chamber—Mr Atkinson made the point very eloquently—there is history here: the misbehaviour with red shirts, the refusal to cooperate and, I think eloquently picked up by Mr Somyurek, the Premier's own standard about corruption allegations with others.

In this case the Premier is subject to visits to IBAC. He may or he may not be the actual person who is under investigation in a number of these investigations—three: Richmond, Watts and Sandon—serious matters of corruption in this state. He is either up to his neck in it or he is not, but either way he needs to step aside until he is cleared. That is the prudent way forward for our state. That is the prudent way forward; that is the fair way forward. He needs to be beyond reproach. Currently, with his refusal to answer and his refusal to be direct and honest with the people of Victoria, he is not beyond reproach. In fact it looks more and more like he is up to his neck in these corruption matters.

**House divided on motion:***Ayes, 12*

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

Davis, Mr  
Finn, Mr  
Lovell, Ms  
Ondarchie, Mr

Quilty, Mr  
Rich-Phillips, Mr  
Somyurek, Mr  
Vaghela, Ms

*Noes, 20*

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

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

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

**Motion negatived.****Business of the house****NOTICES OF MOTION**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:29): I move:

That the consideration of notice of motion, general business, 768, be postponed until later this day.

**Motion agreed to.****Production of documents****JOHN WOODMAN**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:29): I move:

That this house, in accordance with standing order 11.01, requires the Leader of the Government to table in the Council, within three weeks of the house agreeing to this resolution, all emails and other correspondence since 4 December 2014 between the Premier or the office of the Premier and:

- (1) Mr John Woodman;
- (2) Mr John Woodman's employees; and
- (3) Mr John Woodman's companies.

This is a very straightforward documents motion in the sense that it seeks a set of documents in the possession of the Premier and the Premier's office. These are readily obtainable documents. Since 2014, since the change of government, it does appear that there has been regular communication between Mr Woodman and his firms and the Premier and the Premier's office—certainly other parts of government. It is clear that these documents are now of public significance.

There is an IBAC investigation, Operation Sandon, as people will be aware after the last debate. That investigation has drawn very significant public profile to these public matters, and the hearings that IBAC is undertaking are very significant here. Operation Sandon is a matter that needs to be discussed. My point is that Operation Sandon has shone a light on Mr Woodman and made it very clear that there needs to be close public scrutiny in particular of the Premier and others. This chamber is entitled to see what relations have occurred between Mr Woodman and his entities and the Premier and the Premier's office. We know the Premier dined at the Flower Drum with Mr Woodman, we know that the Premier has regularly met with Mr Woodman and we know that the Premier has a longstanding relationship with Mr Woodman. You may well be aware that Mr Woodman's long history with the Premier goes way back to 2002, and in fact the truth of the matter is there is a long relationship there that goes back to a legal office that had dealings with Mr Woodman, a legal office that is very close to

the Premier. The Premier's father-in-law I believe actually is a close associate of Mr Woodman, so I say these documents should be scrutinised very closely.

**Mr Melhem** interjected.

**Mr DAVIS:** They sure should. This chamber should see these documents.

**Mr Melhem** interjected.

**Mr DAVIS:** If there is nothing to hide here—

**The DEPUTY PRESIDENT:** Order! Mr Melhem!

**Mr DAVIS:** The community want high probity when it comes to planning matters. They do not want planning matters that are compromised. They do not want planning matters where a minister, including a non-planning minister, is intervening. We will see what Operation Sandon says, but I think quite separately from that the community is entitled to see the links and the communications between the Premier, the Premier's office and Mr Woodman. The truth is something that the community should see here. It is in the public interest for these matters to be dealt with sensibly. It is a matter where the public should be able to see these points.

We know the chamber has the powers to get these documents. The High Court case around Sydney Water is well known. The Egan case makes it clear that the Legislative Council chamber and other chambers around the country have the power to obtain these documents, and it is in the public interest that these documents come to light. If there is nothing to fear, they should have nothing to hide, and the community will very much judge the Premier on the facts of these matters. I say these documents should be in the public domain, and it is my intention to pursue this through the chamber.

Obviously this motion is very much in the format of a standard documents motion. It is a documents motion that seeks these for the purposes of the public interest.

**Mr Gepp:** On a point of order, Deputy President, I have asked Dr Cumming to move away from in front, and she has refused to do so. Can we have a bit of decorum in the chamber?

**The DEPUTY PRESIDENT:** Dr Cumming, I ask you to take your seat.

**Mr DAVIS:** I am conscious that the chamber has dealt with many matters today, and I am conscious that this is a documents motion that will require further debate by the chamber. I am also conscious that Mr Meddick will want to talk about his motion in the next couple of minutes, and in these circumstances I have made my contribution. I have made it clear that this set of documents is in the public interest. They are readily obtainable. They relate to the period of this government, relate to the time that the Premier has occupied that office and relate to the links of Mr Woodman and his various firms.

**Ms TAYLOR** (Southern Metropolitan) (14:35): IBAC has an important function. Investigations are an integral part of IBAC's functions relating to corruption and police misconduct. There are longstanding rules of sub judice that members of Parliament should not run a commentary on matters being considered by a commission before it reports. This motion should not be passed, and the chamber should not depart from the longstanding convention and undermine the work of IBAC. This motion specifically and deliberately encroaches on the work of IBAC. The government otherwise consistently upholds its obligations to the Parliament to provide responses to documents motions.

**Mr ONDARCHIE** (Northern Metropolitan) (14:36): I move:

That debate be adjourned until later this day.

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

**Motions****1080 POISON**

**Mr MEDDICK** (Western Victoria) (14:36): I move:

That this house:

- (1) recognises that sodium monofluoroacetate, commonly known as 1080 poison:
  - (a) is a highly dangerous neurotoxic poison with no antidote;
  - (b) is identified by the Council of Australian Governments as a chemical of security concern;
  - (c) is banned in most countries around the world because of its extraordinary cruelty;
  - (d) causes animals to suffer a prolonged, excruciatingly painful death;
  - (e) is impossible to be used while limiting deaths to a target species;
  - (f) is indiscriminate and kills endangered native species;
  - (g) can also kill by secondary contamination, where another animal preys on an affected animal after death;
- (2) calls on the government to:
  - (a) implement recommendation 7 of the Environment and Planning Committee's report on the inquiry into ecosystem decline, tabled in December 2021, by introducing a phase-out of the use of 1080 poison, to be finalised by December 2023:
    - (i) in Victoria's national parks, beginning in July 2022;
    - (ii) on private and agricultural land, after 12 months; and
  - (b) commit to further investment and introduction of alternatives, including but not limited to immunocontraception, as an urgent priority.

Colleagues, I want to tell you a story. 4 September 2020 started out like any other day for Candice and her partner, Donna, in the small town of Stanmore in Queensland. They had taken their five dogs on a routine trail ride through a nearby state forest where animals frequent and are permitted. Three hours later Candice and Donna would watch helplessly as one by one each dog began screaming and thrashing as the horrific symptoms of 1080 poison took over. Kobi, their beloved border collie, was the first to succumb, running directly towards them, then frantically away to hide. Terrified and confused by his own behaviour, he was uncontrollably shaking. Immediately noticing similar symptoms in their young blue heeler, the pair desperately loaded both animals into the car, calling their vet on the way. By the time they arrived in Kilcoy, 30 minutes away, both dogs were already dead. Like a nightmare, Candice then answered her phone. Her father, who was alone at their property, had called with the news that their four-year-old border collie had died the same agonising death. In the hours that followed their remaining dogs would endure the same fate. Nitro was found in the creek of a neighbour's property after running away, and Hero, their remaining fur-baby, died in their arms a short time later. All five dogs had eaten bait laid carelessly and without warning. No matter what Candice and Donna did, the dogs did not stand a chance.

Sodium monofluoroacetate has no antidote. That is why it is already banned in most countries around the world. I came to this role having campaigned at an election on a platform that was based on a fundamental philosophy: to change issues of vital importance to animals, people and the planet. In my time here I think the team and I have had a positive impact on many of the issues I strongly believe in. However, there were two key issues that I held closest of all—two major issues for me, because I have been at the coalface of both for more years now than I care to recall. Those are duck shooting and banning 1080 poison. The fight for the lives of our waterbirds goes on, but today we have a chance in this chamber to do something that is not just fundamentally good but at its core the right thing to do. As human beings we have one measure and one measure alone as to whether we are decent or not—that is, how we choose to treat beings other than ourselves when we have nothing to gain for ourselves but they have the one thing to gain that is so important: their very lives.

You have a choice today: vote for my motion and take a step towards saving millions of animals from a slow, painful death, or vote against and deliberately say by your action that you are quite happy to inflict an act of horrendous cruelty. In this motion I am calling on the Parliament to implement recommendation 7 of the Environment and Planning Committee's inquiry into ecosystem decline. I know that ending the use of 1080 across Victoria means something must be done in its place, which is why I have asked the government not just to ban this poison but to fund alternatives such as immunocontraceptives for introduced species.

There is not enough time here for me to go through the history of 1080 and its development, so for now I am going to describe to you what sodium monofluoroacetate does. When ingested, the animal suffers a prolonged and horrific death. Birds can take up to 262 hours and herbivores up to 44 hours, while carnivores can take up to 21 hours to finally succumb to the horrific effects of this poison. Symptoms usually begin to appear after 30 minutes to 3 hours. The list of symptoms for carnivorous animals such as dingoes, dogs, foxes and cats includes: restlessness, increased hyperexcitability, agitation, trembling and widening of the eye sockets. This is followed by sudden bursts of violent activity, frenzied manic behaviour, frantic running and bashing their heads against fences, trees and walls. Dogs particularly have been filmed running at speed into solid objects such as houses and cars to try and stop the pain. Abrupt vocalisations include whimpering, distressed howling and screaming that has been likened to that of human beings. Have any of you have heard a dog scream in agony? I forced myself to watch footage of animals affected by 1080. It leaves a scar on you that can never be healed.

This is followed by bleeding from bodily orifices, including the eyes and mouth; rapid, laboured breathing; and foaming at the mouth, with some animals partly choking on their own saliva. Observers of dogs that have been poisoned describe looks of sheer terror in their eyes. Vomiting, urinating, defecating uncontrollably follow as internal organs liquefy and are excreted. All animals affected eventually fall to the ground in tetanic seizure, with hind limbs or all four limbs and sometimes the tail extended rigidly from their arched bodies. This phase is full body seizure. Every muscle and every limb is forcibly extended until often the jaw is so forcibly opened that by the force of the muscles in stricture it dislocates, leaving it hanging like a piece of cloth flapping in the wind. At all times the front feet are clasped together, clenched or used to scratch frantically. This tonic phase is then followed by a clonic phase in which the animals lie and kick or paddle with the front legs and squeal, crawl around and bite at objects if their jaws survived intact from the seizures. During this phase their eyes roll back so only the whites show and their teeth grind together. Finally, they begin to relax, breathing more slowly and shallowly, lying quietly with their hind legs still extended but semiparalysed. Next is a coma and eventual death.

What I have described here is certain; it is fact. It is what this poison was designed to do. It is exactly what this poison was developed to do—odourless, tasteless and colourless, developed as a chemical warfare weapon to be distributed in the water supply, so dangerous German troops were forbidden from handling barrels of it because one teaspoon is enough to kill 20 adult humans. In fact 1080 remains on our federal government's list of chemicals of terrorist concern.

Let me stress again this point: there is no antidote. What I have described here is not only what happens through primary ingestion but through what is known as secondary contamination or secondary poisoning, where a scavenger species may consume part of a baited animal and because this poison is so potent that animal suffers the same fate. This is how so many native carrion birds and ground-dwelling native carnivores die. 1080 poison can also remain at almost 100 per cent toxicity in a carcass for months depending on weather conditions. This is a time bomb for native species.

This vile poison is being used to eradicate our native apex land predator in order to protect introduced species—farmed animals. We are actively going down a path of removing from our faunal landscape the animal that actually belongs here and controls species that kill our other wildlife. Not only that, but so many of our dingoes that are vital to our ecosystem are ruthlessly killed under this state's wild dog

bounty, despite the fact that almost 90 per cent of them—so-called ‘wild dogs’—are in fact purebred dingoes. This argument of predation from dingoes has been debunked.

Leading scientists that gave evidence at the inquiry, including Dr Kylie Cairns and Dr Ernest Healy, all stated that 1080 poison was indiscriminate—it did not, could not, kill only target species. In fact 1080 kills not only dingoes but native quolls and other predatory native species, including raptors. How can we forget the deliberate poisoning of over 400 wedge-tailed eagles? At the same time that we are targeting our native apex land predator and killing it off we have seen a rise in cat numbers because they do not take the bait. The Arthur Rylah Institute echoed the same sentiments in their submission. So we are actively going down the path of eradicating a native species wilfully and with gleeful cruelty in the same way that we humans caused the extinction of the thylacine, the Tasmanian tiger, albeit via a different method.

I repeat my statement from earlier in my contribution: you have a choice today. Vote for my motion and save millions of animals from a slow, painful death, or vote against it and deliberately say by your action you are quite happy to deliberately inflict these acts of horrendous cruelty. To the government I say: do not try to be all things to all people here. You know what I am asking is right. I want you to think back to what I just described to you as to what happens to these animals when they consume this poison. That reason alone is enough to say we should not be using 1080 poison in this state, in this country. To the opposition, I ask you to look into yourselves and ask this question: can we do what is right here? I know there are members on the crossbench who support my motion, and I thank them. There is proof in them that those with polar-opposite political views can agree to do the right thing when faced with making that call. And that is the question that everyone in the public will be asking: why didn't you? Why did you shy away from kindness and deliberately choose cruelty?

**Ms LOVELL** (Northern Victoria) (14:51): I rise to speak on Mr Meddick's motion, and in doing so I will say that the coalition do oppose Mr Meddick's motion, and that is consistent with our position in the coalition minority report on the Environment and Planning Committee's report *Inquiry into Ecosystem Decline in Victoria*, which was tabled in December 2021. Mr Meddick's motion is based around recommendation 7 of that report. However, in our minority report, which was tabled by Dr Bach and Ms Bath, who are the Liberal and National members on that committee, recommendation 8 says The Nationals and Liberals oppose the phase-out of legal 1080 baiting used in accordance with the prescribed standard.

So what is 1080? Well, sodium fluoroacetate, better known as 1080, is an odourless, tasteless white powder that is diluted with water to concentrations specific to the species that is being targeted. It is used for the poisoning of wild dogs and other introduced predators by incorporating it into fresh, dried or processed meat baits. How safe is it? Well, we do know that it is a lethal poison; that is why it is used for baits for these animals. But access to 1080 is highly restricted and not available to the general public in its concentrated powder form. 1080 is only available in Australia in diluted premixed solution at concentrations applicable to the pest species that is being targeted, and only authorised and properly trained operators are permitted to handle 1080 or to prepare baits. Landholders and land managers are not permitted to handle 1080 solution in most states and can only access 1080 in a prepared fresh meat bait or manufactured meat bait. The concentrations used for vertebrate pest management and particularly wild dogs are extremely low and not lethal to humans. As an example of that, for a 90-kilogram adult human to be poisoned they would need to eat 9.5 kilograms of poisoned meat in one meal, which is equivalent to almost 40 baits. A 20-kilogram child would need to consume 1.5 kilograms of poisoned meat in a single meal.

We know that it is highly effective for the management of wild dogs, foxes and feral cats, but what is the threat to our native animals? Well, many scientific studies have been undertaken to consider the risk of 1080 on native wildlife, and all of them have found that there is no threat from 1080 baiting that is used to control wild dogs, foxes and feral cats to all of the populations of native animals that have been studied, including 29 species of native birds, seven species of native reptiles and amphibians and 44 species of native mammals, including carnivorous marsupials such as the spotted-tail quoll.



The quoll population is actually really interesting, and the reason that it has been used as a case study for the impact of 1080 on native animals is that quolls, whilst they are very small animals and very light in body weight, are very voracious in their eating of meat and eat quite substantial amounts of meat per day. One study by Körtner in 2007 found that one female quoll that they studied had evidence of eating six of the wild dog baits with no impact on her health.

So what is the reason that it is not impacting on the native animals in Australia? Well, many Australian native animals are tolerant to 1080 because over 30 Australian native plants naturally produce sodium fluoroacetate, which is found in the 1080 baits. Synthetically manufactured 1080 is identical to it, and it retains all of the properties of the natural sodium fluoroacetate poison that is found in these native plants. This is the reason that people believe and scientists believe that Australian native animals are not affected by 1080 baits. We do know, as Mr Meddick pointed out, that 1080 baits can kill domestic and working dogs if they eat a lethal dose, and therefore it is imperative that domestic and working dogs are restrained from roaming freely and are muzzled if and when they are working and owners heed warning signs when baiting is occurring.

So why do we use it? Well, to date 1080 is the most efficient, humane and species-specific pesticide available for declared pest animal control in Australia. Remember: we are not talking about native animals, we are talking about pest animals and introduced breeds that actually cause significant deaths of native animals, so we are talking about wild dogs, wild foxes and feral cats that prey on our smaller native animals and that also prey on stock on farmers' farms. This is used to control pest animals, and controlling pest animals is essential for the conservation of endangered native animals and for minimising their impact on native flora and fauna and farm livestock.

All Australian states and territories endorse 1080 baiting as part of an integrated approach to pest animal management. In Australia 1080 supply and use is highly regulated, as I have already said. It is a restricted schedule 7 chemical product and can only be supplied to persons who are authorised to use the product under the laws of a state or territory. Each Australian state and territory has strict regulations for the manufacturing, labelling, handling, storage, supply, use, retrieval and disposal of 1080 baits. 1080 baits are formulated to be lethal for the target pest species yet to minimise the impact on non-target species such as native wildlife. As I have said, it is a very effective way to manage those pest species in Australia, which actually helps to preserve our native wildlife but also to protect our stock on many farms as well. That is why the coalition will not be supporting this motion.

**Mr GEPP** (Northern Victoria) (14:58): I rise to speak on Mr Meddick's motion in relation to 1080 poison. Like with the motion earlier today brought by Mr Barton in relation to workers in the gig economy, something he is very passionate about, I also commend Mr Meddick for bringing this motion to the house. He is very passionate about these matters. Whether or not people agree with him, I think the one thing you cannot argue with is how strongly Mr Meddick feels about these issues and his continued pursuit of them.

Can I say from the outset that clearly the things that Mr Meddick is asking the government to do are to implement recommendation 7 of the Environment and Planning Committee's report on the inquiry into ecosystem decline, tabled in December 2021, by introducing a phase-out of the use of 1080 poison to be finalised by December 2023, with Victoria's national parks beginning in July 2022 and private and agricultural land after 12 months, and to commit to further investment and the introduction of alternatives, including but not limited to immunocontraception, as an urgent priority. I note that the government is yet to respond to that report and those recommendations, and it is appropriate that we see what sort of response is forthcoming from the government to that report rather than dealing with it in a piecemeal fashion.

Mr Meddick has taken us through very graphically the use of 1080, and its use has also been touched on by other speakers. I will say that the use of 1080 is of course very strictly controlled but is considered to be a critical tool for protecting Victoria's biodiversity and livestock industries from pest animals. We know that it is an active constituent in a number of pest-animal baits and that these

products importantly are registered by the Australian Pesticides and Veterinary Medicines Authority, the APVMA, and used in Victoria and other states and territories for the control of things such as foxes, rabbits, wild dogs and feral pigs. These baits are commonly used by public land managers, as we know, such as Parks Victoria, for biodiversity protection and by farmers to reduce damage caused by pest animals and to protect livestock from predators. In terms of its use, baiting is considered to be most effective when it is conducted across the landscape and in combination with other control methodologies.

Important points there that I think as part of this debate we need to be cognisant of are that the use of the products that contain 1080 have to be registered by the relevant authorities—where they are used, why they are used—and importantly they are to be used in proper and appropriate ways. Of course that is also monitored by the Department of Jobs, Precincts and Regions. I think there are something like a dozen or so officers who are charged with the responsibility to follow up reports of misuse and the investigation of that use. I do not want to go into all of the detail, as I said, that Mr Meddick and others have covered off, but I think those are very important points to make.

I would also make the point that it is always difficult when we are talking in this sort of space. It is a very sensitive topic and a very difficult topic, and I completely understand that. I certainly understand Mr Meddick's passion for this issue and his consistent advocacy in this space.

It is particularly used in the agricultural industry, and of course I am very pleased that the Labor government is backing our agricultural sector with an ambitious vision for its future with our 10-year agricultural strategy. In this year's budget alone some of the investments that we have made in this very important sector of our economy are \$1.8 million for collective biosecurity action, including support for community pest management groups; \$12 million for a world-class glasshouse and innovation and incubation hub in Horsham in Mr Meddick's electorate of Western Victoria to cement Victoria as a leader in alternative proteins, and I know that has been very well received; \$2.9 million for Victorian grown to get more Victorian projects on the tables of Victorian homes and businesses and grow exports; \$1.4 million to support climate-ready agriculture; and a record \$18.6 million for initiatives to support animal care and protection—and I know that Mr Meddick talked about that earlier today as well and is very supportive of some of those measures.

Agriculture is a key component in our economy here in Victoria, and it is responsible for somewhere in the order of 74 800 jobs in agriculture and 21 700 farm businesses. \$17.8 billion is the value of our agricultural production here in Victoria. We are the largest ag producer in the country. We produce \$14 billion of value in Victorian food and fibre exports, and we are responsible for 27 per cent of the national food and fibre exports from Victoria throughout the world. So it is very important that we find best practice ways to protect that industry, bearing in mind the matters that are being brought forward in this motion today.

As I said at the commencement of my contribution, I am cognisant that the government is yet to formally respond to the report from the Environment and Planning Committee, particularly recommendation 7, which is encapsulated by Mr Meddick's motion. I think it is important that the government does respond to that report, to that inquiry and to those recommendations, and that will assist the development of the appropriate uses of all of these sorts of materials, techniques and strategies to ensure that ecologically and environmentally we can live harmoniously with our environment as best we possibly can.

**Mr BARTON** (Eastern Metropolitan) (15:06): I just want to thank Mr Meddick for bringing this motion to the house today. As someone who actually owned and operated a small farm myself, I know a little bit about this 1080. If it is any consolation, Mr Meddick, we would never have allowed 1080 on our property. We had the dogs and cats, we had our livestock and we were well aware of how fatal and severe 1080 is to all animals. The scientific research tells us that the death that animals suffer from 1080 poisoning is brutal. It is cruel and inhumane. It is my view that 1080 is a product of the past and

should have stayed there. We all know how incredibly cruel the death is when animals ingest this bait, so let us change that.

Last year the highly regarded journal *Australian Zoologist* published a historical review of the Australian aerial baiting pest control that targeted dingoes and wild dogs over a 73-year period from 1946 to 2019. The findings of this review ought to be a cause of concern for anyone who is interested in sound public policy. The results of these tests, which commenced in 1968, showed that the baiting was an overwhelming failure. The review found that:

More tests in the 1970s had similar results, yet the broad-scale poisoning of pest species from the air continued. The application of aerial baiting in dingo/wild dog control is believed to have a temporal effect, anecdotally achieving short-term goals ... There is no conclusive data, however, to support this claim.

We have been at this for three-quarters of a century. We have spent untold sums of public money and inflicted untold pain and suffering on an untold range and number of animals, and there is no conclusive data to support the claim that it even has a short-term effect on livestock losses. The paper goes on:

A review of the scientific and historical data raises concerns about the ethics, inefficiencies, indefinable impacts, and high uptake of baits by non-target species, throughout aerial baiting operations in agricultural and conservation zones. The report concludes that the impact of aerial baiting is essentially incalculable, and potentially environmentally hazardous. The risks of these programs have been greatly understated in published reports and reviews over the past 70 years.

As a result of findings such as this, most jurisdictions worldwide have banned or restricted the use of 1080 due to non-target species deaths as well as risks to human health and safety. Sadly 90 per cent of 1080 use globally occurs in Australia and New Zealand.

1080 is a chemical warfare weapon. In fact it remains on the Australian federal government's list of chemicals of security concern. We know that 1080 can remain in the environment for long after it has been planted. 1080 has the potential to contaminate our water and food systems by entering through the faeces of poisoned animals. We should be concerned about the harmful effects of 1080. Not only is it cruel, but it damages our environment and it poses an unjustified risk to our community.

We need to protect our native wildlife. We need to protect our farms and livestock too. We have a toolbox to manage vermin. 1080 is now a tool that is obsolete and unnecessary. None of the alternatives are necessarily pleasant, nor are they perfect; however, they are considered more humane. We should always be trying to find a better way of doing things, so I commend this motion to the house.

**Dr RATNAM** (Northern Metropolitan) (15:11): I am pleased to make some brief comments in support of this motion. Phasing out the use of 1080 poison in Victoria is longstanding Greens policy. We know, like many in the community, that 1080 poison is a cruel and inhumane method of animal control that does not belong in Victoria. Animals who have consumed 1080 poison die a painful and prolonged death anywhere between a few hours and two days after consuming the poison. The poison causes severe effects, including tremors, vomiting, screaming fits and severe seizures. It has been described as akin to being electrocuted for two days.

The use of 1080 poison contaminates our waterways and can last in areas for up to a year. It has no taste or smell, making it impossible to use it to target just one species, and because it is often distributed through aerial baiting, it is spread indiscriminately across our regions, meaning that any animal could ingest the poison. It is frequently consumed by non-target species, like domestic pets, or native species like the endangered spotted-tail quoll.

In Victoria we also use 1080 poison to deliberately target the endangered and increasingly at risk dingo, a move which is not backed up by the evidence. The persistent misconception that dingoes threaten livestock numbers, like sheep, is disproved by the fact that sheep losses from dingoes are very low—fewer than 200 per 1 million sheep each year. Rather than addressing a threat to biosecurity, it

actually creates one by thinning the numbers of our apex predator and reducing its sway over the invasive populations it helps control.

The use of this dangerous poison is now out of step with community values. I have tabled petitions in this chamber calling for 1080 poison to be banned for good, and thousands of signed petitions are hosted on platforms such as change.org. The rest of the world has already banned or restricted the use of 1080, recognising it for what it is: a dangerous chemical weapon. Australia is once again an outlier on nature and the environment.

Phasing out 1080 poison was one of the recommendations of the Environment and Planning Committee's inquiry into ecosystem decline. The Greens-initiated inquiry was a landmark investigation into biodiversity and ecosystems in Victoria, and its findings were stark. The fact is we are already in an extinction crisis, with over 2000 species on Victoria's threatened species list. Invasive species are one of the biggest threats to our native wildlife. Along with phasing out 1080 and researching more humane methods for controlling pest animals, the committee's report included eight other recommendations for managing invasive species, including reviewing the legislative framework to, amongst other things, make invasive species a responsibility of the Minister for Energy, Environment and Climate Change; ensuring a focus on preserving biodiversity rather than facilitating agriculture; providing adequate resources to implement the existing legislative responsibilities; trialling the reintroduction of dingoes as an apex predator in appropriate regions; funding research into decontrol methods; and considering a range of mechanisms for controlling feral cats. I note the government is due to respond to the inquiry at the beginning of next month. I expect the government to be taking all of these recommendations relating to invasive species as well as the impacts on climate change and habitat loss very seriously.

The report also found that Victoria has been grossly underfunding conservation and biodiversity measures to the tune of billions of dollars. It was very disappointing that the latest budget contains virtually no new funding for protecting our environment or saving our threatened species. In fact over the forward estimates the Department of Environment, Land, Water and Planning is set to lose \$900 million in an almost \$1 billion reduction in spending on the environment over the next four years from this government. At a time when our environment is already at serious risk and our extinction crisis continues to worsen, we cannot delay action any longer. The significant report into the ecosystem decline represents a turning point for our state, where if we did have a big funding boost we could reverse the damage to our environment and restore it to health for all of us and for future generations. I look forward to the government's response and expect to see a full acceptance of the recommendations, including the phase-out of 1080 poison.

**Mr GRIMLEY** (Western Victoria) (15:15): I rise to speak on Mr Meddick's motion regarding the use of 1080 poison. This is a matter close to Derryn's heart so I am proud to speak on this on behalf of the party. Derryn Hinch has been campaigning on animal welfare since a time when many in this chamber were in school and potentially some were in nappies. He wrote about kangaroo slaughter for the *New York Times* in the 1970s and took a petition with 30 000 names to Canberra, protesting the live export of sheep and horses in the 1980s. In 2018, when he was a senator, Hinch introduced a bill which would phase out long-haul live sheep exports to the Middle East over five years. On this issue, though, Derryn spoke directly to 1080 poison in the Senate in 2018, calling for a phasing out of the substance. He called it a 'horrific killing device that was ... placed ... by government agencies', and it is for this reason that we will support this motion.

Some of the reasons to support the elimination of 1080 poison include that it is indiscriminate, meaning that it kills everything that eats it, not just the target pest animal. Following on from that it kills native animals as well as pet dogs and other animals. A teaspoon of this stuff has the potential to kill 100 people if ingested. It is illegal in many other countries due to its security issues, such as in the USA, and there are councils which have stopped using 1080 in recent times in Australia as well. There are alternatives to managing pest populations despite their being quite expensive and labour intensive. I do, however, preface that by saying Ms Maxwell and I, who have rural electorates, are concerned at

the cost implications and logistical issues that this motion may pose for farmers. We also fear that should this pass today there may be inadequate time to introduce new pest management strategies, which would hugely impact farmers and land managers.

Whilst farmers rights and good intentions are often ignored, they need to be considered. These are the hard workers who put food on our plate and bring exceptional economic prosperity to our state. We think that the time constraints in this motion may be difficult to meet. However, we hope, despite the ambitiousness of the time line, that if this motion passes, the government will work collaboratively with farmers and land managers to assist with the move away from 1080.

It is important to note that whilst 1080 is a cruel and indiscriminate poison for animals, it is often used to stop other animals being killed by foxes and also to preserve businesses. Chickens, lambs and many other young animals are particularly vulnerable to foxes, but they can also kill horses by digging burrows or dens in paddocks where horses or other stock may graze and therefore break a leg. Foxes are relentless, awful creatures. On farms, rabbits are a destructive animal that eat produce, burrow and cause multiple issues across the agricultural sector. In terms of native animals, despite the argument that they can be killed by ingesting 1080, the use of 1080 to eradicate pest animal populations has in some areas allowed native animal species to flourish. For example, a report by the Invasive Species Council titled *1080: A Weighty Ethical Issue* found the poison helped eradicate foxes in South Australia's Ikara-Flinders Ranges National Park, which enabled western quolls and brushtail possums to be successfully reintroduced in 2014. So this continued narrative that people or organisations that use 1080 to control fox or rabbit populations are trying to kill everything in their sights can be misleading. It is often in fact the opposite: that they are trying to save certain other species or animals that may or may not be connected to farming practices.

In saying this, we understand that there are other ways to control pest animal populations. We think these should be explored in heavy consultation with landowners, farmers, traditional owners and other experts to ensure that there are not any unintended consequences and that it is a cost-effective approach also.

To summarise, Derryn Hinch's Justice Party will support this motion. We would be very happy to see 1080 phased out in Victoria and, frankly, across the country, and we hope that if this motion does pass today the government will ensure proper consultation in a replacement approach for controlling pest animal populations. I thank Mr Meddick for bringing this motion to the house, which we will support.

**Ms PATTEN** (Northern Metropolitan) (15:20): I rise to speak in support of Mr Meddick's motion. It was interesting hearing Mr Grimley talking about the long experience of Mr Hinch in this area. Certainly as someone who has got a conservation reserve of some 300 acres that backs onto the Snowy Mountains national park, I am well aware of the use of 1080 and I am well aware of the ineffective use of 1080. I am well aware that it has not stopped the feral pigs, it has not stopped the foxes, it has not stopped the rabbits and it has not stopped the wild dogs and the feral cats. We still have a significant issue with all of those despite decades of baiting using 1080. So we have to do this differently. We know that this is an incredibly dangerous poison. While it has not stopped the number of pigs, rabbits, foxes and dogs in my area, it has had an effect on some of our lizards, it has had an effect even on some of our marsupials and it has really had an effect on some of our birds.

I was pleased to see that some jurisdictions are already phasing this out in Australia. We know that most jurisdictions overseas have already done it. They understand that it is a horrible poison that does awful things to any animal that consumes it, but more importantly it actually is not an effective pest management and pest control strategy. As we know, it has been banned in most countries. I mean, it was banned in the USA in the 1970s. This is something that other jurisdictions moved on from long ago. Australia is in a real backwater in regard to the use of this poison.

I note that—it was only probably last year—the Blue Mountains local government have phased out using this. There have been calls for national parks in New South Wales to phase out using this, and,

probably closer to home, we have had a parliamentary inquiry report that is recommending that we phase this out—so we must do this. As that inquiry into ecosystem decline in Victoria found, we have some really significant issues around the decline of our ecosystem, the decline of our species and the extraordinary rate of extinction of our native animals in this country. 1080 plays a role in that, and it does not play a good role. There are far better ways to protect our native flora and fauna than using 1080, which has been found to, as I say, not even be effective.

So this is a sensible motion, I think. Most of the farmers in our region no longer use 1080. They do not have to. We have hunters in the area—which might not be the Animal Justice Party's solution to this. We have hunters and we have other ways to protect any of the livestock in the area that has been attacked by dogs in the past. That concern has largely disappeared in my area, as has the use of 1080. So there are other ways to deal with this, and I commend this motion.

**Mr QUILTY** (Northern Victoria) (15:24): I will indeed be brief. The issue of 1080 poison bait is one that crosses over between conservation and agriculture. Both farmers and many environmentalists consider it an important tool in controlling pest animals, particularly foxes and wild dogs, as well as rabbits. As any farmer will tell you, it can be an incredibly valuable tool, especially around lambing season. I have used 1080 on the farm before and during lambing time. It is highly effective at knocking out foxes and boosting lamb survival rates. We would put out many hundreds of baits over a period of weeks before and during lambing, and we would find dead foxes everywhere—a lot of them. Foxes eat lambs for a period of weeks during the lambing season. In between, for the rest of the year, they must be slaughtering the native wildlife by the thousands. City MPs who do not understand how things have to work in the bush should be very careful about making rules for us. One of American economist Thomas Sowell's more well-known quotes is well worth considering here: 'There are no solutions ... only trade-offs'. That is one that is worth printing out and hanging on your office wall—especially valuable for people in this place who often think there is a perfect solution to a problem, only to have policy meet reality and be forced to realise that there are known and unknown consequences and trade-offs with their new policy or approach.

Some of the announcements related to mental health over the last year are a great example. Apparently we will just whip up a bunch of new mental health workers to be stationed in schools, as though we were just hiding them under the bed somewhere, and they will not have to be taken from other services that will be diminished by their absence. There are no solutions, only trade-offs.

1080, or sodium fluoroacetate, is an effective poison bait used primarily in Australia and New Zealand. One of the reasons for this is that we have several plant species here that produce it naturally and many native animals have a high tolerance for it. It is widely considered an effective and targeted tool for pest management in both agriculture and conservation. But it is not without detractors or issues; hence the quote about trade-offs. 1080 cannot distinguish between a feral wild dog or cat or your fluffy pet. It does not happen very often, but it is possible that pets or working dogs will eat the bait. It is also true that animals can suffer for a while after ingestion. I am, honestly, not overly concerned about the suffering of the fox that was going to eat my lambs, but if there is an alternative, that is great. If we want a faster death, we could increase the dose rate again, but we have traded off a quick death in order to reduce non-target poisoning.

Different agencies and environmental groups have different takes on its effectiveness in protecting threatened and endangered native animals. It was apparently very effective at Phillip Island in eradicating foxes there and protecting the penguins. The parliamentary inquiry also heard from other researchers suggesting that there might be a greater impact on native species than many previous studies indicate. Perhaps that is true. Maybe there are more trade-offs than we thought. I can appreciate that Mr Meddick and other animal activists would prefer a method of pest control that creates less suffering. If that can be done, if there are effective and cheap methods to control pest animals with fewer negative impacts on non-target species and less suffering, then that is great. I am sure everybody will jump on board. We will not need the government stepping in to ban it. People will willingly move to a newer, better solution. My main concern, and the reason that I will not be supporting this motion,

is that I do not think that we are there yet. There is no evidence that alternatives to 1080 baiting are ready for widescale use as a replacement. Keep researching them and conducting trials, but a ban on 1080 may well lead to the use of alternative poisons with more negative impacts and less success at controlling pest species. The Liberal Democrats will not support this motion.

**Mr MELHEM** (Western Metropolitan) (15:29): I also rise to speak on Mr Meddick's motion in relation to banning 1080. Mr Meddick and I were on the same committee, the Environment and Planning Committee, when we were doing an inquiry in relation to the ecosystem. That is one of the matters that was actually canvassed by the committee, and I understand Mr Meddick is referencing the committee's recommendation in relation to the government banning 1080 poison use in Victoria. Now, I sort of sympathise and I accept and I want to commend Mr Meddick for his advocacy on animal welfare. I have got to give him that. He has been working tirelessly with his party and his group in making sure that animal welfare is put at the front of whatever we do in the state of Victoria. I think that is a good thing to do and to advocate on; I commend him on that.

I think no-one in this chamber or in Victoria wants to see any animal suffer. I do not know many humans who actually want to go and see—there are some sick ones, but humans generally do not want to see any humans or any being or animals suffer. Unfortunately 1080 has had to be used or deployed by the agricultural industry. It is all about a balancing act. It is probably not the best poison to use—well, any poison is not a good thing to use. But as some of the speakers have talked about, it is how you balance that, how you provide certainty to farmers who want to protect their animals, their crops or their land from one of the main predators being targeted by 1080—foxes, in this instance, basically during lamb season—and how you actually address that problem. I think we all would love to be able to address that problem without deploying 1080 if we were able to deploy a humane method to do that. I have had some discussions with Mr Meddick about various options that might be available and some research in that area. I think we can all agree that, on alternatives to 1080, we should continue to look at methods to explore how we can deploy some other methods in lieu of the 1080, and the recommendation of the committee was trying to balance that.

Now, from my reading of various submissions and what other people and experts in the field have talked about, I am not sure we have got that replacement. I suppose there might be some debate about whether we are six months away or 12 months away or we already have it, or it could be years away. I think on the principle itself about whether or not 1080 is the only method, at this point in time as far as I know it is the only workable solution—it may not be the preferred one—to deal with animal pests. We talked about foxes and we talked about rabbits, for example. We do have animals; we live on a farm, and rabbits go and dig holes in the paddocks. I think Mr Grimley talked about horses breaking their legs, so it is definitely a problem. It is all about a balancing act and which one you want to protect—the horses, for example, in that instance and in our experience, or the foxes or the rabbits.

So I think it is premature for us to have a total ban on the 1080 because we have not got the alternative in place. But I do accept what Mr Meddick is saying and maybe trying to achieve, and we could probably expedite the research and investment to make sure we put something in place to replace it. I think that is a good thing and that is something I will support and I am happy to advocate for within government—to actually provide more investment and research to find a workable alternative to the use of 1080, to produce a product or a poison or a virus or whatever we want to call it to basically eliminate the problem, which is dealing with pests which actually impact on the agricultural industry but also doing it in a humane way with something that is an alternative to 1080. I suppose what I am saying is: if we have an alternative tomorrow to 1080, we should deploy that. Should we continue to invest or maybe look at further investment to make sure we find an alternative? I think we should, so we agree on that.

But what I am mindful of also is that we have an agricultural industry in Victoria which we need to protect and maintain, because the state depends heavily on agriculture. It is one of our biggest industries. Especially in this turbulent world we are in, with what is happening in Europe at the moment, there is more demand on Australia and New Zealand's farming and agriculture industries to

make sure we continue to produce food to feed the world. I am proud that the Victorian government have invested heavily to support the industry, as the industry supports some 75 000 jobs in the agriculture industry, some 21 700 farm businesses that operate in Victoria and \$17.8 billion of agricultural production in Victoria. We are the largest ag producers in the country, with \$14 billion of Victorian food and fibre exports. Some 27 per cent of our national food and fibre exports come from Victoria, which is more than any other state. That is the point I was making earlier about how you balance and protect an industry to make sure the industry continues to flourish for the reasons I outlined earlier—not just for feeding Victoria but feeding the country and the rest of the world. It is a very important sector.

Unfortunately the only viable option—as far as I know, from what I have read—at this point in time is using 1080. My understanding is there are various licensing arrangements in place, where people need to have a licence to actually use it and specialised training to be able to deploy the correct amount of doses, because it is a dangerous product. There is no question about that. It is not the safest method to use. I think there is no argument there at all. But I think we have enough regulations and safeguards in place to make sure it is being used in accordance with safe operating procedures. That is why until there is a viable solution or a viable product put in place, unfortunately—and I will say unfortunately—I do not see any way other than to continue to use 1080, but I am looking forward to the day when we have a total ban on the use of 1080 in Victoria. Hopefully that will be sooner rather than later, and hopefully that will be in line with what the committee have said. That is why the government in the next six months—I think it is less than six months now, four months—have the time to respond to the committee's report.

I want to commend all the members on the committee. They actually did some really terrific work on the ecosystem report, which contains the recommendation in relation to 1080. I am hopeful that the government will come back with a solution, and the only way will be to put further investment into research to find a product that can replace 1080. With these comments, I will leave it at that.

**Mr ERDOGAN** (Southern Metropolitan) (15:38): I rise to speak on notice of motion 760 moved by Mr Meddick in relation to 1080 poison. It is quite a common rodenticide and pesticide that is used in Australia. It is a product that is obviously highly toxic, as a number of the speakers have shared with the chamber today. Obviously Mr Meddick, Mr Barton and Mr Melhem also reflected on this poison that is being debated today. It is an interesting one because motions such as this always raise the different, competing interests in society—they come to the fore. Obviously we need effective pest control mechanisms, and 1080 seems to be one that is used quite frequently.

I note that there has been an Environment and Planning Committee report which has called for the phasing out of this poison, which would make sense when you see how toxic it is. Before coming to the chamber today to speak on the motion before the house I did a little bit of my own research into it, and I could see some quite horrific videos online shared by animal activists on the effects of this poison on animals out there.

Obviously we have heard stories before that have been shared of other animals, such as pet dogs and others, that are not the target but are also victims of this poison inadvertently. But it is one of those bills which raises the prospect of the competing interests between, in some instances, the agriculture sector, which needs to stop these pests, and the protection of our biodiversity. Some of the species targeted by 1080 are not native species and actually endanger native species, and that is why the use of this poison is prevalent. Obviously Victoria's agricultural industry is a very successful sector. It employs over 70 000 people. There are over 21 000 farms in our state, over \$17 billion of value in agricultural production and we are the largest agricultural producer in the country. The value of Victorian food and fibre exports is \$14 billion, and 27 per cent of national food and fibre exports come from Victoria—more than any other state. It is important because at this time the Victorian agricultural sector and the agricultural sector in Australia and globally are facing a number of challenges brought about by the global pandemic—issues such as rising fuel prices, global shipping and transportation



costs, challenges with labour and a number of other factors that our agricultural sector is facing in this country.

Pest control is still an ongoing issue, and the use of 1080 at this point seems quite common because it obviously works. It has some devastating effects on animals that are not the target of 1080 but it seems they are being caught in this, and I think it is quite sensible that we do inquire into the need for alternatives, investigate their effective use and make them readily available as soon as possible. Mr Meddick's motion calls for a phasing out, effectively, in line with the Environment and Planning Committee's report, by December 2023, which is actually quite soon. It would only be about 18 months away for the complete phasing out of this poison, and at this time from all the research and what I have read on this topic there is not an easy replacement right now. There are other methods, but whether they are going to be implemented, as Mr Grimley said, in a timely fashion is not necessarily clear for me today. Mr Meddick, I know, brings this with the best intentions and utmost concern for animal welfare, and on that point I do agree with him. It is, like I said, quite devastating to see the effect that this poison has on animals, and obviously although it is targeted at pest animals, native wildlife can also be victims of 1080 poison. So I guess the choice of control techniques depends on many factors, including a combination of lethal and non-lethal methods, to achieve the best pest control in different locations across our state and nation.

But I guess also a best practice assessment of the benefits and costs—a cost-benefit analysis—before the use of 1080 is needed. 1080 obviously is a restricted poison. You need to be licensed in order to use this poison. Agriculture Victoria regulates the use of 1080 in Victoria. 1080 products can only be supplied and used by a person holding an appropriate permit licence in Victoria. This can only be obtained by completing mandatory training in the safe use of agricultural chemicals. 1080 products must be used in strict accordance with the product label and document directions for the use of 1080 and pest animal bait products in Victoria. It is obviously enforced as well, so misuse will be investigated and appropriate penalties will apply. So there is a mechanism in place to make sure that this poison is not misused. But, again, I can see Mr Meddick's serious concern about the ongoing use of this poison, and I am very hopeful that better alternatives will be developed and in due course implemented in our agricultural sector and more broadly in society. Right now as we speak today I do not feel I can support the motion for a number of reasons, some of which were outlined by previous speakers such as Mr Melhem. But even Mr Grimley made some important points about how, until there are safe alternatives, right now it is a needed mechanism in that kind of pest control system.

Obviously it is difficult because animal welfare is always front of mind, and we need to make sure that whatever method is used minimises harm to any other animals. We do understand that dogs are amongst the most susceptible, but native fauna and birds can also be susceptible to 1080 and we want to minimise any impacts through best practice approaches. Native fauna generally has a lower susceptibility than introduced mammals. This is due to the presence of native plant species that produce naturally high levels of fluoroacetate. These plants are widely distributed in Australia, and many native Australian animals have a tolerance for 1080 which reduces the risk that these non-targeted species—birds, reptiles et cetera—fall victim. Baiting achieves benefits for native animals through the removal of feral predators and competitors. That is the other argument in this discussion. I guess to prevent secondary poisoning of wildlife, baits are formulated to target specific species with low concentrations which degrade rapidly. I think it was Mr Barton who touched upon that in some instances 1080 can be prevalent and may have long-lasting effects. That is why it is important that a more targeted range be produced.

The damage caused by wild dogs and foxes is confronting, brutal and distressing. When wild dogs attack they often leave sheep alive with horrific injuries. These poor animal welfare outcomes can be prevented with good pest management practices, including the highly regulated use of 1080, but obviously we are also concerned about environmental contamination which can take place due to 1080. 1080 does not necessarily contaminate the environment as it rapidly degrades through the action

of soil microbes, and the low rates used mean that any 1080 finding its way into the watercourses is significantly diluted to prevent harmful contamination of any soil water.

Obviously there are risks to humans. As a poison 1080 poses a risk to people; however, this is managed through strict regulatory controls on its supply and use. I talked about how Agriculture Victoria regulates the licensing provisions around 1080 so only people that have the appropriate licence and training can use it. But I think we would all like to see the phasing out of toxic chemicals such as 1080 being used on animals as a control mechanism. We do not want it. We want a more natural and a better, safer solution, and I am hopeful that something can be developed as soon as possible so that we can move towards banning the use of 1080. It just does not seem like it is the right time now. On that note I will conclude my contribution.

**Ms TAYLOR** (Southern Metropolitan) (15:48): First of all I want to acknowledge the incredible work of Mr Meddick in the very many fights that he takes on in the protection of animals. Certainly he has a long record of doing this and a very strong conviction with regard to all species, I would say. I hope I am not overgeneralising in that regard. I certainly know that he is well respected for this incredible work, and I know that the government works quite closely with him. There are certainly some joint projects and task forces and other things that have been brought about—very constructive work. I think that is a good part of the democratic process—that we are able to work together as colleagues in this place, so to speak, on projects that are for the betterment of the community or for the betterment of animals that we hold so dear. I certainly have a lot of respect for that.

I did want to just tap into our agricultural sector, noting that all Victorians benefit from a strong and growing agricultural sector and the jobs that it supports—so thinking about animals and other aspects of agriculture, but obviously there are also some really exciting alternatives now as well. That is why we are backing agriculture with an ambitious vision for its future with our 10-year agriculture strategy. Our agriculture investments in the 2022–23 budget include \$1.8 million for collective biosecurity action, including support for community pest management groups, and \$12 million for a world-class glasshouse and innovation and incubation hub in Horsham to cement Victoria as a leader in alternative proteins. This is a really exciting space, actually. I have no expertise whatsoever when it comes to alternative proteins, but nevertheless when we are looking forward to sustainability into the future and to feeding the masses, so to speak, to have other options certainly, I would say, is a positive thing. It is very good that we are investing, and it is a significant investment when you look at it. That is \$12 million towards alternative proteins. I have not actually sampled them, but I am seeing more and more of these alternatives coming into the supermarket, so that suggests that there is growing appeal and popularity for these products, which is interesting. It is a very creative and dynamic space as well. I certainly commend all those who are participating in these activities, noting how important it is not only to be able to feed current Victorians but also to nurture Victorians into the future. And, who knows, these could be products that might be able to be exported. Maybe they are already exported, for all I know. As I said, I do not have a lot of expertise in the actual subject matter, but suffice to say it is certainly an exciting space to be involved in.

There is \$2.9 million for ‘Victorian grown’ to get more Victorian produce on the tables of Victorian homes and businesses and grow exports. On that topic of exports, sometimes we probably take for granted how significant Australia is as a player in this space, both locally and abroad. The quality of our products, I know, is incredible. It was some time back that I lived overseas, but when I did live overseas—and I will not name countries or places because I have had wonderful food overseas as well, let me say, so I am at the risk of generalising—I have to say that there were times when I had taken for granted, almost, the quality of our produce. You eat overseas and you come home, and in some ways you go, ‘Wow, we do a mighty fine job in that space’. Not only the great variety of fresh foods that we have available but also the restaurants and the different cultural influences on foods in Australia are outstanding. I know that things have evolved considerably from where things may have been once, and this is a testament to—I am talking in the Victorian space, but I do not want to limit it. I think I have to limit it to that because we are in a Victorian context, but I would say that across Australia there

is some fabulous produce as well. However, I am mighty proud of Victoria and what we are able to produce, and I certainly know that we definitely hold our own on the world stage when it comes to that.

Another really exciting space is our \$1.4 million to support climate-ready agriculture. Again this is coming back to the theme, which is actually a really important one, of sustainability into the future and also for the benefit of farmers themselves so that they have businesses that they are able to sustain into the future, ones where they are able to work with the landscape in a way that actually supports them as well. I mean, we know traditionally that Australia is certainly not an easy place to farm. I am sure farming is never an easy thing to do, but it is a land of extremes, and so I have a lot of admiration and respect for being able to cope with those extremes. And then you add climate change on top of that and you are certainly adding some particularly difficult climatic circumstances under which to crop or otherwise, to graze animals et cetera—my humblest respect to them—day in, day out. I do not think there is ever a day off for a farmer. I remember as a child I was lucky enough that my parents at times would take us to camp on a farm—like I said, with the permission of the farmer, who would allow us to camp there—and we would be able to ride on the bike around the property and stuff. It was amazing but also enlightened us to the incredible demands.

I also have older relatives in my family, a great aunt and uncle, who used to run a dairy farm in Tasmania—sorry, that is Tasmania, but nevertheless still Australia—and I know the incredible hours that they worked. Can I say my great-aunt—she is in her 80s—even though she does not have that dairy farm anymore, still kind of lives that life in the sense she still works around the clock and does everything herself. Because that is the other thing—the incredible resilience of farmers who cannot necessarily just call on someone to come and repair this or that or otherwise on their properties. I know with my great-aunt that we are mystified. I mean, it is actually formidable that she is still that fit, but for want of a better word she seems to have been conditioned from her life on that dairy farm in terms of getting up really early, going to bed early and doing everything herself, even painting things herself et cetera. I just think that is probably a testament to her life experience in that regard.

Anyway, I was a little off track there, but it is just to say that I have an understanding of the rigour and the challenges that are involved with farming and have respect for that as well, knowing that it does build a pretty resilient human being and one that, even as a city dweller, I have enormous respect for. I do understand that, whilst I have not lived that life, it is a seven-day-a-week job. Let us be clear about that: it is a seven-day-a-week job, and we know that it is a particularly tough one. And because there are also export and other industries that rely on our farmers, we need to back them in, and we certainly do. We also have a record investment of \$18.6 million for initiatives to support animal care and protection. That is also a testament to our government's commitment, because again, we understand that all species need respect, and we obviously want to honour that. But there are so many good reasons why we are committed to that as well. Just on a final point, we know that there are 74 800 jobs in agriculture and 21 700 farm businesses, so this is certainly a significant part of the Victorian economy and landscape.

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

**Ms SHING** (Eastern Victoria) (16:21): I note that the time for this particular motion brought by Mr Meddick today is almost upon us, so with the brief opportunity that I have today to talk to this particular motion I want to as a regional member acknowledge the importance of addressing this issue of 1080 and the impact of this particular substance on wildlife and on fauna which ingest it or are indeed part of the chain of ingestion and the consequences that that brings.

I also want to acknowledge that there was an Environment and Planning Committee report tabled in December 2021 which proposed the introduction of a phase-out of the use of 1080, to be finalised by December 2023, which is paragraph (2)(a) of Mr Meddick's motion, and that contains a number of time frames associated with implementation of that recommendation. There is an opportunity here,

given that we are yet to see a finalised government response on recommendation 7 of that report, for a range of other members to be heard as they take various positions on this matter.

I note that this is a matter of significant importance to members across the entire state, that there are divergent views on this particular matter and indeed that Mr Meddick has spent a lot of time discussing the impact of this issue on native and introduced species. To that end, I want to note that Mr Meddick has sought the opportunity to sum up, and in doing so I do not wish to intrude upon his time any further than I have already, but I do want to note that this is an area of great interest to primary producers and to people in the agricultural and horticultural sector, as it also is for environmentalists and for landholders Australia wide. This is not an issue peculiar to Victoria, and it is an issue which has in fact led to a wideranging debate and to some very intricate discussions on scientific information and data and research and papers on what the use of 1080 looks like not just in a temporary sense but what its longitudinal impact is as well.

So on that basis I want to perhaps give Mr Meddick an adequate opportunity to sum up in relation to his motion today, and with that I will look forward to what he has to say but also what other members in this place have to say too given the complexity of the issue.

**Mr MEDDICK** (Western Victoria) (16:24): I do not intend to carry on this summation for an extended period of time. I do want to take the opportunity to dispel a couple of things that have been said during this debate. One of the things that was said was that this poison has some sort of relation to the naturally occurring fluoroacetates that occur in the globular species of plants. They were simply the architecture; they were simply a scaffold upon which this was based. Sodium monofluoroacetate has no relationship whatsoever with the naturally occurring fluoroacetates in plants. It has no relationship whatsoever. It is completely synthesised and is thousands upon thousands of times stronger, which speaks to its toxicity. Those are the facts.

Secondly, I want to talk about the fact that it is impossible for this to be targeted to individual species and, in a baiting program, for it to be only those species that are affected. To say that is just inherently wrong when we consider that, for instance, foxes do not consume baits where they find them. Foxes cache the baits. They take them off property. They take them to wherever they are hiding, wherever they are living and they consume baits there. They do not eat them where they find them. Birds pick up baits, travel through the air and drop the baits on other people's property. It is physically impossible to contain a bait to a premises; therefore it is also impossible to limit the consumption of those baits to the target species only.

Having made those points, I have been contacted while we have been having this debate. My office has also been contacted by a number of other members from very diverse backgrounds—members of our chamber who are from both the city and the country who have not had a say in this, who want to have their voices heard. They want to know more; they want to find out more about 1080 poison. They want to find out more of the science. They do not want to pre-empt also the findings being accepted or not by the government of the report that was handed down, and they want to be able to come into this chamber and have their say as well. I want this to be a very open, a very honest and a very fulsome discussion before this motion comes to a vote. I want those members to have the opportunity to do that research. I want them to have the opportunity to come in here and put their points of view, because I believe that if they do so they will vote in favour of the motion. I want to give them that opportunity.

It is incumbent on me to make sure that they get that opportunity. I want them to go out and speak to the people that I have spoken to. I want them to have the benefit in a short space of time perhaps of speaking to the people that I have spent the last 15 years speaking to and of speaking to those people who have had animals die. I want them to hear the stories of those people. I want them to understand in far greater detail the subject matter that I am going to ask them to take a position on, because they need to. It is emotive. I understand that. It is always emotive when people lose companion animals, particularly in the fashion that this poison will inflict upon them. We have a responsibility to make

sure that every aspect of this issue is investigated, is heard and that they get the chance to also investigate the alternative methods. We need to make sure that that occurs.

*Members interjecting.*

**Mr MEDDICK:** Sorry, I am just a bit confused by some of the actions that are going on here. I am being a bit thrown off. (*Time expired*)

**Ms SHING** (Eastern Victoria) (16:29): I move, by leave:

That additional time be afforded to speakers to be able to contribute to this particular motion.

Noting that we have indeed run out of time for this particular item today, on that basis I am moving, by leave, that additional time be made at a later date.

**The ACTING PRESIDENT (Ms Patten):** Ms Shing, could you repeat the motion?

**Ms SHING:** I move, by leave:

That the standing order applicable to the summing-up being the end of the debate be suspended such as to allow additional speakers to contribute to this motion.

With an adjourning off to happen, given the time that we are up against today.

**Mr Ondarchie:** Time had expired.

**Ms SHING:** Noting that the time has expired, Mr Ondarchie.

**Motion agreed to.**

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (16:32): I move:

That this matter be adjourned until later this day.

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

### Business of the house

### STANDING AND SESSIONAL ORDERS

**Debate resumed on motion of Dr CUMMING:**

That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect tomorrow and remain in place until the house resolves otherwise:

#### 1. Remote participation

Members may participate in debate remotely using an audio-visual link as follows:

- (1) The Chair must be satisfied that the quality of the audio-visual link allows the Chair to verify the identity of that Member and for the Member to participate.
- (2) A Member participating remotely is not counted for the purposes of a quorum.
- (3) A Member participating remotely shall not vote and a Member that is not in the Chamber at the time of a division may register their opinion on the question by notifying the Clerk in writing of their opinion (either 'Aye' or 'Noe') after the commencement of the matter in the House and before the President reports the result of the vote to the House, and any such opinion will be published, separately from the results of the vote, in Hansard and the Minutes of Proceedings.
- (4) Members participating remotely may do all things a Member in the Chamber may do, except—
  - (a) chair the debate;
  - (b) refuse leave;
  - (c) take, or speak on, a point of order unless it is taken by another member during their contribution;
  - (d) call the Chair's attention to the state of the House;

- (e) call for a division;
  - (f) vote;
  - (g) move a motion for the closure of debate under Standing Order 12.25 or be counted in support of a closure of debate motion under Standing Order 12.25(2); and
  - (h) be counted for the purposes of satisfying an absolute or special majority requirement.
- (5) In order to assist Members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and Members wishing to participate remotely may seek the call by—
- (a) informing their whip, or the whip's representative, who will inform the Chair in advance—for a Government or Opposition Member; and
  - (b) informing the Clerk, who will inform the Chair in advance—for any other Member.
- (6) When a Member participates remotely, the Chair may exercise all their usual powers to control the debate.
- (7) The Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to—
- (a) stopping the clock;
  - (b) returning to a Member's contribution; and
  - (c) re-ordering business.
- (8) The President may issue formal Guidelines from time to time about remote participation which must not be inconsistent with this temporary order and must be complied with as if they are temporary orders and the President may take any action necessary should Members not abide by the Guidelines.

**Ms TAYLOR** (Southern Metropolitan) (16:33): I know that we were talking about this some time back. It is certainly important that we do discuss this, and we certainly welcome the discussion on this motion. The government does have some challenges with the motion in its current form. In particular the government is concerned that the motion does not specify the reason for a member's absence, so I did want to provide today some more clarification in the hope of furthering this discussion in a positive way. Whilst it certainly is absolutely well intentioned—the problem in saying that is that it can sound patronising. It is not meant to; we understand there are some very pragmatic realities behind this. However, it does unfortunately offer opportunity beyond its intended use for those in isolation for COVID-related reasons. I am hoping to sort of expand out today with the discussion just to provide even more clarity and to help further the conversation overall on this matter. A more proper process for this would be that the matter be referred to the Procedure Committee to consider. That it is just something to put forward as well.

Since 2020 the government, the opposition and the crossbench have worked together with the clerks on temporary orders to ensure the Parliament can run as smoothly as possible. On that note I do just want to flag that, yes, obviously as MPs we are a significant part of this conversation—all the MPs are a significant part of the conversation—but, and I know this would not be beyond others to consider, the clerks are a very significant part of this conversation as well, because facilitating this process is another aspect. As MPs we often think—magic—everything just happens, but of course there are some pretty significant processes that have to go on behind the scenes. There is the potential for that to sound like not the strongest argument, but actually it is significant, because I think that everyone is required to make this Parliament run and so we cannot ignore those aspects as well.

As a government we have always been open and clear in our communication around sitting during COVID-19. I note that it has been incredibly challenging, but it has taken everyone working together to get the best outcomes possible. Many sittings over the past few years have been moved or altered based on discussions held between the government, opposition and crossbench. We are certainly happy—and I really want to emphasise that—to continue these conversations with the opposition and the crossbench on this issue, because obviously we know the significance of sitting; that goes without saying. Whilst the ability for members to appear remotely was previously in place, it was rarely used

and it did create functional difficulties for the Parliament. That goes beyond us as MPs, and that is a further equation for all those who actually support the processes of Parliament and facilitate us to do the work that we do when we sit.

On the functional element, bringing the screens in and out of the chamber is difficult in a chamber that was not built with this in mind. They are just some pragmatic elements. It is what it is in the sense that we are in a gorgeous chamber but it is certainly an old chamber and it has its challenges. The chamber itself does present some physical difficulties if the screens have to be brought in and seating charts have to be done. All this actually creates a lot of extra work for the Parliament itself. I am not saying it is prohibitive, but I am just saying we do have to factor that in.

**Ms SHING** (Eastern Victoria) (16:38): I am here today to speak in relation to the hybrid motion for sitting and what that looks like to enable members of this place to participate fully and in a way which is comprehensible and that is able to meet the needs of the Parliament and its functioning on a daily basis and to handle the procedural intricacies of a chamber which is long accustomed to things being done in rather a specific way. That is not to say that there is not room for innovation and for evolution. In fact we saw through the pandemic and the course of restrictions and limitations on movement that it was necessary for us to evolve not just in the way in which we came together for the purpose of making law but also as it relates to the undertaking of committee work and of work associated with inquiries and other matters that the Parliament deals with frequently behind closed doors, albeit with the need for virtual connections.

I am really interested in ongoing work as far as continuous improvement is concerned to enable better participation across a range of circumstances. I think that as the pandemic continues to evolve and as we continue to gain a better understanding of what the limitations might be, necessarily and proportionally and appropriately, in safeguarding public health—and that in and of itself is an enormous subject which is well canvassed in this place and indeed worldwide—we are able to make adjustments and to be flexible in the way in which the ongoing business of this house occurs. To that end I am in agreement with a number of the things which somewhat paradoxically have come from the opposition around the importance of this house being able to continue to function and to do its work.

Again, history will probably condemn me for this, but Mr Davis has in fact made a number of really useful points—ooh, that hurt—in relation to the way in which this chamber—

**Mr Ondarchie:** Can we get a defibrillator here?

**Ms SHING:** I know, my mic cut out there. My mic seemed to cut out there momentarily. If Hansard is looking to redact something—no, I would never ask for that to happen. But Mr Davis has made a number of really useful points around the importance of this chamber being able to continue to do its work, and he is not alone in that regard around the primacy that we all place on this Parliament being able to function and function well.

It has also been important to make sure that this chamber and this Parliament can function safely and can reduce, as far as possible, the limitations on function because of operational need. Those in this place who remember the marathon sittings, where we all saw each other at perhaps our least varnished at 3, 4 and 5 o'clock in the morning, will well recall the challenges that were created in an operational environment whereby clerks, attendants and staff were necessary for the course of often sittings of many dozens of hours. This in and of itself presented numerous operational challenges, and it is really important that we learn from that. It is really important that to the best extent possible we can deploy technology—such as the way in which I did not just do so with my jacket; my apologies for any interference with the microphone—in a way which is useful, in a way which facilitates the discussion, debate and passage of legislation and in a way which makes sure that there is public trust and confidence in the role of this Parliament as it necessarily continues to operate throughout a variety of different circumstances.

We have actually seen that since 2020 there have been temporary orders in place that have been negotiated and agreed with members of the crossbench and of the opposition and that this has been a collegiate exercise in response to an unprecedented set of public health challenges. We need to also recognise the number of matters, sitting days, procedures and processes that have not been able to take place over the last couple of years for various reasons.

We did have, as some in this place will recall, a capacity for a limited period of time for members to attend remotely. I recall the vast shimmering faces of three crossbenchers rising from the public gallery about nine times the size of everybody else as contributions were made, and it was a good solution for the time. It was actually a really important way for people to participate in the processes of the house and to be heard as matters continued to be debated and moved. I think we also need to recognise though that whilst those looming faces were important, there were a lot of functional difficulties with delivering this technology, and the operational requirements that sat behind that were not insignificant. We need to make sure that, for example, the Procedure Committee is in a good position to actually determine the way in which this can occur, occur with minimal disruption and occur in a way which facilitates the business of the house and a way in which clerks, staff and others have the best possible opportunity to facilitate that ease of participation by members who are not here in three dimensions.

There is a lot of work that sits underneath this, and that is why making sure that we have the operational capability to effect these changes is really important. I am not saying that we cannot get there; I am not saying that we should not get there. I actually think that we do need to be dexterous, that we do need to be able to accommodate changes to the way in which modern democracy is delivered, including by way of virtual or digital participation. This is not unique as a challenge for workplaces around the world. It just so happens that our workplaces are based on a model which came into being hundreds of years ago, and to that end there is an uneasy combination of factors that sit against mahogany panels on the one hand and digital technology and real-time participation on the other.

I am looking forward to seeing where we can have outcomes which reflect that we are doing the best that we can and collaborating in the best possible way that we can as a government to manage our way through these circumstances. In that regard it is not dissimilar to RAT testing, which has been undertaken during the week and has been undertaken in workforces and workplaces all the way around the state and indeed the country and indeed internationally. It is not dissimilar to the way in which temperature checks have operated at various points of entrance and egress, including here at the Parliament for a number of weeks previously. And it is not dissimilar to the COVID check-in requirements and processes that have been in effect, including making sure that those certificates have been displayed upon request and upon entry, to really enhance the opportunity for people to participate whilst not creating a public health risk beyond the public health risk that already exists and which already presents a range of pretty enormous and often very, very serious consequences where not kept in check.

I would like to see that the Procedure Committee is given an opportunity to investigate these matters and to make sure that, from a non-partisan perspective, there is a process whereby this work can be done. I think for a hybrid sitting model to be introduced without that level of analysis and without that level of discussion that is an important and necessary part of developing a framework such as this we run the risk of coming up with a solution which is either inferior or indeed leads to unintended consequences or indeed fails to accommodate the concerns and the priorities of a range of members in this place and fails to inform best or indeed better practice.

We can do more, we should do more and we should be better. But what we do need to do is make sure that these improvements are delivered against a backdrop of regard for public safety and are delivered against a backdrop of regard for occupational requirements and operational requirements of the staff here at Parliament and indeed that we have the opportunity for technology to be delivered in a way which is reliable and efficient. Do not get me started on fibre to the node versus fibre to the premises and the attendant difficulties around connectivity that that has presented, but it is one of those examples where technology needs to be well understood, advances in technology need to be well understood



and operational impost needs to be well examined, and to that end I think the Procedure Committee is entirely the right place for these discussions to happen. On that basis we cannot support the motion in its current form, but the principles that underpin it are entirely valid.

**Ms WATT** (Northern Metropolitan) (16:48): This is a motion worthy of considerable debate and consideration by all of us in this place, and I do rise with gratitude for that opportunity to contribute to the debate on hybrid sittings. I thank Dr Cumming for bringing it to us. She now joins us—good to see you.

There are some remarks that I do want to make in contributing to this. Having come to this place in the middle of COVID, I do have some reflections on life at home and life in the mixed-mode workplace that we had here in the Parliament. But first and foremost I need to say that the government cannot support this motion in its current form, as outlined in a range of really substantive remarks made by Ms Shing. Some of them do bear repeating, and I will take a moment of everyone's time to do that.

Firstly, it is of course a really well intentioned motion. It unfortunately offers opportunities beyond its intended use for those in isolation for COVID-related reasons. Really a more proper process for this would be that the matter be referred to the Procedure Committee to consider, because whilst I understand where this has come from, during the debate and hearing remarks from Ms Shing I have had some thoughts as to members of our chamber that may be affected by other emergencies and how it is that this Parliament can best reflect those members that may be cut off or isolated due to flooding or fire lines or other such things. The expectation is that I, not living all that far away from Parliament, would be less affected. Those among us from regional Victoria I think would have some really substantial contributions when it comes to a debate about their access to Parliament in times of natural emergencies and disasters, so I do think that there is a lot more for consideration when it comes to hybrid sittings. I think and hope that the Procedure Committee is best placed to consider this, and I hope that I could just add to that my thoughts on consideration for emergencies.

There is of course some commentary here worth looking at regarding the efforts that have been made since 2020 and the onset of the coronavirus global pandemic. The opposition, the government and the crossbench have really worked together with the clerks on temporary orders to ensure the Parliament can run as smoothly as possible. In fact it was all I knew, having started during COVID. This whole arrangement that we have got going right now is new for me, and in fact we still to this day have some of those temporary orders in place. Somebody keeps talking to me about the way voting used to happen in this chamber, and that was indeed before my time but has been reflected on by a number of members since I started in here. I suppose it is just me and Ms Burnett-Wake that have come in a little unawares of life before COVID. I think that there is really a certain enthusiasm from members of this government to continue conversations with the opposition and the crossbench about what worked and what perhaps could be reflected on and revised for future use.

I did not mind the ability for members to appear remotely, as was previously in place. It was indeed rarely used, and I will just take a moment to thank Ms Terpstra, who I understand was the first member of this chamber to get up on, I think it was, a motion or a members statement or something, but she was the first—

**A member:** It was a contribution on a bill.

**Ms WATT:** She made a contribution on a bill, I think it was. I do remember that groundbreaking contribution by Ms Terpstra. It made us really heavily consider how we can continue to look at remote contributions.

**A member** interjected.

**Ms WATT:** Yes, she was in this place, and that meant that she was pretty assured of good internet connection and other things, you would hope, having only been about 100 metres away. But that is

not always the case with our members, so there will be a range of considerations with respect to technical access and whatnot. Given the high level of difficulty and the time-consuming work that parliamentary staff had to do to make that possible, can I just take a moment to thank them for all their efforts during that time. That was extraordinarily challenging. We had two screens, but it was not just about rolling in some TVs, there was internet access—I cannot even begin to imagine all of the behind-the-scenes technical wizardry that happened on behalf of the team from Hansard and the Clerk's office to make that possible. It was not insurmountably difficult, but there was just so very much that went into that.

As I said, we still have a range of those temporary orders in place, including, as I understand it, voting. Like I said, it is not like I can so much reflect on life beforehand and what was great, because I did not know life beforehand in this place. But we still have a number of those in place. I am really committed to this, and I do reflect highly on being a member that came in during COVID and what that means for us.

**Ms Shing:** I'm disappointed that there have been no pets mentioned.

**Ms WATT:** I could talk about the fact that remote and hybrid would mean more time with Pickles and that in fact it would be of significant benefit to the health and wellbeing of members to be able to do our job surrounded by our pets and loved ones, including in my case darling Pickles, who recently celebrated a birthday, thank you very much.

**Mr Gepp:** Tell us about Pickles.

**Ms WATT:** I might just do that. But before I do that I just want to take a moment to say we are all doing the very best we can in some extraordinarily trying circumstances, including our continued vigilance around our health and safety, and just a reminder to everybody to keep a look out for not only our own health but that of those around us, and reminders around testing. It is never pleasant, but thank you to all the members that make our Parliament work by doing the work required to look after themselves and check up on their own health and wellbeing during the week. I wish we could make RATs just a little easier, just a little bit more pleasant, because they are not great, right? They are not a great way to start your day, but we do it nonetheless with great frequency, discomfort and difficulty.

I love a hybrid working arrangement. I loved my months working from home with Pickles on my lap. But it was not to be when I joined this place, and apparently there is no Pickles in the chamber, I hear, in the standing orders. That is okay. You will hear some fierce advocacy from me in the coming little while about how we can improve our standing orders to better reflect the health and wellbeing needs of members, including the considerable difference to my own blood pressure that comes from being in the company of the delightful Pickles. I will just take a moment to remind you all to get your blood pressure checked, thank you very much, because blood pressure check day is coming up. There we go. That is all I have got to say, thank you very, very much, and thank you again for your warm regard for Pickles. I think I have mentioned him, eight, nine, 10, 12 times in *Hansard*. Good stuff. Cheers.

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (16:58): I think Ms Watt has probably won some sort of bet that has been taken. I move:

That debate be adjourned until the next day of meeting.

**Motion agreed to and debate adjourned until next day of meeting.**

#### NOTICES OF MOTION AND ORDERS OF THE DAY

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (16:58): I move:

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

**Motion agreed to.**

**Statements on reports, papers and petitions****DEPARTMENT OF HEALTH***Documentation on the making of pandemic orders implemented on 18 March 2022*

**Dr CUMMING** (Western Metropolitan) (16:58): I rise to speak on the documents under section 165AQ of the Public Health and Wellbeing Act 2008 in relation to the making of pandemic orders implemented on 18 March 2022. I do wish this government would actually just stop with the pandemic orders. We have had enough. But these documents include Guidance for the Pandemic (Additional Industry Obligations) Order 2022 (No. 9), Guidance for the Pandemic (Quarantine, Isolation and Testing) Order 2022 (No. 6), Guidance for the Pandemic (Victorian Border Crossing) Order 2022 (No. 6), Guidance for the Pandemic (Visitors to Hospitals and Care Facilities) Order 2022 (No. 4) and the related health advice, unseen. There are really no surprises in any of the orders. This is simply more of the same restrictions that we have seen and had to put up with from this government for the past two years—just this government trying to control our lives forevermore.

However, as part of this package of documents there is an email trail between the minister and the health department—namely, the secretary of the department and the chief health officers. The email from the Minister for Health was sent at 10.43 pm on 16 March. The email says:

Dear Brett/ Ben and DoH team

I refer to the discussions surrounding proposed changes to pandemic orders relating to

- quarantine isolation and testing systems
- Victorian border crossings
- Hospitals and care facilities
- Additional industry obligations

It is my understanding that these widely canvases matters are promised to come into effect from 18 March 2022 at 11 59 pm

This email was sent on 16 March.

In accordance with the provisions of the pandemic powers provisions of the Public Health and Well Being Act I would seek your urgent advice on these matters together with the assessment on the human rights impact on Victorians together with ... other material you may believe relevant

I thank you in advance for your assistance

The response from the acting chief health officer was sent to the department secretary at 12.59 pm the following day and forwarded to the minister at 1.27 pm.

We have been told repeatedly by the Premier that the orders are based on health advice. Really? Do you really still expect us to believe that? The minister's email clearly states that it was his understanding that these were promised to come into effect. In other words, the decision had already been made before the minister requested the health advice. The health advice was not requested and then the orders drafted. The orders were already drafted, and we are supposed to believe that they are based on the health advice. But who had promised that these would come into effect? Obviously not the minister. The Premier? The cabinet? The minister, who according to the act has responsibility for making the orders, is just following directions from somebody else.

It is also interesting to note that these orders were received on 12 April and revoked on 22 April. So what changed the health advice? The daily new cases and the total active cases certainly do not justify it. On the day these orders were made there were 7700 new cases and 48 594 active cases in Victoria. On the day the orders were revoked there were 8010 new cases and 53 941 active cases in the state. This just goes to show that this government is using the pandemic orders as nothing more than a political tool and just another way of controlling our lives.

When will this government actually stop with the pandemic orders and allow all Victorians to get on with their lives? We do not need any more orders. We do not need directions. We have got this. We do not need the pandemic orders to stay in place, and we definitely do not need the mandates. They can all be dropped. So please, government, please: just drop the mandates. Please, for the Victorian community's sake: enough with these orders, enough with these directions.

#### DEPARTMENT OF TREASURY AND FINANCE

##### *Budget papers 2022–23*

**Ms LOVELL** (Northern Victoria) (17:04): I rise to speak on the 2022–23 state budget and particularly in this case the part of the budget that raises the funding for health infrastructure. What I am going to speak about is something that was not in the budget this year, and that is a commitment to build a new hospital in Mildura. We know that the Labor government and Ali Cupper have been completely misleading the people of Mildura that they are committed to getting a new hospital up there. But here the government had the chance to put it in the budget, and they have totally failed the people of Mildura.

Of course the minister went up there last Friday, and he made all sorts of excuses about waiting for the completion of the master plan. Well, the master plan was supposed to be completed by the end of April, and of course we have not seen the master plan yet. We are now at the end of May, and no explanation has been given regarding its delay. But certainly the rumours coming out of the public service are that the master plan has been delayed for one reason, and that is for the government to buy more time for them to go back and review it. Instead of actually delivering one new hospital to Mildura, according to the rumours from the public service they are now exploring delivering the hospital across two campuses, with one of those campuses being just an upgrade of the facilities at the current base hospital.

The minister had a chance to see for himself last week how inadequate those facilities are, so I hope that has completely changed his mind. But I seriously doubt this government's commitment to actually providing a first-class, world-class hospital in Mildura. In stark contrast to that, Matthew Guy came up to Mildura with me; Ms Crozier, the Shadow Minister for Health; and our candidate in Mildura, Paul Matheson. Matthew Guy announced \$750 million—that is three-quarters of a billion dollars—to build a brand new hospital in Mildura, including an academic health precinct so that we can train health professionals in Mildura so that they stay there and we have a dedicated supply of health professionals coming on board. We all know that this is why the rural medical clinics have started up. People who train in the country are far more likely to stay there. They become embedded in those communities where they have studied and enjoyed the hospital that they have been attached to, and they do stay in the regions. So that is a real bonus that comes along with a new hospital in Mildura for the people of Mildura under a Matthew Guy Liberal government.

I think there is a very stark contrast right now in Mildura. They can vote for Ali Cupper and get a Labor government and get more of the same—get ignored, have their hospital just kicked along the road a bit, have the can kicked along the road a bit more—'Let's delay the master planning a little bit longer'. The service planning is now finished, but it was delayed. The government never intended to make any commitment, whereas in stark contrast to that the Liberal Party have made a commitment to a world-class hospital and an educational precinct in Mildura.

**Mr Gepp** interjected.

**Ms LOVELL**: I will take up Mr Gepp's interjection. He says, 'Oh, you're the government that privatised it'. That was nearly 30 years ago. All this government can rely on is going back to the 1990s and pointing to decisions of 30 years ago. For 19 of the last 23 years Labor have been in power in this state, and Daniel Andrews has been the health minister or Premier for 15 of those years. Yet Labor have made no commitment to Mildura. They did not even buy the infrastructure back. It was a Liberal government that bought the infrastructure back and placed it back in public hands. So Labor can only

point to something that happened 30 years ago. They are not prepared to give a commitment to the people of Mildura now, and they should apologise to Mildura.

## DEPARTMENT OF TREASURY AND FINANCE

### *Budget papers 2022–23*

**Mr GEPP** (Northern Victoria) (17:09): I rise to make a statement on the 2022–23 state budget, and I want to commend the Treasurer for once again putting the people of Victoria front and centre in terms of this government's policies, directions and spending. What a magnificent array of initiatives we have in northern Victoria. Just to cite a couple, Ms Lovell just banged on about Mildura. Well, I am happy to talk about Mildura: the \$12.6 million, for example, that we have just given to the Mildura Specialist School for the replacement of portables with permanent classrooms; \$6.35 million for the specialist school in Swan Hill; \$23.78 million for the Verney Road School for the first stage of transition to a new site at the former Wanganui Park Secondary; and \$2 million to continue the Shepparton Drug Court program. It goes on: \$160 million for GV Health acute mental health facilities. It just goes on and on and on and on. Indeed I announced—I was there on budget day—\$3.9 million for the Cobram and District Specialist School to deliver stage 2 of their master plan.

What we also did in this budget is we continued with our 10-year social and affordable housing strategy. We have committed further funding to that very, very important program. And of course I contrast our position with that stated by the opposition just a few short weeks ago in the most bigoted contribution I think I have heard in this house while I have been here, from none other than Ms Lovell. We can just refresh our memories for a moment. It was about how the quality of your shoes and the quality of your telephone determine whether or not you can live in Brighton. We have not forgotten. And of course we called upon the opposition leader to denounce that policy advocacy from Ms Lovell, but he has not done it weeks later. So we can only assume that what we actually got on that day was a deliberate policy announcement from Ms Lovell. If you do not think that it matters what we say in this place, and whether or not it has an impact—

**The ACTING PRESIDENT (Mr Bourman)**: Order! Mr Gepp, we are probably getting a little far away from the budget. Could you just steer it back.

**Mr GEPP**: Well, it is about the Big Housing Build, Acting President, and the stated position of the Liberal Party in response to the Big Housing Build and the impact that it has on constituents in my electorate. If we do not think that it matters what is said about these things, and they are relevant to the budget 2022–23—

**The ACTING PRESIDENT (Mr Bourman)**: Order! Mr Gepp, keep to the budget and move on.

**Mr GEPP**: Well, I am keeping to the budget, Acting President. I thank you for your guidance, but what I am doing is referring to the comments that have been made by those opposite in relation to initiatives contained within budgets in this place and how that matters to the people in my electorate. I will just give you a couple of examples of things that have come over in my email box from people in my electorate following that very bigoted policy announcement by the Liberal Party.

**Ms Lovell**: On a point of order, Acting President, I think that the member is flouting your ruling. You have asked him three times to come back to the budget. Now he is going to emails about something that occurred several weeks ago, which he is misrepresenting anyway.

**Mr Gepp** interjected.

**The ACTING PRESIDENT (Mr Bourman)**: Mr Gepp, Ms Lovell is entitled to be heard in silence. Mr Gepp, I think we will just stick to the budget papers. If you have a need to discuss this, perhaps we can do it by a substantive motion. But I think if you just stick to what is actually in the budget papers, that would help us a lot. So I do uphold the point of order.

**Mr GEPP:** If I could make a point of order, Acting President, there was no point of order that was actually made at the end of the day, but I do note that in Ms Lovell's contribution she attacked the member for Mildura unabated and without any concern expressed from the clerks or anybody else in this place. But I accept your direction, and I will follow that direction.

What we have announced in the budget is a \$5.3 billion social and affordable housing spend, with continued—

**Mr Rich-Phillips:** Acting President, my point of order goes to Mr Gepp's reference to the clerks. President Atkinson ruled previously that it is completely out of order for members to reflect on advice the clerks may or may not give to the presiding officer. I ask that you consider that.

**The ACTING PRESIDENT (Mr Bourman):** I am going to take Mr Rich-Phillips's point of order under advisement and refer it back to the President. But you had moved on, so if you could just continue moving on, Mr Gepp, that would be great.

**Mr GEPP:** Thank you. As I was saying, we are very proud of the position that we have put to the Victorian people in relation to social and affordable housing. It is a progressive agenda that is going to build thousands and thousands of homes around this state, particularly in my electorate of Northern Victoria, where in some parts, places like Mildura and Shepparton, for example, \$40 million-plus is being allocated to building affordable housing. So we are very proud of that. We do not judge who can live in those houses based on their footwear, the type of telephone that they carry or any bigoted proposition that says that if you do not carry the right phone or wear the right shape, colour or cost of footwear you are no longer relevant to that particular social housing build.

## LEGAL AND SOCIAL ISSUES COMMITTEE

### *Inquiry into Victoria's Criminal Justice System*

**Ms MAXWELL** (Northern Victoria) (17:16): I rise to speak on the Legal and Social Issues Committee report on the inquiry into Victoria's criminal justice system. With more than 50 per cent of people incarcerated in Victoria going on to reoffend and 6 per cent of offenders being responsible for more than 44 per cent of crimes reported to Victoria Police, there was a solid case for evaluating how we break the downward spiral of offending and try to limit the suffering of those who are victims and survivors. In retrospect, given how broad this inquiry was I probably would have preferred that the examination of the criminal justice system was separated into two parts: firstly, how we address serious and violent offending, and then a separate consideration of lower level offending.

In considering factors that increase the risk of engagement with the criminal justice system the inquiry confirmed that adverse childhood experiences have a significant impact and that support for children and young people should be community led, place based and focused on education and employment. How we implement early interventions and primary prevention strategies that address the root cause of offending, particularly where it relates to disadvantage, trauma, childhood neglect and family violence, is an ongoing challenge and a responsibility. This was strongly reflected in the report and is a key focus of the regular discussions I have with ministers about our justice system.

While the inquiry gave a general recommendation to raise the age of criminal responsibility, I acknowledge the answer the Attorney-General recently gave to a question in the chamber about this very matter. I am very supportive of the Attorney's response that the focus should be on holistic programs that stop children from being caught up in the justice system in the first place. How we support at-risk children and, importantly, their families with appropriate, trauma-informed services that are implemented early with intensity and consistency must be a priority.

This inquiry considered diversion programs and the important role they have to play in providing alternative pathways to prison whilst keeping our community safe. Victoria Police issue around 130 000 cautions and diversions every year, and Drug Courts are another judicially supervised pathway that is proving effective and worthy of expansion. There are various recommendations about

data and the importance of evaluations and transparency. Some will be difficult to implement and require further unpacking with key stakeholders before progressing.

Three chapters of the inquiry report are dedicated to victims of crime, their experience and support. Some of the recommendations made by the inquiry have progressed quite recently, including a new financial assistance scheme, which will go a long way to assisting victims of crime, something I have been advocating for since my first day in Parliament.

While I made a deliberate decision not to submit a minority report, I will put on record my strong opposition to any watering down of practices or laws relating to high-risk offenders or that may rush major law reform without evidence-based early interventions in place that are well-funded, evaluated and working. This makes it clear that our justice system should ensure that presumptions against bail are targeted to serious offending and serious risk. It also recommends that any review of practices should take the views of victims and law enforcement into account. I will note that offences subject to strict circumstances in the granting of bail include serious charges such as murder, manslaughter, threats to kill, rape, incest, family violence, drug trafficking, home invasion and committing offences while on parole. These are not trivial offences, and they are certainly not victimless.

We cannot forget the six people killed and 30 injured at Bourke Street Mall. We cannot forget the families who suffer after their loved ones have been killed by someone on parole or bail. This did not just happen once. It happened to Jill Meagher, to Karen Chetcuti, to Zoe Buttigieg, to Courtney Herron, to Masa Vukotic. Before the Coghlan review more than 20 Victorians were killed by serial offenders who should have been in jail—20 offenders.

With more than 800 pages and 100 recommendations there will continue to be much to say about the justice inquiry. I look forward to the government's consideration of the recommendations made and the continued debate it will no doubt generate as we continue to endeavour to make our community safer.

### **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021**

#### *Petition*

**Mr QUILTY** (Northern Victoria) (17:21): I rise to speak on behalf of the 3398 people who signed a petition that I tabled here yesterday asking the government to withdraw its upcoming Health Legislation Amendment (Information Sharing) Bill 2021. This petition is about consent. It is hard to think of any information that any of us might have that is more private than our medical information. If MPs were compelled to read out our medical records here in Parliament, I expect we would be rightfully outraged—or perhaps not, given we did this last year and we inflicted it on the rest of the population. But we should be outraged.

To compel all Victorians to put anything they may have told a doctor or psychiatrist over the last five years on a database so it can be shared is equally outrageous. In fact it is extra shameful because it is retrospective—no consent. The Hippocratic oath, which dates back to antiquity, was a contract of patient-doctor confidentiality. Even though the oath has now been officially discarded for doctors in Australia, many still hold to it. To many signatories of this petition who are medical professionals, it is a sacred contract. They are upset not only that the government plans to rip up the contract but that their own work will be up for scrutiny. It is also another breach of principles set out in the Victorian human rights charter, which is supposed to protect our privacy. But, as we know all too well, it does not.

Nobody who gave private information to a doctor or psychiatrist over the last five years had any clue this information could be shared, and neither did the healthcare professionals who recorded the information. There is no consent. Maybe people told their psychiatrist about their family breakdown or their strangest fantasies and they wrote them down. Personal details about mental state, use of birth

control, fertility, abortions or any disabilities would be there. All the data will be open to users of the system. There has been no consent.

Maybe the government will keep your private information secure, but do not bet on it. The Office of the Victorian Information Commissioner reported 159 data breaches in its most recent annual report, up more than 60 per cent from the previous year. The government proposal means that many people will be able to see your records. The database will become a honey pot for organised crime and international intelligence—or even for jilted lovers in relationships that have gone wrong. All it takes is one breach for this information to be all over the internet, and the internet is forever. In this case sharing is anything but caring.

This proposal must surely be one of the greatest infringements on the privacy of Victorians in our history, because there has been no consent. Without more consultation and the creation of a mechanism allowing people to opt out, this database violates consent, is a security risk and risks becoming a tool of oppression. Consent is the core to everything. 3398 people signed this petition. I urge the government to listen to them and abandon this proposal. Those of you who support the proposal, I urge you to demonstrate your commitment by reading out your own personal medical records in the house.

## DEPARTMENT OF TREASURY AND FINANCE

### *Budget papers 2022–23*

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (17:24): My matter for reports today concerns the state budget, which has been put on the list by a number of people, but I want to particularly draw attention to the projects and the cost blowouts that have occurred and have come to light in this budget. It is clear that the West Gate Tunnel and the massive blowout there of \$4.7 billion is increasingly causing trouble for the community. We are paying the tolls even though the project is going to be years late. The Metro Tunnel was originally promised at \$9 billion and later at \$11 billion, and it is now very much north of that. It is at least \$3 billion, maybe \$3.36 billion, over its original starting. Frankston Hospital was another one that came to light in this budget. It is a \$562 million hospital, a good project, but it is now at \$1.118 billion. That is a \$556 million blowout—a 99 per cent blowout in the cost of that project. Good projects have been mismanaged by this government. These are projects that have not been kept on track, projects where waste has occurred and projects that the government ought to have scoped properly and got on track from the start and kept on track, kept on budget and kept on time.

The Footscray Hospital is another one—a \$503 million blowout to \$1.998 billion, so up from \$1.495 billion to \$1.998 billion. That is a \$503 million blowout—a cool half-billion-dollar blowout. It rolls off the tongue, but that is an enormous amount of money to be wasted on a project that ought to have been kept on track and a project that ought to have been kept to its original costings. It ought to have been scoped properly at the start. These projects have huge impacts. The heart hospital is also well known. In fact the opposition, then the government, announced this in 2014 at \$150 million. We had it carefully costed. The government changed the project. Although their initial costing was also \$150 million, it is now going to cost \$577 million—a blowout of \$427 million on a project that is more than four years late.

This is what we are seeing around the state, these huge cost blowouts. The fire upgrade on the city loop went from \$151.74 million to a current \$468.94 million. That is a \$317.2 million blowout. The Murray Basin rail project—we know about that project and the huge blowouts there. With two-fifths of the project completed it is already \$226.7 million over budget, and the project has actually delivered slower rail. It is a damaged project that actually recycled rail from 1913—old sections of rail track. That is how desperate they became in the management of this project, and it is only two-fifths complete. The Mordialloc bypass was a Liberal project in 2014. It was very well understood and was pushed by us strongly. The state government lifted the price from \$300 million to \$375 million, but you know what? They delivered it at \$519.9 million—a \$219.4 million blowout, a huge blowout.



These are projects that should have been kept on track and should have been kept on budget. This government cannot be trusted with money, and it cannot be trusted with projects. We have said that these projects need to be held in check. There needs to be a proper audit of these projects, and we have said if we are elected to government in November we will audit every one of these major projects over \$100 million. No-one knows, for example, with the level crossing removals how much they have all individually cost. Even though more than 50 level crossings have been completed, the state government has never released the costings of any individual group or single project. The community are entitled to know how their taxpayers money is spent. The Auditor-General pointed to the blowouts in level crossings. These are important projects, but they should have been scoped properly, and the budget should have been constrained and kept on track, rather than having these enormous cost blowouts.

These cost blowouts add up to more than \$28 billion across the period of this government. There is more than \$28 billion in cost blowouts. That is a huge surge of money. We have said we would audit every one of these projects over \$100 million. People need to know where the projects are at, and we need to get a grip on them. The community expects taxpayers money to be used wisely, but that is not what Daniel Andrews has said. He has just said, 'Oh, it's like a kitchen reno. It can go—blah blah'. Well, I am sorry, it is not. This is taxpayers money, and it deserves to be wisely spent. The opposition has said we need the reintroduction of a strong public works committee that can oversight and get a grip on these major projects and stop the waste. We have got to stop the waste of taxpayers money. It is not acceptable.

### **Rulings by the Chair**

#### **MEMBERS STATEMENTS**

**The PRESIDENT** (17:30): I have reviewed the *Hansard* excerpt in relation to Mr Davis's members statement from this morning. Mr Davis commenced talking about Senator Thorpe and did not refer to the ALP or Mr Gepp until Mr Gepp interjected. While the point made by Ms Shing is correct in that it is out of order for Mr Davis or any member to make allegations in members statements, Mr Gepp's interjections were also out of order. Members only have 90 seconds for each members statement, and this is not a long time for a speaker to convey their message. Therefore I ask that interjections during members statements be kept to a minimum, and none is better.

#### **Adjournment**

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (17:31): I move:

That the house do now adjourn.

#### **KIALLA WEST PRIMARY SCHOOL PEDESTRIAN CROSSING**

**Ms LOVELL** (Northern Victoria) (17:31): (1902) My adjournment matter is directed to the Minister for Roads and Road Safety. Again it concerns the urgently needed safety upgrade of the school crossing at the Kialla West Primary School. The action that I seek from the minister is to provide a progress report regarding the upgrade of the Kialla West Primary School crossing, including the results of any assessment of the site regarding the impact on the avenue of honour memorial trees of any works, a time line on when detailed plans for the project will be completed and forwarded to Heritage Victoria for consideration and, finally, when construction of this badly needed upgrade will be funded and commenced.

Members in this place and indeed the minister himself will be aware of my continued advocacy to upgrade the dangerous pedestrian crossing at Kialla West Primary School that crosses the Goulburn Valley Highway. In fact this is my 12th contribution on this issue, and still the local community wait for meaningful change. The horrific two-vehicle collision at the crossing in September 2018, which badly injured four members of a school family, highlighted the dangers of the crossing to the local

community. The debilitating injuries sustained by the youngest child will be lifelong, and the impact of the collision remains in the heart of every student, teacher and parent at the school. While some small safety improvements were made at the school after the collision, the crossing itself remains just as dangerous for students, staff, parents and motorists as it did on that terrible day in 2018. Both the school and the Greater Shepparton council have conveyed their preferences for a pedestrian underpass to be built under the GV Highway to make students safe once and for all.

In July 2021 Regional Roads Victoria informed the school of the need to investigate the project's impact on the Heritage Victoria listed avenue of honour trees which make up the Calder Woodburn Memorial Avenue. Delays on site assessments were blamed on COVID restrictions, and the minister indicated to me in a response in December 2021 that with restrictions lifted, inspections would be carried out and designs submitted to Heritage Victoria for consideration. Nearly five months have passed, and the Kialla West school council have received no communication regarding the results of these inspections or the status of plans for the pedestrian underpass. The council has written to RRV requesting a full update on the project, and I call on the minister to provide a full update on the progress to the Kialla West Primary School community. It is totally unacceptable that the government is no closer to upgrading this crossing almost four years after the horrific accident that badly injured four members of a school family.

### ENDOMETRIOSIS

**Ms PATTEN** (Northern Metropolitan) (17:34): (1903) My adjournment matter is for the Minister for Health, and the action I am seeking relates to endometriosis. Endometriosis is an under-recognised disease that affects the wellbeing of so many. It is an inflammatory condition that most commonly strikes the reproductive organs, but it is also frequently found in the bowel and in the bladder. By the age of 44 one in nine women in Australia have been diagnosed with endometriosis. In many cases it starts in teenagers, and they experience a range of very painful pelvic symptoms. For most of them it takes nearly 10 years for that diagnosis to occur.

There are 35 000 endometriosis-related hospitalisations each year in Australia. The Australian government estimates the disease costs close to \$10 billion a year. Two-thirds of that is in lost productivity; the rest is in health care. But our current health system lacks proper care pathways and evidence-based approaches to that delivery of care.

A trial underway at Barwon Health is already reducing hospitalisations via an interdisciplinary approach incorporating cognitive behaviour therapy, pelvic physiotherapy, yoga and education. Last week I was fortunate enough to visit the Julia Argyrou Endometriosis Centre at the Epworth. They are not just delivering holistic patient-centred care for those with endometriosis, they are dedicated to actually finding a cure. The week before, I went to the women's hospital and met with their researchers and saw the great work that they are doing in trying to work out ways to minimise the symptoms but also to treat endometriosis, and I think all of us want to find a way to stop the suffering. But it is time for this good work to stop working in silos, so the action I seek from the minister is that they develop and implement a Victorian endometriosis policy and strategy.

### MORRIS ROAD, UPWEY

**Ms BURNETT-WAKE** (Eastern Victoria) (17:36): (1904) My adjournment matter is directed to the Minister for Roads and Road Safety. The action that I seek is for the minister to work with the Yarra Ranges council for electronic flashing 40-kilometre signs to be installed on Morris Road out the front of Upwey South Primary School as an immediate priority. Morris Road is a very narrow and steep road, and in winter the hills of Upwey become extremely foggy. The cold weather and fog make it difficult for drivers to see children around Upwey South Primary School. The steep hill attracts many speeding motorists who descend at speed down the slope. Parents, grandparents, students, teachers and crossing supervisors are all put in danger due to the speeding vehicles out the front of the primary school. A vehicle recently lost control along the stretch of road and rolled. The incident was attended by the local CFA and highlighted the need for electronic flashing 40-kilometre signs to be installed.

Further to this, the school has very limited parking. This means the school crossing supervisors have to step out between cars to provide protection to the students seeking to cross the road.

I thank the school community for raising this issue with me and showing me firsthand the dangers faced by the Upwey South Primary School community. I have been contacted by numerous parents and grandparents who are deeply concerned about their children's and grandchildren's safety. They feel that it is only a matter of time before a child is injured or a fatality occurs. I have also been informed by constituents that the school has made requests in the past to the Minister for Education that have been ignored. The parents, grandparents and wider school community do not want to see this drag on. They deserve to be safe. The action that I seek is for the minister to ensure electronic flashing 40-kilometre signs are installed on Morris Road outside Upwey South Primary School as soon as possible.

### WESTERN VICTORIA REGION DRUG AND ALCOHOL SERVICES

**Mr GRIMLEY** (Western Victoria) (17:38): (1905) My adjournment debate is for the Premier, and the action I seek is for the Premier to meet with Western Region Alcohol and Drug Centre and other stakeholders who are seeking funding for the Lookout residential rehabilitation facility in Dennington, near Warrnambool. I ask this because the Premier attended a similar forum in Mildura with local independent member Ali Cupper reportedly just last month. I further ask this as the Lookout was not funded in last week's budget. I recently sent the Premier a letter inviting him to Warrnambool to meet with the local community, WRAD, families affected by addiction, large employers, health services et cetera to hear about the Lookout proposal. The Lookout have over \$1.2 million pledged by themselves and the local community for the \$3.5 million build, which is just incredible.

Recently I met with the Victorian Minister for Health to discuss the Lookout, which was part of my budget submission. Minister Foley was supportive of the project and said he would speak to stakeholders to gauge an update on the project. The following week in the media the minister called for a joint state and federal partnership to fund the Lookout. I queried why a joint funding partnership was necessary for Warrnambool's Lookout proposal but not for the Mildura proposal, of which the Premier said in question time to the member for Mildura that he hoped that the government:

... can look favourably upon the submission that she has made in the forthcoming budget.

Further, the residential rehabilitation facilities funded in the 2021–22 budget in Corio, Traralgon and Wangaratta were not funded in a joint partnership but solely by the state government. I find it quite concerning that despite the Lookout being pushed for over five years the Premier is happy to meet with the Mildura community but until this point not the south-west of the Western Victoria electorate.

It is imperative that we take the politics out of this issue of addiction. The Warrnambool community do not care who funds the Lookout; they just want it funded for the sake of those they care about and the general wellbeing of the community. So I reiterate that the action that I seek is for the Premier to meet with the stakeholders of the Warrnambool and south-west community who are lobbying for the Lookout residential rehabilitation facility.

### BALLARAT ROAD, ALBION

**Ms VAGHELA** (Western Metropolitan) (17:40): (1906) My adjournment matter is directed to the Honourable Ben Carroll MP, Minister for Public Transport and Minister for Roads and Road Safety. This adjournment matter relates to the portfolio responsibilities of roads and road safety. After facing two long years with multiple lockdowns, finally life is getting back to normal for Victorians. Communities are hitting the roads to get back to work, children are back at school and residents are eager to go out to socialise. However, some safety issues have persisted despite the road upgrades that have been happening during COVID lockdowns. Ballarat Road in Albion is notorious for being unsafe for motorists and pedestrians. There have been reports of multiple deaths because of accidents, and instances of near misses are a daily occurrence. In particular the intersection of Western Ring Road and Ballarat Road when driving towards the west from the city is prone to accidents as the road markings are not clear. Drivers travelling west on Ballarat Road are often confused about which lane

to take when they cross under the bridge. I believe that there is a need for clearer road markings in that particular area. This is a busy intersection that connects Ballarat Road to the Western Ring Road. Trucks, cars and other vehicles share the road, and they all deserve to be safe.

Road safety is an important issue, especially as the traffic is increasing. For the safety of the community, it is very important that this issue is resolved as quickly as possible. The action I seek from the minister is that he provide me with an update on when the government can resolve this dangerous issue for the residents of the Western Metropolitan Region and other road users.

### GAP ROAD MEDICAL CENTRE

**Mr FINN** (Western Metropolitan) (17:42): (1907) I raise a matter this evening on the adjournment for the attention of the Minister for Local Government. I have to say this is one of the strangest episodes that I have come across for quite some time. It involves the Gap Road Medical Centre in Sunbury and the management of that particular centre. I must declare an interest in that my doctor works at that centre, the Gap Road Medical Centre; he is a very good man and a damn good doctor too, I might say. But nonetheless he has a problem and they have a problem in that they have been trying for quite some time to have the area out the front of the practice properly looked after by council in terms of having it flattened and done properly so that cars can park there so that we do not have the situation at the moment that they have during the winter, when it just a great mud heap, and of course during summer it is something akin to a dust storm. It is quite extraordinary. The people at Gap Road Medical Centre have been trying for years and years and years to get this done, with no joy at all from Hume council.

Hume council is an interesting council, to say the very least. If you live in Sunbury or have anything to do with Sunbury at all, Hume council, generally speaking, does not want to know you. The fact of the matter is there is only one decent councillor in Sunbury, and unfortunately they have all ganged up on him and suspended him at the moment, which is not entirely surprising given the way they operate there.

The problem is that despite the Gap Road Medical Centre offering to pay for the works to fix up the land out the front of the practice, the Hume council will not have a bar of it. They have ignored them; they have fobbed them off for years. This makes no sense to me at all. I mean, if you go to the council, as indeed the doctors and the management of Gap Road Medical Centre have done, and say, 'I will pay for these works; please do them' and the council says no, it just makes no sense at all. In the meantime the patients, the clients, at Gap Road Medical Centre, of which there are many thousands, I can assure you—I have been there and seen the numbers in the waiting room—are suffering as a result. So I am asking the minister to intervene with the Hume council to ensure that the Gap Road Medical Centre gets the works that it needs so that this winter they are free of the mud that they have had to put up with for many years past.

### COMMONWEALTH GAMES

**Ms MAXWELL** (Northern Victoria) (17:45): (1908) My adjournment is to the Minister for Tourism, Sport and Major Events, and the action I seek is for the government to expand the list of Commonwealth Games sports across regional Victoria and designate Lake Nagambie to host rowing for the 2026 games. Northern Victoria covers more than 110 000 square kilometres, around half of the state. There are 27 local government areas in my electorate, and yet only one of those, Bendigo, has been earmarked so far as a venue for the 2026 Commonwealth Games. While the multicounty model is worthy of credit, much of my electorate has been overlooked to date.

A program of 16 core sports and four para sports have so far been agreed between the state of Victoria, the Commonwealth Games Federation and Commonwealth Games Australia. Typically there are 17 or 18 sports competed in at the games, so I am hoping there is room for a couple of extra additions. When the City of Greater Shepparton conceived a regional games concept back in 2017, it presented a vision of a regional cities model that included 11 regional cities. As well as the four already

announced by the Premier, the 11 included Shepparton, Mount Buller, Yarrawonga, Wodonga and Nagambie in my electorate.

The 2-kilometre rowing course in Strathbogie shire is an example of an existing location that is ripe for opportunity that the Commonwealth Games could present. Lake Nagambie is the only 2-kilometre rowing course in regional Victoria. Last month the Australian Rowing Championships were relocated to this course with only eight days notice after the devastating floods in New South Wales. Around 2000 athletes competed, and Strathbogie shire and Lake Nagambie showcased themselves with high honours. Strathbogie shire is a great tourism destination with fabulous food and wine offerings, well-established agriculture and equine industries, beautiful landscapes and wonderful potential. The mayor and council of Strathbogie shire have reached out to me for help to ask the government to consider flat-water rowing as an additional 2026 Commonwealth Games sport and to nominate Lake Nagambie as the location to host this event.

Rowing was part of the Commonwealth Games sporting program from 1938 until 1962, when it was classified as an optional sport for the Commonwealth Games. Rowing is a popular sport in Australia—60 000 people participate, including more than 185 schools and 165 clubs across Australia. This is an absolute no-brainer for the government, and I know Nagambie and the Strathbogie shire would do Victoria proud in hosting a great rowing event. I look forward to the government's positive response, and I hope to see Strathbogie's name on the list.

#### WESTERN METROPOLITAN REGION SCHOOLS FUNDING

**Dr CUMMING** (Western Metropolitan) (17:49): (1909) My adjournment matter is to the Minister for Education in the other place, and the action that I seek is for the minister to provide an update on the new schools promised in the Western Metropolitan Region in the 2021–22 budget, including designs, construction updates and time lines.

Last year's budget promised \$492 million to build 13 new schools across the state. They included Holyoake Parade primary school in Manor Lakes, Lollypop Creek primary school in Werribee and Tarneit Missen House primary school. These three schools were due to open in 2023 and the new Truganina North secondary school in 2024. The budget also included funding for a new stage of Tarneit Senior College, but this year's budget shows a different story. The Truganina North secondary school is listed. Some of the other schools announced in the 2020 and 2021 budgets have separate line entries.

All the schools announced in this year's budget appear to have separate line entries. There is a blanket amount in 2019–20 and 2020–21—the school's construction—but there is no separate line item or mention of Lollypop Creek primary, Holyoake Parade primary school or Tarneit Missen House primary school. On the Victorian School Building Authority website it says that Lollypop Creek primary, Holyoake Parade primary and Tarneit Missen House primary schools are under construction, yet only indicative site plans are available. So are these schools a priority?

Between 2016 and 2041 the population of Wyndham is forecast to increase by 285 531 people. That is a growth of 125 per cent. This is one of the fastest growing areas in the state, and these need to be a priority, especially for our children, especially with the large birthrate in Werribee. So, Minister, could you please show me the costings, designs, construction updates and time lines from the previous budget so I can understand fully this year's budget of 2022–23?

#### ALBURY WODONGA HEALTH

**Mr QUILTY** (Northern Victoria) (17:51): (1910) My adjournment matter tonight is for the Minister for Health. Last week saw the release of the Victorian budget, and I cannot tell you the level of disappointment that was experienced in Wodonga and Albury. The border community has been lobbying for funding for a new hospital to cater for the growing demands on the existing facilities at the split campus. Our medical staff and health workers are struggling under the conditions. They can

no longer support the community that needs and uses Albury Wodonga Health. The hospital had a code brown called in January 2022, and there have been more code yellows called than I care to recall since. Elective surgery has been scaled back, and waitlists have blown out. Emergency department presentations have increased, presentations are for more serious conditions and admissions to the emergency department are on the increase. Stories are circulating amongst the community of the experience of patients who have had awful, hours-long wait times just to get through the admission process before they can even be triaged to see a doctor.

Since the budget release the community has come together and created a Better Border Health: Standing up for Albury-Wodonga group to highlight the urgency needed in finalising the design and completing construction of a new single-site regional hospital for Wodonga-Albury, preferably in North Wodonga just off the freeway. This weekend I along with many of my constituents will be attending a public rally in support of Better Border Health. The rally has the full support the Border Medical Association, with them calling on residents to turn out in significant numbers to make the case. The action I seek is for the health minister to attend this public rally taking place this Sunday, 15 May, at 11 am at Gateway Lakes in Wodonga with me to listen to the concerns of local health workers and patients and to find out firsthand about the need for major improvements to the Wodonga-Albury hospital situation.

### VICROADS LICENCE CONDITIONS

**Mr BARTON** (Eastern Metropolitan) (17:53): (1911) My adjournment tonight is for Minister Carroll. VicRoads is insisting that individuals who suffer from mild epilepsy make a special trip to their specialist to provide a medical report to keep their licence. This has posed a challenge, as many of those who suffer from epilepsy have only an annual appointment with their specialist. In the case of a friend of mine their specialist requires bookings six months ahead of time and only if they suffer a seizure. Further, there is a significant cost in this process to visit the specialist, which in some cases sees people having to pay hundreds of dollars to get this medical report. My friend has been seizure free for well over two years now, so conducting a review at this stage does not make much sense. The medical advice from his specialist remains the same.

VicRoads have a default setting whereby unless the specialist provides the report by an arbitrarily set date the licence is automatically cancelled. In effect VicRoads only allows six weeks for a person to obtain an appointment with their specialist. VicRoads refuses outright to provide any extensions of time. Given the pressure on the GPs and specialists because of the pandemic, there is no justification for VicRoads insisting on such an inflexible time frame. Should it not be a specialist practitioner specifying the period in which the review is required?

It is my understanding that these medical reports are not reviewed at VicRoads by a suitable qualified medical practitioner; rather it is a bureaucrat who may have worked in a health-related field. VicRoads expect these incredibly busy specialists to fill in a very lengthy and cumbersome online form. In my view government bureaucrats without a health background should not be telling our most senior, experienced and learned specialists how they should prepare and provide medical reports.

When it comes to this process VicRoads is found wanting. At a time of acute pressure on all medical services these bureaucrats are forcing people to rush and undertake expensive and unnecessary specialist consultations in order to meet arbitrary, confected deadlines that have no medical relevance. So the action I seek is: will the minister conduct a review of the VicRoads fitness-to-drive process with a view to removing any unnecessary bureaucratic red tape?

**RESPONSES**

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (17:56): I thank all members for their contributions on the adjournment debate this evening. I will provide the matters raised by members to the relevant ministers as requested and seek written responses in accordance with our standing orders. I wish everybody a very nice evening, and I will see you all tomorrow.

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

**House adjourned 5.56 pm.**