



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Thursday 14 November 2024**



**Office-holders of the Legislative Assembly**

**60th Parliament**

**Speaker**

Maree Edwards

**Deputy Speaker**

Matt Fregon

**Acting Speakers**

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,  
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,  
Paul Mercurio, John Mullahy, Kim O’Keeffe, Meng Heang Tak, Jackson Taylor and Iwan Walters

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

Jacinta Allan

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

Ben Carroll

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

John Pesutto

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

David Southwick

**Leader of the Nationals**

Peter Walsh

**Deputy Leader of the Nationals**

Emma Kealy

**Leader of the House**

Mary-Anne Thomas

**Manager of Opposition Business**

James Newbury

**Members of the Legislative Assembly**  
**60th Parliament**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren <sup>2</sup>	South Barwon	Ind	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan <sup>6</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam <sup>5</sup>	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole <sup>7</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 7 July 2023

<sup>7</sup> Sworn in 3 October 2023

**Party abbreviations**

ALP – Australian Labor Party, Greens – Australian Greens,  
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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**Thursday 14 November 2024**

**The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.**

*Joint sitting of Parliament***Legislative Council vacancy**

**The SPEAKER (09:33):** I have to report that the house met yesterday with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Samantha Ratnam MLC and that Anasina Gray-Barberio was duly chosen to hold the vacant seat.

*Business of the house***Orders of the day**

**The SPEAKER (09:33):** General business, order of the day 4, will be removed from the notice paper unless the member wishing their matter to remain advises the Clerk in writing before 2 pm today.

*Committees***Privileges Committee***Report on the Complaint by the Member for Brighton*

**Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:34):** I have the honour to present to the house a report from the Privileges Committee on the inquiry into the complaint by the member for Brighton, together with appendices.

**Ordered that report and appendices be published.**

*Documents***Documents****Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:**

Albury Wodonga Health – Report 2023–24  
Alexandra District Health – Report 2023–24  
Alfred Health – Report 2023–24  
Alpine Health – Report 2023–24  
Ambulance Victoria – Report 2023–24  
Austin Health – Report 2023–24  
Australian Health Practitioner Regulation Agency – Report 2023–24  
Bairnsdale Regional Health Service – Report 2023–24  
Barwon Health – Report 2023–24  
Bass Coast Health – Report 2023–24  
Beechworth Health Service – Report 2023–24  
Benalla Health – Report 2023–24  
Bendigo Health – Report 2023–24  
Boort District Health – Report 2023–24  
Calvary Health Care Bethlehem Limited – Report 2023–24  
Casterton Memorial Hospital – Report 2023–24

Central Highlands Rural Health – Report 2023–24  
Cohuna District Hospital – Report 2023–24  
Colac Area Health – Report 2023–24  
Corryong Health – Report 2023–24  
Dhelkaya Health – Report 2023–24  
East Grampians Health Service – Report 2023–24  
East Wimmera Health Service – Report 2023–24  
Eastern Health – Report 2023–24  
Echuca Regional Health – Report 2023–24  
Gippsland Southern Health Service – Report 2023–24  
Goulburn Valley Health – Report 2023–24  
Grampians Health – Report 2023–24  
Great Ocean Road Health – Report 2023–24  
Heathcote Health – Report 2023–24  
Hesse Rural Health Service – Report 2023–24  
Heywood Rural Health – Report 2023–24  
Inglewood and District Health Service – Report 2023–24  
Kerang District Health – Report 2023–24  
Kooweerup Regional Health Service – Report 2023–24  
Kyabram District Health Service – Report 2023–24  
Latrobe Regional Health – Report 2023–24  
Mallee Track Health and Community Service – Report 2023–24  
Mansfield District Hospital – Report 2023–24  
Maryborough District Health Service – Report 2023–24  
Melbourne Health (Royal Melbourne Hospital) – Report 2023–24  
Mercy Hospitals Victoria Ltd – Report 2023–24  
Monash Health – Report 2023–24  
Moynes Health Service – Report 2023–24  
NCN Health – Report 2023–24  
Northeast Health Wangaratta Report 2023–24  
Northern Health – Report 2023–24  
Omeo District Hospital – Report 2023–24  
Orbost Regional Health – Report 2023–24  
Peninsula Health – Report 2023–24  
Peter MacCallum Cancer Centre – Report 2023–24  
Portland District Health – Report 2023–24  
Rochester and Elmore District Health Service – Report 2023–24  
Royal Children’s Hospital – Report 2023–24  
Royal Victorian Eye and Ear Hospital – Report 2023–24  
Royal Women’s Hospital – Report 2023–24  
South Gippsland Hospital – Report 2023–24  
South West Healthcare – Report 2023–24  
Statutory Rules under the following Acts:

*Drugs Poisons and Controlled Substances Act 1981* – SR 126

*Victims of Crime (Financial Assistance Scheme) Act 2022* – SR 127



## MOTIONS

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*Victims of Crime Commissioner Act 2015* – SR 128

St Vincent's Hospital (Melbourne) Ltd – Report 2023–24

Swan Hill District Health – Report 2023–24

Tallangatta Health Service – Report 2023–24

Terang and Mortlake Health Service – Report 2023–24

Timboon and District Healthcare Service – Report 2023–24

Tweddle Child and Family Health Service – Report 2023–24

Victorian Health Promotion Foundation (VicHealth) – Report 2023–24

West Gippsland Healthcare Group – Report 2023–24

West Wimmera Health Service – Report 2023–24

Western District Health Service – Report 2023–24

Western Health – Report 2023–24

Yarrawonga Health – Report 2023–24

Yea and District Memorial Hospital – Report 2023–24.

### *Motions*

#### **Government performance**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (09:35): I move, by leave:

That this house condemns the Premier and the member for Melton for proceeding with the government's reckless Suburban Rail Loop while breaking their promise at two elections to deliver a new hospital for Melton by 2026, leaving locals without access to care and compromising local health.

**Leave refused.**

**Peter WALSH** (Murray Plains) (09:35): I move, by leave:

That this house condemns the Premier and the member for Ringwood for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Maroondah Hospital waitlist, which has surged to 590 patients under Labor's mismanagement.

**Leave refused.**

**David SOUTHWICK** (Caulfield) (09:35): I move, by leave:

That this house condemns the Premier and the member for Point Cook for pouring billions of dollars into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Werribee Mercy Hospital waitlist, which has surged to 1342 patients under Labor's mismanagement.

**Leave refused.**

#### **Middle East conflict**

**Gabrielle DE VIETRI** (Richmond) (09:36): I move, by leave:

That this house notes that Israel continues to massacre and starve Palestinians, with complete disregard for human life and international law, that Victorians have been peacefully protesting the Labor government's complicity in Israel's genocide for 57 weeks and that Victoria Police is using intimidation tactics to silence the movement for Palestine through home raids and mass arrests of peaceful protesters.

**Leave refused.**

#### **Government performance**

**David HODGETT** (Croydon) (09:36): I move, by leave:

That this house condemns the Premier and the member for Bayswater for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Maroondah Hospital waitlist, which has surged to 590 under Labor's mismanagement.

**Leave refused.**

## MOTIONS

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Legislative Assembly

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**Brad ROWSWELL** (Sandringham) (09:37): I move, by leave:

That this house condemns the Premier and the member for Niddrie for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Footscray Hospital waitlist, which has surged to 1055 under Labor's mismanagement.

**Leave refused.**

**Nicole WERNER** (Warrandyte) (09:37): I move, by leave:

That this house condemns the Premier and the member for Box Hill for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Box Hill Hospital waitlist, which has surged to 2229 under Labor's mismanagement.

**Leave refused.**

**Roma BRITNELL** (South-West Coast) (09:38): I move, by leave:

That this house condemns the Premier and the member for Carrum for pouring billions of dollars into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Monash hospital waitlist, which has surged to 1107 people in pain needing surgery under Labor's mismanagement.

**Leave refused.**

**Michael O'BRIEN** (Malvern) (09:38): I move, by leave:

That this house condemns the Premier and member for Cranbourne for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Cranbourne Integrated Care Centre waitlist, which has surged to 1264 under Labor's mismanagement.

**Leave refused.**

**Matthew GUY** (Bulleen) (09:38): I move, by leave:

That this house condemns the Premier, the member for Eltham and the member for Ivanhoe for pouring billions of dollars into the wasteful Suburban Rail Loop while locals in Banyule, Nillumbik and Manningham needing vital surgery languish on the Austin Hospital waiting list, which has surged to 1396 due to Labor's mismanagement.

**Leave refused.**

**Chris CREWTHER** (Mornington) (09:39): I move, by leave:

That this house condemns the Premier and the member for Frankston for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Frankston Hospital waitlist, which has surged to 1210 under Labor's mismanagement.

**Leave refused.**

**Bridget VALLENCE** (Evelyn) (09:39): I move, by leave:

That this house condemns the Premier and the Labor member for Monbulk for pouring billions into the financially disastrous Suburban Rail Loop while locals needing vital surgery languish on the Angliss Hospital waitlist, which has surged to 501 people under Labor's mismanagement.

**Leave refused.**

**Brad BATTIN** (Berwick) (09:40): I move, by leave:

That this house condemns the Premier and the member for Narre Warren South for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Casey Hospital waitlist, which has surged to 1846 under Labor's mismanagement.

**Leave refused.**

**Wayne FARNHAM** (Narracan) (09:40): I move, by leave:

That this house condemns the Premier and the Minister for Health for proceeding with the government's reckless Suburban Rail Loop while breaking their promise to deliver the Pakenham community hospital by 2024, which was promised at two elections, leaving locals without access to care and compromising local health.

**Leave refused.**

**Wayne FARNHAM:** I move, by leave:

That this house condemns the Premier and the Minister for Health for proceeding with the government's reckless Suburban Rail Loop while breaking their promise to start the West Gippsland Hospital by 2024, which was promised at the 2022 election, leaving locals without access to care and compromising local health.

**Leave refused.**

**Richard RIORDAN** (Polwarth) (09:41): I move, by leave:

That this house condemns the Premier and the ever-absent member for South Barwon for pouring billions into a wasteful Suburban Rail Loop while locals needing vital health care in Torquay and along the Surf Coast have had their planned community hospital cancelled.

**Leave refused.**

**Cindy McLEISH** (Eildon) (09:41): I move, by leave:

That this house condemns the Premier and the member for Yan Yean for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Northern Hospital waitlist, which has surged to 1414 under Labor's mismanagement.

**Leave refused.**

**Emma KEALY** (Lowan) (09:42): I move, by leave:

That this house condemns the Premier and the Labor members for Ripon, Wendouree and Eureka for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Ballarat Base Hospital waitlist, which has surged to 1568 patients under Labor's mismanagement.

**Leave refused.**

**Tim BULL** (Gippsland East) (09:42): I move, by leave:

That this house condemns the Premier and the member for Glen Waverley for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Monash Medical Centre waitlist, which has surged to 1107 under Labor's mismanagement.

**Leave refused.**

**Martin CAMERON** (Morwell) (09:42): I move, by leave:

That this house condemns the Premier and the member for Ashwood for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery are languishing on the Alfred's waitlist, which has surged to 1101 under Labor's mismanagement.

**Leave refused.**

**Danny O'BRIEN** (Gippsland South) (09:43): I move, by leave:

That this house condemns the Premier and the member for Bentleigh for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Monash hospital waitlist, which has surged to 1107 people under Labor's mismanagement.

**Leave refused.**

**Kim O'KEEFFE** (Shepparton) (09:43): I move, by leave:

That this house condemns the Premier and the member for Northcote for pouring billions into the wasteful Suburban Rail Loop while locals needing vital surgery languish on the Mercy Hospital for Women waitlist, which has surged to 991 under Labor's mismanagement.

**Leave refused.**

#### **Land tax**

**Brad ROWSWELL** (Sandringham) (09:44): I move, by leave:

Notice of motion 31, standing in my name, relating to the establishment of a parliamentary inquiry into Labor's punishing land tax.

**Leave refused.**

#### *Business of the house*

#### **Adjournment**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:44): I move:

That the house, at its rising, adjourns until 26 November 2024.

**Motion agreed to.**

#### *Members statements*

#### **Jack Davey**

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (09:45): Jumping Jack Flash, Jedi knight, Jedi master, sporty, curious, thoughtful, one of a kind, Jackie-Boy to his dad, mum and sisters – these were the names and reflections of people who knew and loved Jack Thomas Davey, who made such an incredible impact on planet earth from 4 July 2013 to 29 October 2024. From the bagpipes at Scotch College to the welcome song *Gone Too Soon* by Michael Jackson to the heartfelt tribute from parents Mike and Jayde Davey, the positive impact Jack Davey had on everyone he met in his 11 short years was simply incredible. He would often say to his parents, 'I love you more,' but his dad made clear and his mum made clear last Sunday that they loved him more than anything – 'thousands of times more', as both his parents said. Auburn South Primary School principal Marcus Wicher read reflections from his teachers and classmates. Messages in chalk were all over the school grounds. It was clear young Jack was an inspiration to all who met and knew him. To his parents Michael and Jayde Davey, to his sisters Olivia and Charlotte, to his nanny Shelly, to principal Marcus Wicher and to the school receptionist Millie, who provided so much care and comfort to Jack in his hour of need: Jack was a shooting star who blessed us all for 11 years. Let us follow in his footsteps and live each day well. Rest in peace, Jack Thomas Davey.

#### **Regional train services**

**Matthew GUY** (Bulleen) (09:46): I rise to raise issues in relation to country rail services under this Labor government across Victoria, particularly on the lines to Bairnsdale, Albury, Shepparton, Swan Hill and Warrnambool. The Labor government has decided to remove the diesel-hauled services – understandably, they are at the end of their line – and replace them with VLocitys. VLocity railcars were never made to travel beyond 160 kilometres out of Melbourne. They are now being put into service up to 4 hours from Melbourne.

The issues for country Victorians are not just that they are travelling on trains that do not have reclining seats, do not have sunshades and do not have a buffet; it is now the fact that when they do run – and many of them are now bus replacements – the Victorian government is treating country passengers the worst of any government in Australia in the sense that the quality of the VLocity trains is the worst

of any long-haul service in Australia. The Western Australian government is replacing the Australind service to Bunbury with brand new country trains with reclining seats, buffet services and sunshades, as you would expect for a long-haul service, as is the New South Wales government in replacing the XPTs and the XPLOER trains right now, as has the Queensland government, which has just put in new interurban electric trains up the coastline to Rockhampton. But no, in Victoria the Labor government treats country passengers with disrespect and puts in place a vehicle, the VLocity, that should never and is not designed to travel further than Traralgon. That is why Labor treats country with disrespect.

### **Rosanna Piccolo**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (09:48): It is a great honour to rise today to recognise an incredible 50 years of service in education by Mrs Rosanna Piccolo, principal of St Damian’s Catholic primary school in Bundoora. Of that 50 years, Rosanna has worked tirelessly as a principal for the past 17. After starting her teaching career at St John’s primary school in Heidelberg in 1974, Rosanna would come to teach at schools mostly across Melbourne’s north, including St Mark’s in Fawkner, St Thomas the Apostle in Greensborough north – another fantastic school in my electorate – followed by time at St Catherine’s in Lalor, St Margaret’s in Keon Park, St Phillip’s in Blackburn North and finally St Damian’s a decade ago.

The St Damian’s community knows Rosanna as a dedicated, hardworking and loyal educator respected by students, families and staff. Over many years of visiting St Damian’s I have seen firsthand the high regard in which Rosanna is held. The refurbished buildings at the school, which were recently dedicated and blessed, are a testament to Rosanna’s strong advocacy for the school and in particular her commitment to see her students provided with a high-quality learning environment. Rosanna has given so much to primary education over the past 50 years. It is incredible to think of how many students she has supported over her time in teaching and how many students’ lives she has had a positive impact upon. I say to Rosanna and her family on behalf of our local community and more broadly as a member of this Parliament: thank you for your passionate service to the Catholic education system and our community for over half a century.

### **Local government elections**

**Tim McCURDY** (Ovens Valley) (09:49): As the new councillors are declared across the Ovens Valley I want to thank each and every councillor who commits their time to support and represent our communities. I particularly want to congratulate the Rural City of Wangaratta’s Dean Rees for his commitment to the community and his leadership and friendship. Dean has led the Rural City of Wangaratta for six years. Thank you, Dean.

John Forsyth has been a tremendous mayor of the Alpine Shire Council, and I respect John’s opinion greatly. It was a pleasure to work alongside him when he was mayor last year and when he was a councillor.

Also, I want to welcome Tania Maxwell back to public duties. As a former upper house member in the Legislative Council, she has much to offer to our communities locally. I look forward to working with the new councils and the new councillors.

### **Sacred Heart College Yarrawonga**

**Tim McCURDY** (Ovens Valley) (09:50): It was a pleasure to meet up with students from the Yarrawonga Sacred Heart College yesterday here in Parliament. They were a great bunch of students, eager to learn, listen and fire off question after question. There is nothing like a Melbourne excursion for a few days. The students, teachers and parents will all need a good night’s sleep by the weekend.

### McHappy Day

**Tim McCURDY** (Ovens Valley) (09:50): McHappy Day is this Saturday, and for every family, like ours, that has benefited from the Royal Children's Hospital I know how important it is to raise funds for Ronald McDonald House. I encourage you to visit any Macca's this Saturday, especially the Wangaratta franchise, where you will find this Macca serving at Macca's. I look forward to serving you and raising funds for this exceptional cause.

### Mill Park electorate projects

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:51): I am delighted to highlight the beautiful places in my electorate which provide our communities with valuable spaces to take the kids for a picnic or a walk or to ride their bikes – and all for free. Just last week I had the pleasure of opening the new Quarry Hills connecting trails and the new viewing platform at Farm Viganò in Plenty Gorge. These projects were made possible by the Allan Labor government's commitment to creating outdoor spaces where people can enjoy free nature-based activities with their family, friends and community. The Farm Viganò project involved the completion of key upgrades funded through the community asset initiative program. These enhancements include a new pedestrian path, improved seating and updated signage, all designed to enhance the visitor experience and accessibility. The project also focuses on preserving and promoting Farm Viganò's cultural heritage and its strong ties to Melbourne's Italian community. It was wonderful to celebrate this occasion alongside the Friends of Farm Viganò, who recently moved into the cottage.

Our government also provided \$322,000 to the Quarry Hills connecting trails project, providing a continuous connection between communities in Epping through to Mernda. It is a prime example of how the Growing Suburbs Fund fosters local connections and helps communities thrive. I am looking forward to attending the birds of the park walk this very weekend at Quarry Hills, so anyone interested, please come along. Other notable projects in my electorate funded through the program include the Mill Park Leisure centre redevelopment and more.

### Malvern electorate events

**Michael O'BRIEN** (Malvern) (09:52): I was delighted to attend the Lloyd Street primary school fair on Derby Day, and unlike two years ago, when the rain came in horizontally, they had an absolutely perfect day. My congratulations to principal John Painter and all the parents, who managed to turn a fantastic day into a fantastic fair as well. To the mums who convinced me to buy the indoor plant, the good news is it still lives. I cannot guarantee how long it is going to live for, but it is still currently alive.

Following from that, we saw the Armadale Primary School fair last Sunday, where principal Rochelle Cukier and her team put on a fantastic show that got magnificent weather, and the whole community really mucked in. We have got some great government schools in my electorate, and it is always a pleasure to celebrate them, particularly since Armadale Primary School is celebrating its 140th anniversary, an amazing achievement for an amazing school and an amazing community.

The fun does not stop there, because this Sunday we have got the Malvern Primary School fair, and under principal Robyn James and her team I am sure we are going to be seeing a fantastic day as well. I will be down there eating sausages in the interests of supporting the community of course. Following that, I get to go to the East Malvern Food and Wine Festival over in Central Park, which will be another great day.

The biggest event, though, will be on 1 December – a public meeting to discuss the Chadstone activity centre – and I would like to invite the Premier and the Minister for Planning to attend and explain what they want to do to my community.

### Spirit of Anzac Prize

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (09:54): Every year on 11 November we pause to honour and remember the brave Australians who have served in wars, conflicts and peacekeeping operations around the globe. As we commemorate Remembrance Day it is so important that we recognise the sacrifices that have shaped our country and of course our identity. That is why I am proud to congratulate the Premier's Spirit of Anzac Prize winners. These are students that have participated in Remembrance Day services across the state. The member for Bellarine has proudly shared with me about her local prize-winning student Owen, who read a very meaningful poem at his local service. Also, in Wonthaggi the member for Bass has advised me how her prize-winning student Chloe spoke about her connection to the local Wonthaggi community Remembrance Day. I would also like to highlight a student that contacted me after travelling to Türkiye as part of the Spirit of Anzac Prize program, Mahdia Qasimi from Hampton Park Secondary College, who shared a powerful video retracing the steps of the Anzac legends in Gallipoli, Türkiye, with her fellow 2024 prize-winning students. The Premier's Spirit of Anzac Prize has a big impact. It really is life-changing to most students, who actually get to travel to Gallipoli and Türkiye. I cannot wait to see next year's prize winners.

### Gayle Dye

**Kim WELLS** (Rowville) (09:55): I would like to recognise the amazing local hero Gayle Dye from Share Space Inc in Rowville. Gayle recently was awarded the Knox Westfield Local Hero 2024 for her outstanding commitment towards her community. Gayle is also a previous winner of a Victoria Day award, hosted by Nick McGowan MLC and me. Understanding the need in the community for extra support, Gayle sought to create Share Space, a local organisation that brings the vulnerable together and provides a space that supports them. The organisation also provides 24-hour access to food, personal hygiene and essential items for families who are in need. I always feel very welcomed by Gayle when I drop by Share Space. Share Space is a testament to Gayle's vision for the community, aiming to include everyone in the community, making sure no-one gets left behind. Again, a huge well done to Gayle, and I hope she continues to do her amazing work for the Rowville area.

### Olympic Village Primary School

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:56): I was very pleased to join students at Olympic Village Primary School, the Premier and the Deputy Premier and Minister for Education as we celebrated the milestone of the government's school breakfast club serving its 50 millionth meal. More than a thousand schools already participate in school breakfast club programs, which provide healthy breakfasts, lunches, snacks and take-home food packs for students whose families are in need. It is a great social time also for students to get together in the morning over brekkie. The school breakfast club program is part of a \$287 million investment in the Victorian budget to help ease cost-of-living pressures for school families.

Families will also soon receive their letter from the Premier with their \$400 school saving bonus. The government has also expanded the Glasses for Kids program into more than 400 extra schools, providing free vision screening to children in year prep, foundation, to year 3 and free glasses for students who need them, and of course you cannot go past the Smile Squad vans that we see around our schools.

But can I say that I was pleased to join the Premier and the Deputy Premier at Olympic Village Primary School in West Heidelberg in my electorate, a school that does amazing work, a school that for \$6 million we rebuilt under our government. We knocked it over, we rebuilt it, and it is a brand new building providing increased opportunities for more enrolled students in West Heidelberg, a great community in my electorate. It was great to spend time with them, and to principal Ms Ndalianis, I just want to thank her for her leadership and the great work of the school community there in Olympic Village, West Heidelberg.

**Donvale Christian College**

**Nicole WERNER** (Warrandyte) (09:58): I recently had the privilege of meeting with the amazing students and staff at the years 6 and 9 classes at Donvale Christian College (DCC), and I pay tribute to them today. Today, as I speak, I have the brilliant year 6 students from Donvale Christian College watching on live from class as I raise some of their local concerns here in the Parliament. Hello to you all.

Here are some of the issues they have raised with me. Olivia pointed out the unsafe barriers at a Ringwood primary school, which allow cars to enter the playground, which is putting the students at risk, recommending the government build new parking barriers. Mireille raised the distressing rise in youth crime in Manningham, suggesting that new mental health support is needed to prevent it rising any higher. Oliver raised concerns about the intersection of Warrandyte Road and Oban Road, where traffic congestion and dangerous driving are a daily risk, suggesting the intersection needs new traffic lights. Isabella highlighted the tragic rise in fatal car crashes. She stressed the importance of road safety for vulnerable users, like pedestrians and cyclists. I will continue to advocate for safer roads in our community. Finally, Erin pointed out the dangers of crossing the road near Donvale Christian College, where students must navigate a roundabout with no designated pedestrian crossing.

I thank the amazing DCC students and community for their advocacy and support. It is a privilege to represent you in state Parliament. I look forward to seeing you all soon.

**Lower Plenty Primary School**

**Vicki WARD** (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (09:59): Congratulations Lower Plenty Primary School on your 150th birthday. Since 1874 Lower Plenty Primary School has been a much-loved part of our community. At the birthday celebration we had a beautiful smoking ceremony with Uncle Perry Wandin and a panel of past students sharing their stories, and we shared of course a delicious birthday cake. Thanks to Lower Plenty's parents and friends association and in particular Katrina Walsh, Michelle Wheeler, Kate Landers, Michelle Bodnar and Brad Martin, who went above and beyond for these celebrations. School principal Daniel Frew is to be congratulated for his terrific work. Happy birthday, Lower Plenty Primary School.

**Remembrance Day**

**Vicki WARD** (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:00): Montmorency Eltham RSL has again undertaken a remarkable Remembrance Day service, and I acknowledge and thank everyone involved in this commemoration, including Luca and Ava from Sherbourne Primary; Harry from Our Lady's primary; Keegan and Abbie from St Francis Xavier Primary; the Eltham College Voci choir; Ollie, Olive, Mila, Wesley and Armin from Eltham East Primary; Rugiada and Heidi from Holy Trinity Primary; Nyssa and Alexander from Briar Hill Primary; Lucas Shen from Eltham College; and Lower Plenty Primary and Montmorency South Primary. I have amazing RSLs in my community, and I love how they continue to include children and young people in their services. I see the Minister for Veterans is here with me. She will be pleased to know that Monty South Primary students helped me lay her wreath, which she generously sent to my RSL.

Thank you to committee members and volunteers of the Friends of Kangaroo Ground War Memorial Park for organising another lovely Remembrance Day service. Thanks also to Eltham Men's Shed, Rodney Simmonds – *(Time expired)*

**Greg Coghlan**

**Kim O'KEEFFE** (Shepparton) (10:01): I wish to acknowledge Mr Greg Coghlan, the owner and operator of Goulburn Valley Vending Service for the past 20 years. Greg was notified in February that V/Line was changing the way it manages the provision of refreshments at railway stations and had entered into an agreement with Coca-Cola Europacific Partners, a global company. Greg was also



notified that he had 30 days to remove his machines. As you can imagine, this was a shock and has had a significant impact on Greg and his small team of three staff. At no time was Mr Coghlan given an opportunity to tender for these services. Mr Coghlan is bewildered by the lack of consideration, care and transparency, and we have argued that the correct procurement processes were not followed. Following this decision I urge the Minister for Public and Active Transport to retract this decision.

In corresponding with the minister and V/Line, Greg has been given an extension until the end of 2025, but this proposal added new fees and costs for him to do so. This is just simply appalling, trying to make extra money when he is already down. Having these machines serviced by a larger company may work in metropolitan Melbourne stations, but it is not working in regional communities, with the machines often not fully stocked. Should a machine break down, Mr Coghlan is only minutes away with his small warehouse nearby. It is a disgrace to shut down a small regional long-term business in favour of a large global company when it was doing a fantastic job. This business is Greg's life, and I have seen the pressure and distress this decision has caused this small business owner.

### **Kalkallo electorate schools**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:02): I am very pleased that this government continues our commitment to building fantastic learning spaces to support the bright futures of our young people in Kalkallo. In rapidly growing Mickleham, the Darul Ulum Academy has recently received \$3 million from the Building Fund for Non-Government Schools to go towards stage 2 of that school, which will include a three-storey middle school building and technology centre. The new stage brings 15 classrooms, a science lab, a library, art and technology rooms, open learning and study spaces, tutorial rooms and staff offices. This funding will ensure the school can grow as the community around it grows and as its wonderful students progress to later years. I was out at Darul Ulum last week with the Parliamentary Secretary for Education Nina Taylor to officially open stage 1 of the Mickleham campus, to which the Allan Labor government has contributed \$3.5 million, and I thank the parliamentary secretary for joining me for that opening. These very well considered learning spaces will inspire the students creatively, academically and spiritually.

We have a fantastic school community in Kalkallo, and we are producing intelligent and capable young leaders, some of whom I have had the pleasure of working with and mentoring over the past nine years through my Youth Advisory Council. A fine example of the bright young people we have in Kalkallo are the 2025 leaders of Hume Anglican Grammar. I offer my congratulations to new school captains Manraj Dhanoa and Sarah Jaza and vice-captains Kenuka Wijesuriya and Athena Abraham. These students were selected for their outstanding leadership qualities. I wish them the best of luck in their new roles and look forward to seeing them progress.

### **Mentone Community Assistance and Information Bureau**

**Brad ROWSWELL** (Sandringham) (10:03): Volunteers are truly the lifeblood of our community, men and women who give of themselves, of their time and of their talents for the benefit of other people and not for themselves. So today I rise to acknowledge the incredible work of the volunteers and workers of the Mentone Community Assistance and Information Bureau, who this year mark serving our community for 50 years. It was an honour to visit the bureau in September and witness firsthand the compassion and dedicated service they offer to our community. Under the leadership of manager Kathy Hassall and secretary Cecilia Stone, the bureau assists families and individuals in urgent need of support, helping them stay on top of bills and avoid financial hardship. Their team of volunteers goes above and beyond to make a tangible difference in the lives of those who are struggling, often ensuring that working families in crisis are not left behind. In the midst of a cost-of-living crisis the bureau's role has never been more crucial. Rising costs for essential goods and services are putting immense pressure on households, and the bureau provides vital and timely relief, helping to stabilise families and ensure our community remains strong and resilient. I want to extend my gratitude and admiration to the volunteers and workers at the Mentone Community Assistance and

Information Bureau, who will be joining us in Parliament later today. To Pauline Abourizk, Sue Bingham, Russel Bingham, Michelle Bean, Robyn Fairhall, Kathy Hassall, Denise Stirling, Cecilia Stone, Brendon King, Ram Krishnamoorthy and others who will not be joining us.

### ***Port Report***

**Alison MARCHANT** (Bellarine) (10:05): We have several wonderful local community publications on the Bellarine. In Leopold we have the *Leopold Local*; the *SpringDale Messenger* is for Drysdale, Clifton Springs and Curlewis; the *Rip* is in Queenscliff, now online; *Talking Heads* magazine is distributed through Barwon Heads; and of course we have the *Port Report*, long cherished by the Portarlington and North Bellarine community. But sadly we must say farewell to one of these treasures. After 34 remarkable years the final edition of the *Port Report* will be published next month.

I want to take this moment to express our heartfelt thanks to the entire *Port Report* team, with a special mention to publisher Lindsay Ellis, who since acquiring the printing company in 2000 and taking on the *Port Report* has dedicated the past 24 years to nurturing this invaluable community newsletter. The *Port Report* began in December 1991 when the Portarlington Business Development Association launched as a way to keep residents informed, foster discussion and celebrate local milestones. Since then it has become the longest running publication on the North Bellarine, a steadfast platform for community groups and organisations to share news, promote events and discuss local matters. Importantly, all proceeds have been reinvested back into the community. Imagining Portarlington without the *Port Report* is difficult. Throughout my role and the former member Lisa Neville's it has been an essential channel for us to connect with our communities, update on local and state matters and learn about the topics that resonate with the residents. On behalf of the entire Portarlington community, I extend a heartfelt thanks to Lindsay and the *Port Report* team.

### **This Girl Can Week**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:07): It was great to kick off This Girl Can Week watching a fabulous game of netball starring the Fawkner Netball Club's under-15 Spirits team. I thank VicHealth and their partners for all they have done to help increase girls' and women's participation in sport through this uplifting campaign, celebrating women of all ages, abilities and backgrounds enjoying physical activity.

### **Sandro Demaio**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:07): I take this opportunity to thank the incredible Sandro Demaio for his extraordinary contribution to VicHealth over the last five years. He is an inspiration to many of us. Sandro is heading off to Seoul to work on climate change with the WHO, and we wish him all the best.

### **Broadmeadows electorate transport infrastructure**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:07): I would also like to thank Andrea Bunting and the Climate Action Merri-bek team for sharing the results of the safe, sustainable transport for Glenroy survey. I have been working hard on a number of our shared local priorities, and I am very pleased to see the pedestrian lights at Hilton Street will become operational very soon. I have been advocating for these to council for some time, and they will be a great addition, although more safe crossing points are needed along the length of Hilton Street.

I also continue to advocate to council for the completion of the Craigieburn rail express bike path, which when completed will give local residents a direct cycling link to the city. It will also link residents to jobs, services and industry in and around Broadmeadows. It was great to speak about future opportunities for this path with Hume council, Penola college and the Minister for Public and Active Transport when she came out to see Broadmeadows station. I also thank the Minister for Roads and Road Safety for coming to see the Wheatsheaf Road and Plumpton Avenue intersection and the department for their continued engagement with council. I look forward to working with newly elected

Merri-bek councillor Chris Miles on these and other local priorities, and I congratulate him on his election.

### **Remembrance Day**

**Paul HAMER** (Box Hill) (10:08): At the 11th hour on the 11th day of the 11th month of 1918 the fighting on the Western Front stopped as the armistice came into effect. 106 years on I was proud to attend the service hosted by the Blackburn RSL at the cenotaph in Blackburn. A crowd of about 50 locals together with children from local childcare centres and the St Thomas the Apostle Primary School joined president Peter McPhee for a moving and solemn service to honour the sacrifice of our veterans.

### **Guardian Childcare & Education**

**Paul HAMER** (Box Hill) (10:09): I was delighted to recently visit Guardian Childcare & Education in Blackburn North, which is one of the 150 kindergartens across Victoria to have received a state government grant of \$6000 to offer a bush kinder program. Teachers and educators are currently extending children's awareness of nature, including cooking techniques. It was great to see the free play in their secret garden with the mud kitchen, the rocks, the sticks and the twigs and everything that a three- or four-year-old could want. The children have also been learning about the growth and harvesting of seasonal vegetables in their garden. I want to thank centre manager Natalie Cross and her team for not only showing me around but giving me some of the homegrown lemons, myrtle and carrots and some home-baked lemon myrtle biscuits.

### **John Milledge scholarship awards**

**Eden FOSTER** (Mulgrave) (10:10): Recently I had the pleasure of attending the Mulgrave Country Club's annual John Milledge scholarship award ceremony for students in my community. Now in its 22nd year, this scholarship program supports young people who are struggling in the Monash area by awarding \$2000 scholarships to 12 year 11 students, including five from schools in the Mulgrave electorate. I want to extend my congratulations to each of these deserving recipients on their achievements and thank the Mulgrave Country Club for this annual award.

### **Springvale Chinese Ethnic School**

**Eden FOSTER** (Mulgrave) (10:10): I also had the honour of representing the Deputy Premier and Minister for Education at the Springvale Chinese Ethnic School's 40th anniversary celebration and Chinese characters festival – a bit of a mouthful. The festival was a demonstration of the richness of the Chinese language and a real testament to the incredible talent and creativity of the students and teachers at the Springvale Chinese Ethnic School.

### **Remembrance Day**

**Eden FOSTER** (Mulgrave) (10:11): Finally, I had the privilege to represent the Minister for Veterans at RSL Victoria's annual state remembrance service held at the Springvale War Cemetery. It was a profoundly moving service and a chance to reflect on the sacrifices made by those who gave their lives in service to our nation. It served as a powerful reminder of the courage, dedication and ultimate sacrifice made by so many for the freedoms we enjoy today. Lest we forget.

### **Albert Park electorate surf lifesaving clubs**

**Nina TAYLOR** (Albert Park) (10:11): With summer pending I wanted to salute the terrific efforts of our surf lifesaving volunteers of the 2023–24 season, considering their patrols are about to kick off again. So for the St Kilda Life Saving Club: Shayan Gunawardena, Simon Lewis, Alexander Aloschi-Hopfner, Andrew Ronaldson, Benjamin Wain and Dr Michael Powderly. For the South Melbourne Life Saving Club: Fintan Collins, Sebastian Collins, Lachlan Hirth, Greg Jones, Silvana Mandile, Alisdair Nolan, Ben O'Mahony and Nick Vouk. Then for the Port Melbourne Life Saving Club – and, I should say, some 200 to 300 hours as well – over-18 members: Tea Passon, Nick Strang, Jessica

Monaghan, Joseph Mercieca, Phoebe Browne, Andrew Canet, Katherine Canet, Belinda Gill, Benjamin Gray, Imogen Cooper, Darel Gill, Fiona Cull, Armando Breton, Brett Armstrong, Tara Scott, Joshua Pryor and Malcolm Hyde. And then for under-18 members: Isabelle Wright, Ruby Mercieca, Tom McFarlane, Eloise Barnes, Ruby Webb and Suzy Pollard. I found out yesterday that there is a wonderful Beachsafe app. It means you can look to see where the patrols are on, because we know that if you swim between the flags you are not going to drown. That is the safest place to be when in the water, and we encourage everyone to do that over summer.

### **Selandra Playgroup**

**Pauline RICHARDS** (Cranbourne) (10:12): I was very pleased recently to visit a couple of playgroups. I was really lucky to be able to spend some time with Jess Quinn, who leads a terrific playgroup at Livingston centre, and speak to some of the parents there about the early parenting centre that is opening up in Clyde North. Jess's leadership of this playgroup is extraordinary. These are young parents, and some grandparents were really terrific advocates for their families; it was so enlightening and actually quite energising to spend time with so many children.

### **Cranbourne Primary School**

**Pauline RICHARDS** (Cranbourne) (10:13): On another matter, I was able to visit Cranbourne Primary School's hub, which again gave me the opportunity to spend time with Shazia Khanum. Lots of the parents there are Dari speakers, and I am always able to bring one of the young women from my office who speaks Dari. We talked not only about the importance of the role that they play as parents and in many ways as community leaders but also again about the early parenting centre. Ms Blandthorn in the other place is very much looking after our early parenting centres. It is also supported by Lachlan Yeates, who is a terrific principal at Cranbourne Primary School.

### **Cranbourne West Secondary College**

**Pauline RICHARDS** (Cranbourne) (10:14): I was fortunate to visit Cranbourne West Secondary College with the Deputy Premier. Olivia and Asha were the students that took me around. Thank you so much to Rob Duncan, the principal at Cranbourne West. It is a really terrific school. I am very lucky.

### **Disability Workers Week**

**Iwan WALTERS** (Greenvale) (10:14): Coming up next month is Disability Workers Week, and I want to take this opportunity to thank all of the incredible disability workers across Victoria, who work tirelessly in a caring profession, often not very well paid, to look after and support some of the most vulnerable members of our community. They do this day in, day out, quite literally, and the work they do has such an important impact on communities across our state. Can I take this opportunity as the Parliamentary Secretary for Disability and as the member for Greenvale, where many disability workers live and work, to thank you for everything you do – for the impact you have in the lives of Victorians with a disability and for your genuine care and service.

### **Melbourne Cup**

**Iwan WALTERS** (Greenvale) (10:15): Last week, as we know, was cup week, and I was delighted to join the last leg of the Melbourne Cup tour – the Lexus Australian Melbourne Cup tour – which made its way to Living Legends in my electorate of Greenvale, where the compere Eddie McGuire hosted a fantastic event with Andrew and the team from Living Legends. The Victorian Racing Club were deeply involved in sponsoring the event. It was a terrific day where hundreds of people from across the community joined us at Living Legends and celebrated the cup, emphasising the \$4 billion economic contribution that racing makes to our state, the many people across the state who are employed by it and the fantastic contribution it makes in Greenvale.

### Mount Scopus Memorial College

**David SOUTHWICK** (Caulfield) (10:15): As a Mount Scopus old collegian, happy 75th birthday. I know I have got two campuses in my electorate and one more to come, and we will also hopefully get them back in Caulfield one day. Happy birthday, Mount Scopus.

### *Business of the house*

#### Notices of motion

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:16): I advise that the government does not wish to proceed with notices of motion, government business, today and ask that they remain on the notice paper.

### *Bills*

#### **Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024**

#### *Statement of compatibility*

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:17): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 (the **Bill**).

In my opinion, the Bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

#### **Overview of the Bill**

This Bill amends the *Drugs, Poisons and Controlled Substances Act 1981* (the **Act**) to:

- establish paramedic practitioners as a class of registered paramedics;
- authorize paramedic practitioners to obtain, possess, use, sell and supply certain substances and for other purposes; and
- expand access to the monitored poisons database, which contains records of patients' prescription and supply history for high-risk medicines, to paramedic practitioners.

In response to the growing high demand for urgent care in Victoria, the Bill aims to:

- increase accessibility and timeliness of healthcare, particularly in rural and regional areas;
- enable paramedic practitioners to autonomously assess, diagnose and treat patients, and make clinical decisions, in the field under an advanced scope of practice;
- reduce unnecessary patient transfers to hospital and hospital admissions;
- reduce pressure on emergency departments, public hospitals and general practitioner patient loads; and
- support the retention of experienced paramedics through greater career opportunities and job satisfaction.

#### **Human rights issues**

The Bill engages the following human rights under the Charter: the rights to life (section 9); privacy (section 13(a)); and property (section 20).

#### ***Right to life***

Section 9 of the Charter provides that every person has the right not to be arbitrarily deprived of life. The right to life is one of the most fundamental of all human rights. It is concerned with both the protection and preservation of life.

The right to life has not been examined by the courts in any detail in Victoria. Under international human rights law, the right to life includes an obligation on the state to refrain from conduct that results in the arbitrary deprivation of life, as well as a positive duty to take appropriate steps to safeguard life. This includes an obligation on the State to prevent arbitrary deprivation of life, particularly towards persons in vulnerable

situations where threats to life are reasonably foreseeable. An ‘arbitrary’ deprivation of life may be described as one that is unreasonable or disproportionate.

In recent years, there has been growing and increasingly complex demands on urgent care services in Victoria. This has placed increased pressure on health services, compromising the outcomes for patients including quality and quantity of life. The Bill establishes the role of the paramedic practitioner, which aims to reduce pressure on general practitioners and emergency departments, and improve the accessibility and timeliness of healthcare. In this manner, the Bill can be characterised as promoting the right to life.

On the other hand, clause 5 of the Bill authorizes paramedic practitioners to obtain, possess, use, sell and supply certain Schedule 2, 3, 4 or 8 poisons approved by the Minister under section 14A of the Act. Given the inherent dangers of Schedule 4 and 8 poisons and the risk of their misuse by persons with a drug dependence, the scheme’s implementation will be relevant to the right to life in relation to the adequacy of steps taken to safeguard against risks to life.

Accordingly, the Bill provides for strict regulatory controls that are reasonable and proportionate to the risks to human life posed by the scheme. First, the authorizations will be subject to a range of regulatory requirements and sanctions relating to the administration, prescription and supply of Schedule 4 or 8 poisons, including:

- A requirement that paramedic practitioners take all reasonable steps to check the monitored poisons database prior to prescribing or supplying any Schedule 8 or certain Schedule 4 poisons to a patient (clause 10, new section 30GA). This obligation is aimed at facilitating safer clinical decisions and preventing the misuse of high-risk medicines and drugs of dependence;
- A requirement for paramedic practitioners to apply for a Schedule 8 permit if they consider it necessary to administer, supply or prescribe a Schedule 8 poison to a drug-dependent person or for a continuous period exceeding 8 weeks in certain circumstances (clause 14, section 34);
- Offence provisions in relation to the administration, supply and prescription of Schedule 8 poisons (clauses 16 and 187, sections 34B and 34C), a failure to comply with Schedule 8 permit requirements concerning quantity and duration (clause 21, section 35), and the obligation to check the monitored poisons database (clause 10, new section 30GA);
- Record-keeping obligations, specifically the duty to record prescribed information in the monitored poisons database, in accordance with the requirements set out in Part 13 of the *Drugs, Poisons and Controlled Substances Regulations 2017* (the **Regulations**) (clause 12, section 31(1) and (2)); and
- A mandatory notification provision, specifically the requirement to notify the Secretary of reportable drug events in relation to the administration, supply and prescription of Schedule 4 and 8 poisons (clause 13, section 32A(1)).

These safeguarding provisions are directed at reducing the incidence of harm, including death, from the administration, supply and prescription of high-risk substances. To further minimise risks to life, the Bill introduces stringent eligibility criteria in relation to the authorization of registered paramedics as paramedic practitioners, specifically:

- Paramedic practitioners will be required to have prescribed postgraduate qualifications and experience (clause 4, new section 4(1)). These mandatory minimum requirements are aimed at facilitating high professional standards and ensuring that paramedic practitioners have the knowledge and skills required to safely provide treatment for their patients; and
- Practice limits apply in relation to registered paramedics who are subject to a condition, limitation or restriction prohibiting the obtaining, possession, use, sale or supply of a Schedule 2, 3, 4 or 8 poison, where they will not be authorized under the Act to obtain, possess, use, sell or supply the relevant poison (clause 6, new subsection 14(3A)). These restrictions, which are consistent with those currently imposed on other practitioners (eg, registered nurses), protect against any risk of harm associated with practice of a practitioner who has been sanctioned by the Paramedicine Board of Australia.

Accordingly, I conclude the Bill is compatible with the right to life.

### ***Right to privacy***

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

Clause 9 of the Bill amends section 30C(2) to expand the access to, and use and disclosure of, information on the monitored poisons database, to paramedic practitioners for certain specified purposes. The database relevantly contains confidential information of persons who are being supplied with monitored poisons,

including their personal and health information. Additionally, clause 13 of the Bill amends section 32A(1) to extend the mandatory notification of reportable drug events to paramedic practitioners.

Accordingly, these provisions engage the privacy rights of patients whose health records are used, accessed or disclosed, or about whom reportable drug events are notified to the Secretary. However, any access, use and disclosure of information on the database and any notifications to the Secretary will be authorised by the Act, in circumstances that are consistent with the health privacy principles in the *Health Records Act 2001*. Therefore, any interference with privacy will be permitted by laws that are precise and appropriately circumscribed.

Further, paramedic practitioners will be authorised to access the monitored poisons database in the same way and for the same specified purposes as other prescribers (eg, registered medical practitioners, nurse practitioners). Such access is necessary to ensure that the database operates effectively to prevent misuse of high-risk medications. Moreover, the use, access and disclosure of health information is only authorised for confined purposes such as the medical treatment or care of a person, and it is an offence for anyone to access, use or disclose information if they are not authorised to do so by the Act. Similarly, the mandatory notifications to the Secretary are part of a suite of measures aimed at protecting against the misuse of Schedule 4 and 8 poisons. Given the above, I consider that any interferences with privacy will not be arbitrary because the new authorisations are appropriate, circumscribed and proportionate to the legitimate aims sought.

Finally, as the purpose of both provisions is to promote safe supply, prescription and dispensing practices and reduce harm from high risk medication and drugs of dependence, they serve important public policy objectives. As such, any limitation on privacy rights is thus proportionate to the objective of protecting individuals and the community at large from harm.

Thus, whilst the right to privacy may be engaged, it is not limited by the Bill because the new provisions are neither unlawful nor arbitrary. Accordingly, I consider that the provisions are compatible with the right to privacy in section 13(a) of the Charter.

#### ***Right to property (s 20)***

Clause 11 of the Bill amends section 30J(1) of the Act, which provides immunity from liability to paramedic practitioners for anything done in good faith in carrying out any duty or function in relation to the monitored poisons database in accordance with the Act or the Regulations.

Insofar as a cause of action may be considered ‘property’ within the meaning of section 20 of the Charter, this provision may engage the right. However, even if this immunity provision could be considered to deprive a person of property, any such deprivation will be ‘in accordance with law’ and will therefore not limit the Charter right to property. This provision is drafted in clear and precise terms. In addition, any deprivation of a cause of action is reasonably necessary to achieve the important objective of ensuring that the paramedic practitioners can effectively perform their functions without the threat of significant personal repercussions. The scope of the immunity is also limited to good faith actions such that it is proportionate to the legitimate aim sought. As such, there are no less restrictive means of achieving the Bill’s objectives. Accordingly, the relevant immunity is, in my view, appropriately granted.

For these reasons, I consider that amended section 30J does not engage the right in s 20.

**The Hon. Mary-Anne Thomas**  
**Minister for Ambulance Services**

#### *Second reading*

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:18): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

#### **Incorporated speech as follows:**

##### Introduction

Victoria will be the first state to introduce the advanced practice role of paramedic practitioner in Australia. This innovative role will increase access to timely and appropriate healthcare with the first 25 paramedic practitioner graduates trained and on the road in regional Victoria by the end of 2026.

The paramedicine workforce plays a critical role in our healthcare system providing pre-hospital care, medical transport and emergency medical response to over 6.7 million Victorians.

Paramedics regularly transfer patients with serious, but not life-threatening, conditions to hospitals. With advanced clinical training, the new paramedic practitioners will be able to assess, diagnose and treat patients in the field, make clinical decisions and take pressure off our busy emergency departments. They will operate with more capabilities to make clinical decisions, and assess, diagnose, and treat many conditions locally, without the need to transfer patients to hospital.

They will add to other initiatives like our Victorian Virtual Emergency Department, which has seen over 400,000 patients, increasing healthcare timeliness and accessibility and reducing pressure on our busy emergency departments.

This delivers on the Allan Labor Government's commitment to increase recognition of this important workforce whilst also addressing the national failings in our primary care system. This will be implemented through changes to the *Drugs, Poisons and Controlled Substances Act 1981*.

The proposed amendments will:

- establish and implement a new paramedic practitioner role in Victoria;
- expand the scope of practice not recognised in the existing legislation by authorising paramedic practitioners (that is, registered paramedics who have completed a prescribed postgraduate qualification and satisfied the prescribed experience requirements to autonomously obtain, possess, use, supply, administer and prescribe scheduled medicines under instruction;
- allow paramedic practitioners to access, use and disclose information on the monitored poisons database (SafeScript), and to require that paramedic practitioners check SafeScript before supplying or prescribing a monitored poison, similar to a registered medical practitioner or a nurse practitioner; and
- ensure that legislative amendments are in effect to provide authorisation in time for the first deployment of paramedic practitioner graduates in regional and rural Victoria in 2026.

The 2023–24 Victorian State Budget invested \$20 million in this initiative, which is providing scholarships over four years to enable experienced paramedics to pursue a master's-level clinical qualification in paramedicine.

The Master of Paramedic Practitioner program is being delivered by Monash University with the first intake of 30 students having commenced their studies in February 2024. The second cohort will commence their studies in February 2025.

These amendments provide the legal basis for Victoria to lead the way in advocating for the new role within the national workforce framework alongside other Australian jurisdictions.

This innovative Australian-first model of care will complement other health workforce models, including nurse practitioners and general practitioners.

Paramedic practitioners will support the delivery of integrated, cross-disciplinary and contemporary healthcare that meets the needs of our community.

I commend the Bill to the house.

**David SOUTHWICK** (Caulfield) (10:18): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 28 November.**

**Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024**

*Second reading*

**Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

**And Tim McCurdy's amendment:**

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government conducts further consultation with affected stakeholders on when the licensing scheme should come into effect.'



**Nina TAYLOR** (Albert Park) (10:19): I am very pleased to rise to speak on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. This is a matter of urgency to transact this bill. We know that this is extremely serious subject matter, and I do not think there is any disagreement in the chamber on that premise. I will reflect, but very cautiously, about an incident that occurred in Bay Street, Port Melbourne, which I went down to see after the fact. A car had literally gone right into a shop. I do not know how they angled it, because if you know Bay Street, it is quite narrow, so they must have flat-footed it. I will say 'allegedly' as to how they specifically manoeuvred, went in there and set it aflame. The worst thing about it, apart from dreadful damage for the trader with that shop – although there may be other matters there so, again, I am going to be a little bit flowery in my description – is that traders to either side and also innocent people above unfortunately through no fault of their own had their lives put at risk through the incident. I should say specifically that was a hairdressing salon. Nevertheless it is alleged that that was associated with the illegal tobacco matters that we have been seeing around the state and to some extent interstate as well.

Recognising the disastrous consequences that have unfolded as a result of these dreadful incidents, there is no question that moving this licensing scheme today through this bill is really, really important. That is why I am a little perplexed about the reasoned amendment, which is essentially that this house refuses to read this bill a second time until the government conducts further consultation with affected stakeholders. Yet last sitting somehow it was urgent, but it is not urgent now – but it is urgent. It is very confusing, so I am trying to cut through that to the purpose for which we are driving this reform, noting that the Premier was very clear back in March in saying this would be brought through by the end of the year. That is exactly what we are doing. No-one has in any way tried to be anything other than transparent on the process that is to be delivered here. But seeking more consultation, however long that might take, rather than getting on with the job of establishing the licensing scheme? I would have thought that there is a real imperative to do that and to get businesses licensed.

The other thing I should say is that I do not want the line to be blurred, and it is easy to do so in little grabs on TV et cetera, which can unfortunately distort what is actually being sought to be transacted here, which is that we will be starting to stand up the licensing scheme as soon as possible to begin getting businesses licensed by mid next year. As part of the process it will take until mid-2025 to set up the licensing scheme because they need to do several important things. You cannot just say – and I do not want to make light of this – 'licensing scheme' and expect the magic to happen. You have to manually put that together. You have to orchestrate that in the most appropriate way with the tightest possible governance and to make sure that it actually delivers on what community expects. This involves hiring and training the staff who will assess licence applications, establishing the ICT system and online application process and developing materials to assist businesses to make applications. From early 2026 there will be inspectors on the ground making sure businesses have a licence. We want to give businesses the time to go and do the right thing and get licensed, and we need to give them at least six months to do so. There is the question of reasonableness, and I think that is certainly factored into the process that is being laid out in terms of implementing this scheme.

Assessing the potential number of licences is another challenging aspect. The number of retailers could simply be in the thousands. We know that it is a diverse sector, from sophisticated players such as Coles and Woolies to the local milk bar. This is quite a complex space, and I am not in any way trying to diminish the urgency or the fundamental tenets of what is being delivered here. I am just saying that when we are talking about delivering something as important as this is it must be done properly, it must be done right and we need to meet the businesses where they are. If I put it out there, it simply would not be fair to start issuing offences to businesses who might be doing the right thing and not selling illicit tobacco. That is the other extreme, and therefore you are going against the principal of the rule of law, so to speak, because you are already presuming that somebody is guilty before they have had the chance to do the right thing, get the licence and be appropriately assessed pursuant to the licensing program.

I do think it is important to have that on the table here when we are discussing this issue, because of the innate seriousness of it and so as not to make it something that is as simple as a media statement or – hey presto – a licensing scheme next-day delivered. That is simply not humanly possible, and I think all of those in the chamber are factoring in that fundamental tenet of the law, which is reasonableness in terms of the timeframe to roll out a system which will have the appropriate rigour, noting that we are seeking to deliver the standing up of the training and so forth and various critical elements of this licensing system asap. And we mean that when we say it.

The bill, I should say, will come in two stages. The first stage to come into effect by the end of the year will establish the licensing scheme and the regulator and allow for the appointment and training of licensing inspectors. This will allow for license applications to be made and determined in advance of the requirement for businesses to hold a licence. You can see that there is a logical sequence to that. Stage 1 will also amend existing offences and powers in the Tobacco Act 1987 and repeal e-cigarette and specialist tobacconist provisions.

The second stage will introduce the licensing offences and enforcement powers of licensing inspectors, enabling penalties to be applied to tobacco suppliers operating without a licence, and as stated from the outset, we do need to give retailers the opportunity to obtain licences before we take any enforcement action for not having one. So you can see we are looking at that reasonableness, the rule of law and the premise of what would seem to be fair and reasonable opportunity.

There were some comments that nothing has been done, nothing has happened, and we know that Taskforce Lunar will suggest – not suggest but emphatically show the opposite. We know that Victoria Police have been taking targeted action against the illicit tobacco trade through Taskforce Lunar, making arrests and seizing large quantities of illicit items. I will say there is a further tangent to this – Australian Border Force. It is part of their remit, I should say, to track and stop these items getting into the country at the border, and that is hard work. I used to represent border force workers, and I know the pride they take in seizing these kinds of items at the border – illegal items. Taskforce Lunar is delivering results with over 200 search warrants executed, 80 offenders arrested and the seizure of cash, vapes and illegal tobacco products worth \$37 million as at September 2024, and this does not include the most recent raids last week, in which more than 600,000 illegal cigarettes were seized across 25 properties.

I want to acknowledge the very hard work of VicPol on this matter, because I think that also should not be lost when we are discussing this very important issue and noting that it is a combination of elements seeking to appropriately tackle the matter that is of course the licensing scheme, which is a matter of urgency. We must pass this bill – it is in the best interests of community – but also acknowledge the very hard work and ongoing work of VicPol in tackling this issue. This element is fundamental as well – the health issue. We know that tobacco, vaping and cigarettes are very bad – there is nothing good about those things – so obviously keeping a tight lid on those matters is critical for the health of our community as well.

**David SOUTHWICK** (Caulfield) (10:29): I rise to make some comments on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024 – a mouthful. Many would know it as the firebombing bill, and it is to ensure that we do something about the ongoing tobacco stores that are being firebombed right across the state. We have seen over 100 tobacco stores firebombed in the last couple of years, and it is very, very unfortunate that we have waited that time – two years – to be able to debate this bill. It is something that the opposition has been calling on for a long time.

Again, the government have been sitting on their hands and doing absolutely nothing while week in, week out, you pick up the paper and what do you read? Another store has been firebombed. In fact only this week we have seen a store firebombed twice in two days. So it is really unfortunate that we have taken so long, because we have been calling for it for some time, and I commend the member for Ovens Valley for the work that he has been doing as the Shadow Minister for Consumer Affairs

on this particularly. You would think that we would be very, very supportive, which we are in context, but the big issue with this bill is the fact that not only has the government taken two years to introduce a bill but they then introduced the bill within a week, not even having had any consultation, to rush it through. But surprise, surprise, the bill will not actually take place for another 18 months. The laws will not take place for 18 months, so what is going to happen in the 18 months in terms of ensuring that communities can be kept safe? It is an absolute joke that we have a government that is completely in disarray. They do nothing about firebombing, and then all of a sudden they try and rush a bill through on firebombing only to now have to wait 18 months until the legislation takes hold so we can finally tackle the firebombing that everyone in Victoria is experiencing.

Only a few weeks ago we did notices of motion in the chamber for every single one of the government's electorates that indicated that there was a firebombing in their electorate, calling on the government to do something about it and getting them to act now. So it is appalling that we should have to wait another 18 months until this legislation takes place, and that is why the member for Ovens Valley's reasoned amendment is to actually get on with it and get this legislation up and about. I would encourage the government to support this amendment. It is really important that we do something, because every day that we wait is another day that many of our communities, many Victorians, have to deal with safety issues in their own backyards.

We have all seen it. Many in the government have stood up here and spoken about firebombings in their electorates, and now we are going to have to tackle it. It is no use talking about it if you have still got to wait 18 months. I know in my electorate of Caulfield we had a tobacco store in Glen Huntly Road that was firebombed, and again the store is still gutted and the store is still waiting for action. We have had two other stores that have also been firebombed, so not only are there the 110-plus stores that have been firebombed in two years but you have seen other stores that have been firebombed that, again, could be connected to some of the organised crime and illegal activity that has been allowed to take place by the Allan Labor government. We have seen a gymnasium in Hawthorn Road, and again, that gymnasium which was firebombed sits on top of retail stores below it. That has been out of action for two years.

You only have to pick up the paper today to hear about the Burgertory store that was burnt down, firebombed, on the corner of Hawthorn Road and Glen Huntly Road. Again, there were two people arrested and questionable activity in terms of that behaviour. Again, we just see far too much organised crime where these stores are being used for financial gain, and it needs to be tackled. The way to do it is through a licensing scheme, and every other state has a licensing scheme except Victoria. Why are we always behind? The Allan Labor government has had 10 years to do something about ensuring we have safety, and only now do we start talking about it. So it is too little, too late from the Allan Labor government in actually getting on with it and getting this fixed.

If this is so important and you have got all the government members standing up and saying, 'We've got to tackle firebombing in our electorates,' one would argue: why are they waiting 18 months for the laws to take shape? Maybe it is because we have industrial action with our police. Maybe it is because Victoria Police are not being paid a fair deal and we do not have the ability to police a licensing scheme, because the government has not supported Victoria Police. Maybe that is the reason the government want to wait 18 months, and why aren't they supporting our hardworking Victoria Police? Maybe it is because they have run out of money; maybe that is the case as well. Maybe it is because they have spent all the money on the Suburban Rail Loop that they do not have any money to pay the police to ensure that we not only have the legislation in place but we can protect the community from firebombings.

And you can draw the line. That is why every single time that this government does something and does not do it properly, ultimately Victorians pay the price. The government fails to act; Victorians pay the price. This is bad management. This is waste. This is mismanagement. You can see it every single time because the government cannot manage money, they cannot manage major projects, they cannot manage legislation and they cannot keep Victorians safe. This is a case of over

110 firebombings in every electorate across Victoria. We have waited two years. We finally have legislation today, and the government says, 'This is important – but wait 18 months before it takes effect.' At the same time Victoria Police are on strike today because they are not being paid a fair deal. I think most Victorians would be shocked about that, because the hardworking Victoria Police should be paid a fair deal, and ultimately one of the big issues we have in our state is law and order, community safety. People need to be kept safe, and they do not feel that way.

I have said in my electorate – again related to all this kind of stuff, of illegal activity, of crime – we have got people that are paying for private security to drive around people's homes, because they do not feel safe. Why should taxpayers in the highest taxed state in the nation have to put their hands in their pockets and pay for private security because we do not have enough police? Police are leaving because they are not being paid properly. Thousands of police are leaving the force because they are not being paid properly. That is why we have an industrial dispute, and that is probably why the legislation that seems to be so important that it is being rushed through by the Allan Labor government will not be enacted until 2026. Every single day when there is another firebombing are we going to hear Labor members standing up and saying, 'This is terrible. We've got legislation, and we will do something about it – in 18 months time'? This government should be judged by their actions, not their words, because it is all very well for every Labor member to stand up and talk about this firebombing bill today without being able to back it up, saying the legislation will not be in place until 2026. That is why, if this government was serious, they would back the member for Ovens Valley, back his amendment and support it so we get the legislation in place straightaway.

A couple of weeks ago the member for Ovens Valley brought in a private members bill that should have been supported; it was not. Since then we have had more firebombings. I would say today that every single firebombing that happens between today and 2026 will be the fault of the Allan Labor government, because this legislation could be supported with a start date tomorrow – not by 2026, by tomorrow. Pay the police their fair share, support this legislation and have it in place tomorrow and keep the community safe. It is that simple. That is what Victorians expect, not weasel words, not legislation that has taken two years to happen and another 18 months before it actually takes shape to be enforced. That is not what we are here for. We are here to keep the community safe, and that is what people expect. In my electorate of Caulfield we have got Hawthorn Road gymnasiums and a burger shop Burgertory that burnt down, a tobacco shop in Glen Huntly Road that burnt down, just like you have got in all of the other electorates – burnt down. Let us get on with it. Pay the police. Bring in the legislation. Keep the community safe. It is very, very simple, and I commend the hardworking member for Ovens Valley. This stuff is really important. People need consequences, they need fines, and if they conduct illegal activity they should have their licences revoked. The work has not been done.

*Members interjecting.*

**David SOUTHWICK:** The government can chant, scream, carry on. No-one should have to wait 18 months for legislation to keep people safe tomorrow, and this government are not serious.

**Iwan WALTERS** (Greenvale) (10:39): I also rise to speak on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. Before I get to the substantive part of my contribution, I have got to take exception with some of the contribution of the member for Caulfield, who used the phrase 'weasel words'. I think it is important to call out some of the weasel words of those opposite and the mischief that is being made with clause 2 of this bill, which does make clear that the bill will come into effect as soon as possible, in effect. There is a stock-standard phrase that is in there that those of us who served on the Scrutiny of Acts and Regulations Committee (SARC) are very familiar with: the concept of a drop-dead date. But the truth of the matter is that the provisions of this bill will begin as soon as the bill is passed. We will be hiring and building a regulator. The licensing scheme will be in place by mid-2025.

It is interesting that those opposite, who are so keen to invoke the words of Menzies in *The Forgotten People*, should be suggesting there should be a breach of natural justice whereby those shopkeepers have no opportunity to become licensed in the first place. There is a reason why there is a need for some time to stand this scheme up – it is because those shopkeepers, those retailers, need the opportunity, as a consequence of natural justice, to become licensed. You cannot enforce a licensing scheme until there has been an opportunity for retailers to become licensed. Goodness gracious, the member for Caulfield also invoked the member for Ovens Valley's so-called bill, which had less detail than a press release – less detail than minutes written down by Dr Heath in the other place. It was not worthy of the name 'a bill'.

The simple fact is that this is a very substantive piece of proposed legislation that reflects an enormous amount of work by Minister Horne but also by ministers from across the government – the Minister for Police and the Attorney-General – because it is a really important thing to get right because of its importance within our communities. I want to thank the minister and indeed all of those ministers for their work across government and for being responsive to the advocacy of many Labor MPs, many members on this side, and the concerns of the communities that we represent. I have shared my concerns with the ministers on a number of occasions, because this is an issue that really matters in my community. It matters in all of our communities, and it is imperative that we pass this bill to keep our communities safe.

The simple truth is that the amendments being put forward by those opposite will only serve to delay the passage and the implementation of this bill. The intent of course is to gazette it as soon as possible and to build that licensing authority so that we can begin to make this system a properly licensed one and make our communities safer by regulating tobacco sales and by punishing law-breakers with the toughest penalties in Australia.

Organised crime and its drivers are very complex. A licensing scheme is an important part of the puzzle that will seek to intercede in the egregious actions of a very small minority in our community who are inflicting harm and damage on our community. We have seen too many shops which have been firebombed, where children – young people – have been paid by organised criminal actors who are engaged in a turf war, an organised crime war, to destroy the businesses and livelihoods of hardworking families in our community. There is also the appalling collateral damage that many businesses either side of or above or indeed below those targeted businesses are suffering. It is not good enough.

It is solely and singularly the fault of those criminal actors who have been operating in a context whereby we have had a ratcheting excise scheme in terms of its application on tobacco, whereby the price of legitimate cigarettes has become much more expensive in recent years. There is a sound public health rationale for that, and I think there is a clear evidence base that suggests that the more expensive cigarettes have become, the lower the incidence of smoking in our community. But we are now in a situation where, as a consequence of federal government action, a legitimate packet of cigarettes is materially expensive for people on an average income. At the same time the differential between a legitimate packet of cigarettes and an illicit packet of cigarettes has blown out very significantly. That creates an incentive for organised criminals to engage in this behaviour – to engage in mass smuggling.

The simple truth is that we need the federal government to take action to fulfil their responsibilities, because on the one hand they have created a price signal, if you like, a market incentive, for this kind of conduct to take place by having very significantly expensive unit costs for cigarettes. Again, there is a very sound public health rationale for that. But if the situation is allowed to occur whereby the market is being flooded as a consequence of smuggling from overseas in containers and through other mechanisms, whereby the market is being flooded with illicit cigarettes, that will create real challenges for our law enforcement agencies in Victoria, who are working tirelessly through a number of discrete operations, including Taskforce Lunar, to deal with the consequences of that reality of wholesale smuggling taking place.

As I say, the impact of this criminality, though, on the community has been real. It has been devastating to see the impact that it has had upon family businesses. Some tobacco shops which have been attacked may have been fronts for organised crime and for the sale of illicit cigarettes, but too many have been the innocent victims of organised criminals and violent gangsters and standover men who do not care about community or the broader impact of their egregious criminality upon community. Let us make no mistake: this is the fault of those who are engaged in illegal action, those who do not care about our community, those who do not care about community safety and those who do not care about the livelihoods of hardworking family businesses across Victoria. That is why a licensing scheme is so important – because it will protect those hardworking family businesses who are operating legitimately. It is why it is so important that this government has brought legislation and why it is important that it receives swift passage – because a licensing scheme is an important part of the puzzle. The federal government has its role to play in terms of –

**James Newbury** interjected.

**Iwan WALTERS:** The member for Brighton has come in, late as ever, and cannot resist the urge to make interjections and is perpetuating that hoary old myth that this will come into effect in 2026, whereas the simple truth is that the bill –

**James Newbury** interjected.

**Iwan WALTERS:** The member for Brighton clearly is not familiar with the work of SARC, the effect of drop-dead dates and the effect of clauses like clause 2 in this bill. The bill will be gazetted as soon as it is passed in this place. The regulator and the licensing authority will be stood up as soon as it is passed in this place. So I suggest that those opposite cease seeking to block the passage of the bill, cease seeking to delay its passage through amendments and get on board and get this thing through so that we can build that regulator and so that we can bring more certainty and more confidence to our communities through a licensing scheme that will complement the very important work of Taskforce Lunar, which is delivering results, which is mopping up some of the mess that has been left behind by successive federal governments through a lax border regime, and which has had over 200 search warrants executed and 80 offenders arrested and has had mass seizures of cash, vapes and illegal tobacco products worth \$37 million as at September 2024. I know there has been work by Taskforce Lunar in the months since that has increased that figure very significantly.

It is also a reflection of the very significant investment that this government has made in Victoria Police – the largest police force in any jurisdiction in this country – a record \$4.5 billion investment in Victoria Police that is enabling Victoria Police to establish dedicated taskforces like Taskforce Lunar to target the illicit tobacco trade. It is so important that they have the powers and the tools to do that. This bill will augment the existing powers. It will give them additional powers to inspect premises. It will enable them to share information. It will close some of the loopholes that mean that there is a blind spot in the context of the sale of tobacco. We need to make sure that we are doing whatever we can as a state Parliament to keep our communities safe. This licensing scheme is an important part of that.

I also take this opportunity to call upon the federal government to ensure that illicit cigarettes are not flooding into the country and that proper consideration is given to the impact of the excise regime and to ensure that the work of Victoria Police is not stymied, that we have fewer illicit cigarettes on the street and that our communities are safer. That is what this bill will do. I commend it to the house, and I urge the house to give it a swift passage.

**Nicole WERNER (Warrantyte) (10:49):** I rise to speak on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024, as it is an issue that is not only incredibly important to me but incredibly important to my community. It is an issue that has been raised with me time and time again in my electorate of Warrantyte, and I know that it is affecting not just us in our community but also communities across Victoria. There is a commitment in the electorate of

Warrandyte to protect the character of our neighbourhood, and this is especially evident when it comes to the protection of their area from the scourge of the illicit tobacco trade.

As we hurtle towards the end of the year, may I suggest that perhaps it may be time for the government and the Premier to go on vacation, because it seems like they have run out of their own ideas and can only copy ours. Unfortunately their imitation is a poor one at best. It has been about 14 months that I have been in the Parliament since being elected, and I have seen it firsthand. The coalition's private members bill from the member for Ovens Valley is what we are speaking about today, but I saw it first where the coalition introduced a private members bill through the Shadow Minister for Police, the member for Berwick, to prohibit the use of machetes, on 28 November 2023. I had just been elected, and it was something that my community was raising with me time and time again. Knife crime and crime in my community is at an all-time high. Aggravated burglaries are up 48 per cent in the electorate of Warrandyte – 73 per cent in Doncaster East alone. We were hearing about this all the time through the office, and as a consequence of this happening in all of our offices, the private members bill that was introduced sought to prohibit the sale and the purchase of machetes, which makes sense. It is common sense. That was November last year. The government shut that down and voted against that at a time when knife crime was at an all-time high and crime in general had exploded a thousand per cent in the past 10 years. Then the government, after shutting that one down, decided to introduce a weaker law to limit the sale of machetes to under-18s, as if that would make a difference, because knife crime is still rife all across Victoria. That was on 7 February this year, months later.

I saw it again with the coalition's push to axe the health tax on GPs and for health services, and then the government introduced a watered-down version of it. I saw it where the government big-noted themselves on the off-the-plan stamp duty exemption when they were the ones to reimpose the tax in 2017 in the first place. We voted against it. We spoke against it. We defended keeping the stamp duty exemption. The coalition vehemently defended keeping the exemption from stamp duty for off-the-plan homes, yet the government was the one to scrap it. Now they are abolishing it, they say, when they were the ones to introduce it. Well, here we are again. How is it that after a decade in –

**Iwan Walters:** On a point of order, Deputy Speaker, on relevance, the provisions of this bill do not touch upon stamp duty.

**Tim McCurdy:** On the point of order, Deputy Speaker, the member is being very relevant to the bill, and it encapsulates all those issues that she is talking about.

**The DEPUTY SPEAKER:** It has been a wideranging debate on this bill. The member for Warrandyte to continue on the bill.

**Nicole WERNER:** I am simply providing context for the bill, providing context for what we are debating about today. All I have to say is: how is it that after a decade in government Labor is struggling to bring any new ideas to this place and can only offer watered-down imitations of the coalition's legislation, including with this bill at hand that we are talking about?

We saw it again last sitting week when the Liberals and Nationals, through the member for Ovens Valley, sought to introduce a private members bill that proposed a licensing scheme with penalties of up to \$1 million for illegal tobacco traders, an initiative that would have brought swift action and real consequences to those flouting the law. Why was this? It was because the scourge of illegal tobacco stores is a known reality to so many Victorians, including in my community, as I have mentioned, with police estimating that more than half of Victoria's estimated 800 to 1000 tobacconists sell illegal products.

In my electorate of Warrandyte this has been a real concern. People in my community have seen these illicit tobacco stores pop up and crop up across the electorate – some alleged ones even as close as 100 metres from local primary schools. It is no wonder that people in my community are concerned. So we on this side of the house pushed ahead with the legislation, because we are the last jurisdiction in this country to not have a licensing scheme or regime pertaining to illegal tobacco. Trailing behind,

as per usual, to act on crime in Victoria is – surprise, surprise – the Allan Labor government. We pushed ahead because it was recommended two years ago – two years ago – that we have a licensing scheme to stamp out this criminal trade and because the Allan Labor government failed to act, allowing criminality to thrive with relative impunity, and Victorians are suffering as a consequence of it. There have been over 100 firebombing attacks across our state in this time, including two in the last two weeks since we introduced our private member's bill, which they could have supported if they cared about Victorians. They voted down our bill to finally take action to stamp out the illegal tobacco trade. The Allan Labor government blocked it. How is that, from that side of the house? They blocked it and left our communities exposed, left businesses vulnerable and gave a free pass to criminals, who continue to profit from lawlessness. They blocked action when they could have saved lives, stopped firebombings and brought some much-needed order to this growing crisis of criminality in our state.

Come on now, putting political posturing ahead of protecting Victorians – that is not okay. This delay and inaction not only have put Victorians at risk but have also been a direct consequence of Labor's failures and their refusal to act when action was needed. While they play politics it is the people of Victoria who suffer. It is the business owners who have to live in fear of their stores being set alight. It is parents, it is teachers, it is my local community writing to me, day in and day out, concerned about this illicit tobacco trade that has cropped up in our suburbs. It is the innocent families who have to deal with the fallout of a government who could not be bothered to listen to the experts or take decisive action two years later – two years after the recommendation.

It has been two years. That is how long it has been since the government received the reform recommendations – two years in which we have seen tobacco outlets firebombed, criminals running rampant and businesses left vulnerable. And what have we seen in this time? This response comes after a staggering 110 tobacco shops have been destroyed in arson attacks across the state. Just this week, here we are again being handed another promise, another plan, with the Premier laying out details of this so-called licensing scheme. While it is welcomed, because it is about time, let us be real here: this bill should have been passed months ago. Here we are, eight months since the Premier made the initial promise to take action in this space – eight months later. It has been a long eight months. And what do we get after eight months? Another delay from the Allan Labor government, a 19-month delay no less. Over two years since the government received recommendations from experts, from law enforcement, from people on the front lines, here we are still fighting for basic action – action that could have stopped 108 firebombings and the two more that happened just last week. That is more businesses, more families and more communities under threat while the government sat here twiddling their thumbs.

The delays have had real and devastating consequences. The government's inaction has put lives at risk. Let me ask: how many more firebombings will it take? How many more businesses will be burnt to the ground? How many more innocent Victorians will be caught in the crossfire because of this government's failure to act? As we continue to wait another 19 months from now, there will be 19 months of criminal activity, 19 months of vulnerable businesses and 19 months of firebombings and chaos. The people who own tobacco outlets in Victoria do not have 19 months. My community does not have 19 months. The communities affected by this lawlessness do not have another 19 months to wait. How many more businesses will be destroyed by criminal activity before this scheme is even close to being implemented? How many more people will suffer? If you just listened to 3AW recently, people were asking 'Why has it taken so long? Why has the government, which promised action, sat idly by while this crime wave continues to grow?' I will tell you why: it is because the government does not take this issue seriously. They do not feel the pain of small businesses. They do not see the families that are affected. They do not understand the real-world consequences of their inaction. The government needs to stop hiding behind excuses. We need to bring forward this bill.

**Nathan LAMBERT** (Preston) (10:59): They do say that it is a characteristic of great speakers that they have the ability to vary their tone. I am not sure we had a great deal of variation in the contribution from the member for Warrandyte. On a matter of substance, it continues to be remarkable to me to



give a speech that is predominantly concerned with purported delays while supporting a reasoned amendment that would further delay the bill that we have in front of us. I noted and appreciated the member for Greenvale's comments in response to the member for Caulfield's comments. It is unfortunate that the member for Warrandyte possibly was not listening and repeated those comments about clause 2, and I will just refer her back to the member for Greenvale's rebuttals.

I rise to also support the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024, which as we know amends the Tobacco Act 1987 with respect to both traditional tobacco products and vapes. This bill is very relevant to my part of the world, especially at the Reservoir end. We have a local Facebook group called Reservoir 3073, and the other day someone posted there saying:

If you were in charge of Reservoir and could do whatever you wanted to improve the area what would it be?

A lot of people raised some familiar issues around the Reservoir Leisure Centre, the Berlin Wall effect we have, where it is hard to cross the train line, the route 11 tram extension and so forth. There was a commentator, James Batten, who I do not know, who said Reservoir needed:

More massage parlours and ... vape shops! 30 isn't enough!

It did get some laughs on Facebook, that comment, because there is a little bit of truth to it. I will set aside massage parlours, which are not relevant to today's bill, but there are a lot of vape shops and tobacco shops in Reservoir. I have not tried counting them; it is certainly double digits.

It is worth briefly touching on how those stores came about and some of the community concerns about them. It is partially, if we go back, a bit of a story of car ownership. Obviously way back in the day, in the middle of the 20th century, cars were more expensive and most families only had one car, if they had one at all. Their grocery shopping was often done on foot, and they would head along to local bakers and butchers and dairies and so forth. Of course once households got a second car everyone began doing their weekly shopping most of the time at supermarkets. One interesting thing that often happens is society changes but the cadastral system, the layout of our roads and land lots, do not change very much. Certainly we saw in Reservoir that a lot of those little suburban shopping strips were all laid out in the middle of the 20th century and within a few decades everyone was driving to the supermarket and driving past their local suburban strip.

The upshot of that is that rents are now quite low in those suburban shopping strips. And there is certainly a very viable business, which we do see everywhere, where you can open a convenience store and your rent is low. Then the goods you sell are those more impulsive buys, things that are not part of the weekly grocery shop: confectionery, drinks, tobacco, vapes and all the things that we are used to seeing in those stores. As we know, they are higher margin goods, and even though some of those stores do very low volumes, they nonetheless can make things work, because as I said, they do not pay especially high rents. As it happens, a lot of those goods that I have just mentioned do sell at higher rates in lower socio-economic areas. We certainly have parts of Reservoir where car ownership rates are low and people are walking to these convenience stores because it is more difficult for them to get to the supermarket or bigger activity centres.

All of that is just to explain that it is certainly true that there are a lot of these stores in Reservoir, and I suspect that the fact that major supermarkets do not carry vapes is one reason for the growth in these stores, because they do carry them. I suspect also that the illegal tobacco sales in our part of the world, which is obviously also not something done by the major supermarkets – you cannot purchase illegal tobacco at Aldi or Woolworths – is another reason for the fact that we have seen a considerable growth in these convenience stores. We all know that with the excise and what it is these days, I think almost \$1.30 a cigarette and still going up further, a pack of cigarettes might sell for \$45 legally. People are selling them for \$20 illegally. As a result people are looking to sell tobacco without paying the excise, and in doing so having not only a negative health effect for the users; it is also very unfair to those who are doing the right thing and selling tobacco at the right price.

Finally, if I can add one other thing to the picture of these convenience stores, some of them in our area are also selling, alongside the vapes and the tobacco, nitrous oxide canisters, known colloquially as nangs. In theory those canisters are used for making whipped cream, but it is very surprising when you get there and there are the tobacco products, there are the vapes and then there are the nangs next to them. All of those things when we put them together – and it is an important point I want to make, beyond the points that have been made about firebombing and organised crime – mean there are other very genuine, very important community concerns about these convenience stores. They are selling items that are of health concern, selling them in ways that are potentially illegal, selling them potentially to young people under the age of 18 – and some of these convenience stores are located directly across from primary schools and other schools – and of course they have also attracted the violent and illegal activity that has been detailed by other speakers. There was a store in Summerhill that was rammed by a car, and the tobacco store that is on St Georges Road at Miller Street appears to have been recently vandalised as well.

So we support this bill because it will give us mechanisms to address all of those concerns. I think this is very important in pushing back on the very monotone contribution that we heard from the member for Warrandyte. There are multiple important issues that are addressed by this bill. Part 2 will give us a licensing scheme that will require people to meet certain tests to sell tobacco. I think that alone will deter some of the unlawful behaviour. Part 3 deals with offences and enforcement, including the introduction of inspectors, which I think will be very well received given the strong suspicions of unlawful behaviour at some of these retail venues. It also, as we know, improves our capacity to prosecute illegal tobacco sales. Part 4 repeals various provisions in order to allow for the Commonwealth's new scheme in relation to vapes to come into effect. I think it is worth being very clear that a real benefit of this bill is that our inspectors will be able to enforce the Commonwealth's new vaping regulations. As we know, vapes are now illegal to sell, but as we also know, there is an enforcement issue there. You can certainly walk into stores and buy vapes in Reservoir at the moment, and we look forward to this scheme allowing us to more strongly enforce what is ultimately that federal regulation.

I touched on nitrous oxide abuse and nangs. They are not covered here by the bill in front of us, but it is certainly a merit of a licensing scheme generally that it would allow us to put other conditions on that licence, including the sorts of things that you can sell alongside tobacco goods. It would also, as I have just touched on, provide an inspection scheme to enforce those rules should we wish to introduce them. This bill in many respects is a comprehensive bill for addressing what I must stress again is a range of community concerns about what is happening in these tobacco, vape and confectionery stores. As I say, we have heard a focus from the opposition that is exclusively on firebombing, and frankly that suggests to me that they do not get out in their communities enough to know that where there is one of these stores opposite a primary school there are other concerns, obvious concerns, about the selling of tobacco illegally, the selling of it to young people, the selling of vapes to young people and so forth.

I commend the hard work done by the minister, by the Department of Justice and Community Safety and by her team, to bring a bill to this place today that, as I say, is comprehensive in addressing both the violent activity that has been discussed at length but also the concerns around health and the health of young people that certainly have been raised with me on a regular basis ever since I was elected. I am very pleased to be able to go back to those constituents and say that today in this place we are going a further step to making sure that young people are not vaping and they are not buying tobacco in any form, whether it be illegal or not, and indeed to give ourselves a platform to further regulate these stores if we need to.

I will conclude by thanking, as I said, the minister and her team and maybe, if I can as well, Philip Mallis, who writes a very good blog. I sometimes think there are some very good public policy bloggers out there who help all of us with our work, and I know his blog post 'The shopping strips of

Reservoir' is a great one for people with an interest in these things. So I just want to thank not only the minister for this excellent bill but also those who contribute to public policy more broadly.

**Peter WALSH** (Murray Plains) (11:09): I rise to make a contribution on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. Starting off, I am intrigued and surprised that the member for Preston would say that we should not be worried about firebombings of illegal tobacco shops. Having had one of those in my community in Cohuna being firebombed, I know the angst it causes in the community, the damage it causes and the stress it is still causing in that community because the shop has been reopened only a couple of doors down. They are just waiting for the next time that shop is firebombed. To say there are no concerns about firebombing and the Liberals and Nationals should not be raising those issues I think is an insult to communities, and I take it as an insult to the community of Cohuna. The heat that that fire burnt at – I absolutely take my hat off to the Cohuna fire brigade for what they did in getting there quickly at 3 am and controlling that fire to that particular shop site. It burnt that hot that it actually cooked the bricks on the adjoining buildings in that shopping strip, which will have to be replaced.

As I said, three doors down the particular proponents of that shop have now bought another shop and set up again. It was going again within two weeks of the one that was burnt down. The whole issue of firebombing is real. Yes, there are other issues that this bill addresses, but at some stage someone that lives above a shop in a suburban strip, someone that lives adjacent to a shop or someone that unfortunately might be working late in their own shop next door is going to be hurt with the way these illegal tobacco shops are firebombed.

I actually prefer the title of the bill that the Shadow Minister for Police introduced in this place several weeks ago, who called it the Tobacco Amendment (Stamping Out Fire Bombings) Bill 2024. I think that articulated the argument a lot better than the current bill because it is about stamping out the illicit trade in tobacco and stamping out the ramifications of the turf war that is going on for those that are involved in it, where there is victimisation of tobacco shops that will not pay extortion money or there is this fight to actually burn out the opposition's shops. 110 tobacco-related firebombings have taken place over the last two years. Better Regulation Victoria back in 2022 actually said there was a need for a licensing scheme for tobacco products in Victoria – two years ago. If the government had actually acted at that particular time, we would not have seen the number of shops that have been burnt, we would not have seen the damage that has been done in our shopping strips right across Victoria, including country Victoria, and we would not have had all the worry and the stress for those that have been victims of these firebombings but also the communities around them, who are very worried about that.

That is one of the reasons the shadow minister has moved a reasoned amendment to this legislation. Two years since there was a report – and there have been several other reports – saying there is a need for licensing of tobacco retailing in Victoria, we finally get action. We finally get a bill after the government has been embarrassed into doing it because there was a private members bill introduced into this place to actually have regulation around the selling of tobacco products here in Victoria. The government has finally been embarrassed into introducing this particular piece of legislation. But what do we read on the first page? It will be finally enacted on 1 July 2026 – literally two more years.

*Members interjecting.*

**Peter WALSH:** I know it is unruly to pick up interjections, but can I say to those that are interjecting: read the bill. Look at the ink on the paper. It says 1 July 2026. Tell me that statement is not true. That is what is said on the first page of the legislation. So you can cry wolf that, 'Yes, we're going to do it quicker than that. Yes, we are efficient.' Who thinks the Victorian government bureaucracy is actually efficient in doing anything? 'Yes, we'll be efficient. We'll do it sooner than that,' but that is what the bill says. 1 July 2026 is when it will be finally enacted if it has not been done before. I have no faith in this government getting anything done on time, efficiently or correctly, because everything that happens, everything that is touched, is a fail, fail, fail, fail. That goes on all the

time with things that happen in my community and that happen in the communities of other members of this place. That is the statement that is on the bill. That is the drop-dead date when it has to be done by. I do not believe the government. I do not believe the speakers on the other side that stand up and say that it will be done before then, because I will bet you London to a brick it will not be.

I say to the other communities but particularly to my community of Cohuna, I will be doing everything I can to make sure this is enacted sooner than 1 July 2026, because the communities that have been impacted and those communities that are worried that they will be impacted in the future should not have to wait another nearly two years to have this enacted. It has been two years since the report was brought in saying there needs to be a licensing scheme and nearly another two years before it is guaranteed that it will actually be in place.

The other recommendation that was made through those reports was that there should be a licensing fee of somewhere between \$300 and \$500. This bill says nothing about the licensing fee, otherwise it will be set by regulation in the future. If you look at the history of tax take by the Allan Labor government and look at the history of tax increases by the Labor government, I have absolutely no faith that the government will introduce a regulatory fee somewhere in that particular price range. They are gouging every single dollar they can out of Victorians, particularly gouging every single dollar out of Victorian businesses they can. They see someone that actually sets up a business and goes to the issue of employing people and providing services to the community as a milking cow for increased WorkCover, for increased land tax and for all the things that are going to be increased on them, and I can see another tax grab coming when it comes to the licensing fee for tobacco retailing and wholesaling here in Victoria. We do not want to see small businesses actually priced out of existence by this.

Yes, we all support the licensing of reselling and wholesaling of tobacco. It is absolutely essential that we do that. If you look at the issues we have had here in Victoria compared to interstate, they are because we have not had that licensing regime; we have not had the ability for police to be involved in enforcing it. It has been local government by-law officers and the Department of Health that have been left to enforce it. They do not have the powers and they do not have the manpower or the authority to make a real difference when it comes to this, so yes, we are supportive of having a licensing regime; yes, we are supportive of the police being involved; and yes, we are absolutely supportive of the huge penalties that are in existence in this particular legislation. If you are going to stamp out organised crime, if you are going to stamp out major illegal activity, there have to be significant disincentives there for people if they are caught. Yes, there is that in this particular bill, but what we do not want to see is that the corner stores and the small shops in our shopping strips in our country towns are priced out of existence by the fact that there is a huge licensing fee implemented as part of this program.

Full commendation to the shadow minister for bringing forward the private members bill to this place to actually force the government's hand, after two years, to introduce this particular legislation. As I said, the ink on the paper says 1 July 2026. It does not matter what words are written around it, and others on the other side will stand up and say, 'This is not so. This is not so. This is not so.' No-one believes you anymore, because the government cannot get anything done on time and cannot get anything done properly, and in this case there will be communities where firebombings will happen in the future. Just because this legislation is being debated in here, that will not stop illegal activity. It will not stop the firebombings going on. The only thing that will help stop that is this legislation actually being enacted, the regulations being put in place, the police having the powers and particularly the courts issuing some of those major fines or, more importantly, putting some people in jail so that people know there are consequences for trading in illegal tobacco and there are consequences for those who, through the turf wars, are burning down shops and putting our communities at risk. I just hope that no-one is killed because of this, because of the slow inaction of this government.

**Sarah CONNOLLY** (Laverton) (11:19): It is a pleasure to follow the Leader of the Nationals in this debate. I feel like I have to point this out, because I am sitting here listening to him talk about how long it has taken this side of the house to go ahead and introduce this really important bill: we have

been doing an incredible amount of work in relation to this bill. It is extremely complex. You guys have talked about organised crime and firebombing today, as you should, but you have missed a whole other component of how we wipe out organised crime, and that is by stopping people and preventing people from taking up smoking and vaping in the first place. You guys did not turn up to any of the public hearings that took place as part of the Public Accounts and Estimates Committee inquiry – I think the member for Gippsland South attended a couple, so this is really going to go to the member for Malvern over there. The Liberal Party fail to turn up to most things to talk to communities about their concerns about kids in particular taking up vaping in the first place, which is an easy pathway to then take up smoking later in life. The best way to stamp out organised crime and this illegal tobacco that has taken hold not just here in Victoria but across the country is to stop it in the first place. But those opposite fail to talk to anyone in the community about anything that really matters to them, and that is why they can only stand here in this place and talk about organised crime.

I would also say to those opposite: if this was such an important bill to you guys, why did you only introduce a private members bill last sitting week?

*Members interjecting.*

**Sarah CONNOLLY:** Oh, it was not a bill, it was a press release. Let us call it a press release. Why did you only introduce it last sitting week? Let me tell you, because I am the one speaking here in this place on my feet. I will tell you why you introduced it: you introduced it because you knew we were going to introduce this –

**Michael O'Brien:** On a point of order, Acting Speaker, the member for Laverton is defying your earlier warning to speak through the Chair. I would urge you to encourage her – she has been here long enough now; she knows the forms of the house – to go through the Chair or sit down.

**The ACTING SPEAKER (Paul Hamer):** I ask the member for Laverton to continue and ensure her remarks are directed through the Chair.

**Sarah CONNOLLY:** I do apologise, member for Malvern, for referring to the member for Malvern and the member for Murray Plains sitting across from me. I digress from what I really want to say about this bill, because I have talked to a lot of people about this bill as chair of the Public Accounts and Estimates Committee. We did an incredible inquiry into this topic. But I have also spoken to so many parents and families right across my electorate about this particular issue. This is an issue that people are really alive to and have been giving a great deal of thought to, and it is not just about organised crime. I want to give a really big shout-out to Sandro DeMaio, the previous CEO of VicHealth, because Sandro has done something fantastic for the Victorian community. He has been talking about the dangers of vaping and tobacco smoking for some time, and he has not just been talking about it but he has been putting together materials to educate families, to educate parents and to educate young people about not starting to vape in the first place or, if they are vaping and they are addicted to vaping, because vaping is addictive – it is an addictive, illegal substance in those vapes – how to get off them in the first place. Thank you, Sandro, for all the work that you have done in this space. You have truly improved the lives of Victorians when it comes to this.

The purpose of this bill that is being debated before the house today is to establish a new licensing scheme for tobacco retailers, and that was a commitment made by the Premier in March this year, to go ahead and introduce a bill later this year, which is exactly why those opposite put out a press statement just two weeks ago – I think it was a one-pager, if anyone bothered to read it – about what they thought should happen in this space. But we have come forward with a bill that addresses and tries to tackle a really complex issue in this community. It is really complex because not only are people importing illegally vapes and illegal tobacco but also people have become addicted to it. They are looking for it – they need it as a drug. So this is really tricky, this bill, because we are trying to stamp it out in the first place but also looking at introducing a licensing scheme that is going to help eradicate lots of those illegal tobacco – I think we were calling them milk bars – small businesses in

our community that are selling these illegal substances to our young people, to our children and to those addicted to smoking and vaping. The message I have for these businesses, and there are a lot of them in the electorate of Laverton, is: time is up. You guys have to get a licence or you can get out of town, and the majority of the community want them out of town. They do not want these shops being set up close to train stations, close to schools, whatsoever. Time is up. Get a licence or get out of town.

The key recommendation of the Public Accounts and Estimates Committee inquiry into vaping and tobacco controls, which was tabled earlier this year, was to set up this licensing scheme for tobacco retailers. I am really happy to see that the legislation has come before the house today. I know that I am on record many times in this place talking about how much I oppose smoking. My brother has been a smoker since he was about 13 or 14. He took up smoking vapes because he thought it would be easier to quit his cigarette smoking habit, and he found that he was then addicted to vapes. He is now back on the smokes unfortunately. It is a dreadful addiction. The previous Secretary for the Department of Health once described, before a PAEC hearing, the businesses selling this as ‘vendors of death’, and that is exactly what they are.

This bill coming before the house is really important. We know that smoking costs our economy nearly \$10 billion each and every single year, and that is why, as I talked about earlier, it is just so important to help people quit smoking as much as possible. In PAEC’s inquiry that took place earlier this year we heard firsthand not just from anti-smoking advocates but from the industry as well, which was quite interesting, many of whom are trying to do the right thing. They do not want to see illegal tobacco sales taking place in this state, because let us face it, their revenue starts to reduce. They cannot compete with the retailers who are selling this stuff behind the counter. But it is not just overseas cigarettes in the colourful packs either, it is now the illegal disposable vapes, which were banned earlier this year by the federal government. These are being marketed to kids as a cool way to smoke without the nicotine, when in fact what the inquiry found is that these vapes would indeed have nicotine in them and they were being used as a gateway for kids to go ahead and smoke tobacco.

The bill does deliver the swift and decisive response to illegal tobacco trading that Victorians have been asking for. Like I said, this is a topic that has been talked about and is still being talked about in our community. I think even after this licensing scheme is up and running and enforcement is in place, they will continue to talk about it. They will continue to talk about the addiction that we find that our young people have to these vapes and illegal tobacco, and that will be something as a community and as a society, and not just as a government, that we are going to have to deal with to change the status quo. We are setting up this licensing scheme, and we are setting up the toughest penalties in the country, which those opposite continue to fail to mention – the toughest penalties in the country – to deter and punish people who are engaging in this activity. This has really big impacts not just for my electorate but right throughout Victoria and, I would also say, across Australia. That is why I wholeheartedly commend the minister for her hard work in bringing this bill to the house, and I do indeed wish it speedy passage through the Parliament.

**Tim READ** (Brunswick) (11:29): I also rise to speak about the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. The Greens support this bill, and so we should, given we called for it, I think, three years ago or so. But it was not just us; the Cancer Council, Quit, VicHealth and more recently the police have been calling for a tobacco licensing scheme in Victoria. I will just take you back to August 2021, when I raised this matter in an adjournment speech. I got a response about eight months later from the Minister for Health, a one-sentence response, saying:

The Commissioner for Better Regulation is currently conducting a review into Victoria’s approach to illicit tobacco regulation.

The government then, I understand, studied the review over a period of two years. Over that time tobacconists proliferated in our high street shopping centres and all around Victoria, including rural Victoria. A lot of these tobacconists have been selling bootleg cigarettes, illicit tobacco – chop-chop – nicotine vapes and, as I just heard from the member for Preston, the dreaded nangs as well. In this time

we have seen extraordinary levels of tobacco-related arson attacks on these shops – one or two a week and over 100 since early last year – due to the infiltration of organised crime gangs, which seem to be attacking each other and each other's stores. As the member for Laverton has pointed out, there has been a rapid increase in nicotine vaping, particularly among teenagers. There has also been, very disturbingly, over the last year or two a sharp drop in federal excise revenue from tobacco. That has not been matched by a sharp drop in smoking, and what that says is that people are ditching legal cigarettes in enormous numbers and replacing them with illicit tobacco. All of this has been happening because Victoria has been the last state in the Commonwealth without any form of tobacco retail registration or licensing scheme. Victoria has been a wild west both from a public health and an organised crime point of view when it comes to tobacco.

While the government was studying the report from the commissioner for better regulation all of this has happened, and while that has all been interesting, what is important is the casualties of this delay. We have heard about tobacconists burning down. We might not shed a lot of tears for these tobacconists, but there has been quite a bit of collateral damage. I want to just mention the Cargocycles bike shop in Brunswick, which was firebombed twice in a week about a month ago and destroyed. This is a specialist bike shop that makes up special bikes for disabled people; it sells cargo bikes, which are very popular for families taking their kids to school. I believe they are still operating out of a website and a warehouse, but I would be keen to see them back in retail business as soon as possible.

More important casualties, though, are the disease casualties from all of this illicit tobacco and smoking that has been going on. If you think about it, the illicit tobacco is much cheaper; the illicit cigarettes are well below half the price of legal cigarettes. The increasing price of cigarettes has been a key driver in the reduction in smoking over the last 30 years in Australia, so undermining that is undermining people's attempts to quit and Australia's efforts to get our population to smoke less and to be more healthy. You all know and have heard of the various dangers of smoking, so I will not list them all. I will just single one out, which is blocked blood vessels in the arms and legs, and particularly the legs, known as peripheral vascular disease, and there is no sight that stays with you quite as much as seeing someone smoking outside a hospital sitting in a wheelchair, with one leg.

The importance of tobacco as a driver of hospital admissions cannot be understated. It is important to remember that we are spending in the current budget I think \$27 billion in output funding for our health system and \$16 billion on health infrastructure. So health is chewing up about half the state budget. Every day and every night people are being carried by overworked ambulance crews into overworked emergency departments because of tobacco-related disease. So the delay in action on introducing this licensing scheme is contributing to the burden on our health system.

It is also important to point out that the lowest income Australians are twice as likely – more than twice as likely – to smoke compared to the highest income Australians. Rural Australians are more likely to smoke than urban Australians. People who have not completed year 12 are far more likely to smoke than people who have a degree. When we think about this business and the damage it does and the people it damages, we should not have any real sympathy for the retailers and suppliers of this product, legal or illegal. The public health needs are far more important than the needs of the businesses who are selling this substance. When we think about the speed at which we are going to implement this licensing scheme, it is often considered unfair to regulate too swiftly, but when we are talking about a lethal and addictive substance, the ethical questions are: why have we waited so long, and what can we do to accelerate the regulation that is planned in this bill?

It is important to think about what this bill can do if the government uses its powers to the full. In Australia we have done everything else that we can to reduce the prevalence of smoking to around 10 per cent of the population, but what is left is to reduce the availability of tobacco. You can do that by having fewer shops or retail outlets. You can do that by not situating those shops close to areas frequented by teenagers and young people, such as schools, or transport interchanges frequented by students. You can do it by regulating the opening hours of the businesses. Reducing the availability of tobacco is the next step in further driving down the prevalence of smoking, and that is why this bill is

coming at such a welcome time. It also helps police and authorised enforcement officers to know the location of the outlets. Right now we do not even know how many tobacco and vape outlets there are in the state. We do not know exactly where they are, although they make their presence fairly obvious; there is a sign up telling us what they are selling.

When this bill is implemented and enforced, we would expect the number of these pop-up tobacconists to decline, but as I understand it – and I thank the minister’s office for a briefing on this – we would expect people to be applying for licences in the second half of next year and we would expect enforcement to start happening in early 2026. But in that time, illicit tobacco gangs will be making good money; the availability of these dirt-cheap cigarettes will undermine the falling prevalence of smoking and continue to damage people’s lungs and drive admissions to our overworked hospital system; and the firebombings, the arson attacks and the ram raids will continue. I think we need to encourage the government to accelerate their efforts to implement the bill and to do everything else possible to crack down on these businesses in Victoria while we wait for the enforcement of the provisions in the bill.

I just want to comment now on some aspects of the bill. It is mainly about some obvious omissions. It is possible that I may have missed or misinterpreted something, so I look forward to getting more information from the government while we wait for the bill to go to the other place. First of all, the bill does not appear to prohibit licensed wholesalers from supplying tobacco to unlicensed retailers. This would be an important measure to include in the bill if it is not already there. The other opportunity that this bill provides is an opportunity to prohibit online sales of tobacco. Increasingly, people are buying tobacco and, I might mention, vapes online. Given the public health goals that led to the original calls for this licensing scheme, it would be a useful amendment, if it is not already there, to prohibit online sales, as is done in Australia and as Australia is obliged to do under article 13 of the WHO’s Framework Convention on Tobacco Control.

For much the same reasons the bill does not seem to prohibit tobacco sales from vending machines. The issue with vending machines is they sit there as a sort of prompt for people who are trying to quit, for people who are trying to cut down and for ex-smokers: ‘Go on, buy a packet of cigarettes.’ Vending machines undermine attempts to quit. They are also contrary to article 13 in the Framework Convention on Tobacco Control and are also prohibited in South Australia along with online sales of tobacco. The bill does not appear to specifically allow the regulator to refuse a licence on the grounds of proximity to schools or to specifically reduce density limits. I understand these things may be able to be set as conditions on a licence, but they are not specific inclusions in the bill, and I think it would be good if they were. The bill does not prohibit sales of tobacco by minors. Western Australia prohibits minors from selling – that is, M-I-N-O-R-S, given that there are a lot of miners in Western Australia as well. If young people are selling tobacco, it is more likely, as evidence has shown, that young people will buy tobacco. So it would be a useful addition to prohibit sales by minors, as is done in WA.

I want to take people back to the fact that it is the arson attacks, the extraordinary, quite remarkable epidemic of arson attacks since early last year, which seem on the face of it to have accelerated the appearance of this bill, although the original calls for a licensing scheme were on public health grounds. I want to remind people of the importance of the public health aspect of this legislation, because that is where I think the legislation could be strengthened, and even if we use the powers in the bill, it is possible to use them for public health purposes rather than just to stop the arson attacks, important though that is.

I conclude by reminding the government that everybody wants to see this scheme established and enforced as soon as possible. On that note, I will just say that I do not anticipate the Greens supporting the reasoned amendment to bring forward the commencement date, because using a reasoned amendment to speed up a bill just does not seem like the right tool for the job. However, we will consider amendments that might hasten the commencement of the bill in the other place. We will also consider amendments that speak to some of the apparent omissions from the bill that I have just raised. In particular, while we are waiting for the powers in the bill to be enforced I call on the government to



encourage the police to use their existing powers to fine retailers for breaches of the federal legislation and other laws and to make life as difficult as possible for those breaching while we are waiting for this licensing scheme to be enforced.

We do need to start limiting the number of tobacco outlets in the community. There should not be anyone selling tobacco within 400 metres to 500 metres of a school or of a train station that is full of kids going to school. There should not be more than a dozen tobacco outlets in Merri-bek, for example, and we should reduce that number over time. There is no argument to support maintaining tobacco as an industry in the long term. This is something that we should be aiming to phase out, not by attacking or limiting the rights of smokers but by cracking down on the business practices and all the little niches and loopholes that they exploit wherever they can.

When the Cain Labor government led the world in starting to limit tobacco advertising, online marketing and sales did not exist, but now it does and tobacco is there. So I urge the current Labor government to emulate their predecessors and go after the tobacco marketers, crack down on them and continue to drive the prevalence of smoking in Australia down as close to zero as possible.

**Anthony CIANFLONE** (Pascoe Vale) (11:44): I too rise to speak in support of the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. The fundamental role of any Victorian government is to help support and improve the health, wellbeing and of course safety of all Victorian families and all Victorian communities. However, as we are aware, the illegal tobacco trade over recent times has become rife through the growing number of unregulated tobacco shops, both impacting our health and compromising our community safety. It is causing risk and harm to the community; all the while dangerous criminals profit.

In rising to speak to this bill I acknowledge that just this week on Monday 11 November and Tuesday 12 November my community, very concerningly, experienced two suspected arson attacks at the same Coonans Road shop in Pascoe Vale South, which were allegedly and most likely connected with the illegal tobacco trade. According to a Victoria Police statement issued this week, detectives are investigating the circumstances around the incidents, which occurred in the very early hours, and whether they could be connected with other similar incidents. Very fortunately the family who reside in the attached store were not injured. Police are continuing to investigate the matter, and anyone with information is encouraged to come forward via Crime Stoppers.

In the interim my thoughts and support of course are with all the shopkeepers throughout the Coonans Road shopping precinct during this time and the surrounding neighbourhood, including the families of Pascoe Vale South Primary School and Guardian child care, and of course the Parkstone cafe, Coonan's Hill Fish and Chips, MY M8 Barber, TRS Pilates, which was just opening up next door, Coonan's Hill Pizza & Pasta shop, Coonans Convenience Store, the Old Faithful Cafe, Medusa hair studio and Coonans cellars. In rising to speak on this very important matter I am glad to say to my community that this very bill will go a long way in helping to keep us both healthier and also, importantly, safer across Pascoe Vale, Coburg and Brunswick West. I look forward to working with all the traders to help revitalise and rebuild after this attack. By introducing the toughest laws in the country to crack down on the illegal tobacco trade through this bill we will be smoking out the illegal tobacco trade across the state, providing Victoria Police with the new powers they need to crack down on crime lords and building on those previous record investments, reforms and laws that we have provided via Victoria Police to keep our community safe.

In March the Victorian Labor government announced that we would be introducing a bill to introduce the new tobacco retailer and wholesaler licensing scheme by the end of this year, and that is exactly what we are doing now. We are getting it right, with the harshest penalties in the country. The scheme has been informed by the recommendations of the Public Accounts and Estimates Committee inquiry into vaping and tobacco controls completed in August of 2024. I acknowledge my good friend the chair, the member for Laverton, for her incredible work and all the other parliamentarians on the committee.

The bill builds on the work of Victoria Police's Taskforce Lunar, which has already seen more than 80 offenders arrested and \$37 million worth of cash, vapes and illegal tobacco products seized. The bill will introduce quite a number of new reforms. Firstly, it will introduce a strict new licensing regime to establish a tobacco business licensing scheme so that tobacco can only be sold by licensed retailers. A licence is only available for fit and proper persons who pass a strict test, and you can be refused a licence based on your history and known associates. This will help protect legitimate businesses from getting undercut and from criminal syndicates and ban those who have criminal affiliations from having anything to do with the trade.

Getting the scheme right is important. What we are talking about is getting it right and implemented from the very big retailers – your Coles and your Woolies – right through to your local family milk bars and small businesses. We are introducing more powers through Victoria Police's search powers being beefed up to make it easier and quicker for them to raid, search and seize illegal and illicit products from retailers suspected of having links to organised crime. Police will also play a very key role in ensuring the suitability of licensees under the scheme. There will also be powers to impose further licence conditions.

We are introducing dedicated inspectors. A new tobacco regulator will be established with dedicated inspectors to hit the streets alongside Victoria Police. The regulator will administer the licensing scheme and will be responsible for enforcement and the compliance with licences. This includes powers to search shops, suspend licences and of course seize illegal items. Inspectors will also support police with extra intelligence gathering in the fight against organised crime. We are introducing the toughest penalties in Australia. If you break these new laws, you will face the toughest penalties. Any person found to be selling illicit tobacco will face fines of more than \$355,000 or up to 15 years in jail, while businesses will face fines of more than \$1.7 million. These reforms build on the work already underway by Victoria Police to disrupt and deter crime associated with the supply of illicit tobacco as part of Taskforce Lunar. This work to date has seen more than 80 offenders arrested and \$37 million worth of cash, vapes and illegal tobacco products seized. The tougher penalties will come into effect immediately when the act commences, and the rollout of the new licensing scheme will start from the middle of next year.

The bill will commence in two stages. There has been a lot of talk about the commencement, but let me reassure the house this is commencing as soon as possible. The first stage will come into effect by the end of this year, establishing the licensing scheme and the regulator and allowing for the appointment and training of licensing inspectors. This will allow for licence applications to be made and determined in advance of the requirement for businesses to hold a licence. Stage 1 will also amend the existing offences and powers in the Tobacco Act 1987 and repeal the e-cigarette and specialist tobacconists provisions. The second stage will introduce the licensing offences and enforcement powers of licensing inspectors, enabling penalties to be applied to tobacco suppliers operating without a licence. We need to give retailers the time and the opportunity to obtain their licences before we commence enforcement. We have to set up the tobacco licensing scheme, recruit the inspectors and give businesses that opportunity to begin complying.

When combined, these reforms in the bill will respond significantly to community concerns regarding illicit tobacco and the prevalence of tobacco businesses suspected of involvement in distribution. There is also of course a significant public health good that comes from regulating tobacco. According to Quit Victoria, smoking costs the economy \$3.7 billion in tangible healthcare costs and an additional \$5.8 billion associated with the loss of life every year. According to VicHealth, tobacco is also estimated to kill 4000 Victorians and about 20,000 people around Australia every year, making it the leading cause of preventable deaths in Australia. In Victoria we spend more than \$600 million a year on smoking-related health care.

With the time I have remaining, along with the statewide benefits in the bill I would like to also acknowledge some of the correspondence I have received from local residents, including in May from

a local dad, Cameron, who wrote to me reporting that in North Coburg and Newlands, opposite a local primary school, there is a small convenience store that has opened up:

It's clearly a front for selling vapes to underage students with a high volume of students frequenting it ... their actual stock list is incredibly bare and thin.

Myself and several concerned local community members have reported this to the council ... with the new vaping restrictions coming into place –

federally –

I know you will be keen –

that is, yours truly –

to follow this up and ensure sufficient action has been taken at council level ...

I did definitely escalate that issue, Cameron, and I am pleased to say also through the measures contained in the bill today we are taking really strong enforcement action going forward. Just yesterday I received an email from James of Pascoe Vale South, who said to me:

You will be well aware of what occurred on Coonan's Road in the early hours of Monday morning, namely the firebombing of the Coonan's Road Convenience Store. It is an event that has shaken and hurt the local community ... I had been to that store prior to the attack and noticed that they were selling blackmarket tobacco.

I'm hugely relieved that nobody was injured ... It's tragic that the surrounding businesses have also been damaged (including the new Pilates studio) ...

I recognise that this is a complex issue and requires coordination from all levels of government and even private businesses including insurers and landlords.

I am not sure of the solution, but may I ask that you at least pass on to the Premier and the Cabinet ... the concerns your community is feeling right now.

Well, James, I am pleased to say I am directly raising your concerns not only to the Premier and the cabinet ministers but to the Parliament as we pass this bill, which will take strong action going forward to crack down on the illicit tobacco industry. But it is also St Oliver student James, who wrote to me in June of 2023, who will be pleased that this bill is passing. He said to me:

I'm writing to ... raise awareness about vapes (tobacco) being sold illegally in ... schools. Many businesses let many people buy them without ID which is not ok ... anybody caught selling vapes without ID verification should get their business shut down, receive a \$10,000 fine and even a month in prison.

Well, James, I am very pleased to say that this bill will fine businesses in breach up to \$1.7 million accompanied by the toughest penalties in Australia of up to 15 years in prison. Thomas from St Oliver also previously wrote to me saying:

Young teenagers and even older primary students have been getting a hold of vapes (& tobacco) and something needs to be done about this issue ... Some ways to stop this can include council workers patrolling the streets near schools.

Well, Thomas, I am very pleased to also report that this bill will establish a new Victorian tobacco regulator with dedicated inspectors to hit the streets alongside Victoria Police. Finally, Isabelle from St Oliver Plunkett also wrote to me to say that one vape is equivalent to 50 cigarettes, with vapes proven to be more harmful than cigarettes. Well, Isabelle, I am pleased to say that the crackdown on illegal tobacco and vaping via this bill will help our community be healthier and safer through better regulation and oversight of such products.

With the time I have remaining I just want to call out the opposition on their pathetic response to this absolutely essential piece of legislation. We had the Public Accounts and Estimates Committee hearings we heard about earlier where hardly any of the opposition members bothered to turn up. Bev McArthur carried the show for the opposition when it came to the PAEC hearings. And the member for Ovens Valley – what a fraud that his motion is in terms of –

**Michael O'Brien:** On a point of order, Acting Speaker, the member should be required to withdraw a slur in those terms.

**The ACTING SPEAKER (Paul Hamer):** The member's time has expired, but I do remind the member not to make imputations about other members.

**Chris CREWITHER (Mornington) (11:56):** I rise to speak on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. This is a bill that finally addresses a longstanding issue in Victoria, as organised crime gangs have battled for control of the illicit tobacco trade and carried out over 110 firebombing attacks over the past two years. I know just recently in Frankston, right next to my electorate, there was a big fire in a tobacco store in Young Street, with a vehicle smashing into the store before it was set alight. Thankfully nobody was inside at the time. On the same night a tobacco shop also suspiciously went up in flames in Thornbury. Victorians are scared. These kinds of attacks really hit at the heart of a community, our small business owners and more.

This has all come about in the context of Victoria being the only state or territory without any kind of registration or licensing scheme in place, which has completely hampered police in their efforts to crack down on these arson attacks and firebombings. As the member for Warrandyte pointed out, police estimate that more than half of Victoria's estimated 800 to 1000 tobacconists sell illegal products. Today this government is finally regulating the market more tightly, albeit a lot later than it should have, after we introduced a bill to tackle this last sitting week that was blocked by this Labor government. This reminds me of the Paul Denyer situation. The coalition introduced a bill to stop Frankston serial killer Paul Denyer ever getting parole. It was also blocked by Labor; shamefully, this government rejected it at the time. But a few months later Labor introduced their own bill doing the same thing. At least we can see that the actions of the coalition are pressuring this Labor government to finally take action when they otherwise may not have. Indeed they have had 10 years in a row in government to take action on this and many other issues.

Going back to the substance of this bill, it introduces a robust licensing system that includes a fit and proper person test, a provision we have long called for to prevent individuals with ties to organised crime from participating in the illegal tobacco trade. This is key to curbing the influence of crime syndicates. The penalties proposed are also a positive step, with severe penalties to show that Victoria is serious about tackling this dangerous and illegal trade. But what is clear is that this government totally lack originality, and it seems, as we near the end of the year, they can only offer up watered-down Temu versions of our ideas. This is a reactive government lacking in ideas that is not proactive.

I mentioned Denyer before, but we also had the coalition introduce a private members bill to ban machetes in November last year, only for this Labor government to reject it despite skyrocketing knife crime over the past decade, including in my electorate of Mornington. Then, months later, in February of this year, they finally made a step in the right direction, but not enough, to make machetes a controlled weapon. Now we have a Labor government playing politics again with this bill today, after the government blocked our own private members bill for a licensing scheme with penalties up to \$1 million for illegal tobacco traders. It was an initiative which would have delivered real consequences, yet this government blocked it simply because it came from the coalition opposition. This is all political posturing while our communities are left vulnerable, with businesses exposed and criminals running rampant. Let it be on the record that we took the lead on this issue while this government delayed and dithered, giving criminals the green light to keep terrorising our communities.

Labor's bill still has problems. They should have listened better to us. We have had and we have got delays, delays, delays. Victoria has waited long enough, and now we have a bill that proposes a licensing scheme that will not come into full effect until 1 July 2026. That is two more years, and it will be nearly four years since the government first received those Better Regulation Victoria recommendations.

Going back to another point made by my colleague the member for Warrandyte, she made the point that even in the last two weeks, since the government blocked our bill, we have had two more firebombing incidents in that time. These are two more incidents that could have been prevented had the government taken action only two weeks ago.

That is in part why we have introduced a reasoned amendment. The reasoned amendment asks that the government conduct further consultation with affected stakeholders on when the licensing scheme should come into effect, because for the licensing scheme to not come into full effect until 1 July 2026 is too long. Meanwhile, communities will be left vulnerable to firebombings, businesses will lack certainty, individuals will lose their livelihoods and police will continue to fight every day to keep Victorians safe. Two years is too long. I urge the Labor government to reconsider and expedite the process, aiming for a full implementation by mid-2025 at the very latest. Victorians do not need another two years of violence and destruction, particularly when we have already had more than two years of delays.

Let us look at the timeline of delays under this government. In May 2022 Better Regulation Victoria released a report to then Premier Andrews on regulating the illicit tobacco trade. In March 2023 there was an attempt by rival organised crime gangs to form a commission to control the illegal tobacco market, igniting the tobacco war. In October 2023 Victoria Police launched Taskforce Lunar following dozens of arson attacks. In March 2024 Premier Allan announced the government would adopt the regulations in the Better Regulation Report, two years after it was released. In October 2024, just last sitting week, the Liberals and Nationals introduced our own version to Parliament, with a private members bill to tackle the illicit tobacco trade. In November 2024 more than 120 arson attacks targeting tobacco shops and related businesses have taken place over the previous 18 months.

On 12 November the Allan government finally unveiled details of tobacco laws. This was rushed. I am the whip for the Liberals in the Assembly, so I get sent the government business program on a Thursday night, although it is getting even later and later, as the member for Brighton will attest to, on a Thursday night. This tobacco bill was not even in the program sent to me last Thursday night. It was only sent in an amended version of the government business program sent out on Tuesday morning. So it was rushed under pressure from us and the community. It was last-minute. It was so last-minute that we had to have an additional party room meeting on Wednesday to discuss Labor's bill, as this bill was not ready or even proposed on the government business program at the time we had our regular party room meeting on Tuesday morning.

This issue really is the perfect storm. We have police, health, taxation and border agencies all working, with little chance to have a coordinated plan because of Labor dithering on this issue. As such, we have a collective policy failure that allows criminals to operate with impunity, putting local businesses under threat, not to mention the threat to public health. For so long Australia has been a world leader in tobacco control, not so much in Victoria but Australia-wide. Now this crime wave threatens to undo years of hard-won progress in reducing smoking rates. So many people are turning to illegal tobacco and vaping products that evade regulation. In many of these stores illegal vapes are sold alongside illicit tobacco, threatening to undo all the progress we have made to safeguard health, reduce smoking and relieve pressure on our public health system.

And who is all this being regulated by? Not this Labor government but bkie gangs, crime gangs and criminals within Victoria and in our country. We need to fast-track this legislation so that law enforcement have the tools they need to tackle these crime gangs to stop this crime issue becoming even worse in Melbourne. We need serious enforcement powers now and a well-resourced collective approach to tackle illicit tobacco. This government should get behind our reasoned amendment. They should have taken further action, but they need to ensure that this action occurs sooner and not wait until 2026.

**Kathleen MATTHEWS-WARD** (Broadmeadows) (12:05): I rise to speak on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024, and I begin by thanking

Minister Horne, her staff and her department for their excellent work on this bill. We have seen the devastating impacts of the illegal tobacco trade, especially in the electorate of Broadmeadows. I thank Minister Carbines and Victoria Police for the work they have been doing to address this scourge in our community and for the more than 200 search warrants executed, the more than 80 arrests they have made so far and the \$37 million worth of cash, vapes and illegal tobacco products that have been seized. These figures do not include the most recent raids last week, in which more than 600,000 illegal cigarettes were seized across 25 properties. I thank our hardworking police officers for the work they do every day to hold criminals to account and to keep our communities safe.

This bill will bring in the toughest penalties in the country for the illegal tobacco trade and the criminals who profit from it. It will create a strict new licensing scheme and provide more powers to crack down on illicit tobacco and organised crime, with massive consequences for breaking the law. The bill will establish a tobacco business licensing scheme so tobacco can only be sold by licensed retailers. The licences will only be available for fit and proper persons who pass a strict test. This will help protect legitimate businesses from getting undercut by criminal syndicates and ban those who have criminal affiliations from having anything to do with the trade.

Milk bars and legitimate businesses are so important for the walkability of our suburbs and the communities they serve. As kids, my brothers and I would walk or ride our BMXs to the milk bar in Ridgeway Avenue, Glenroy, to return our bottles for cash, grab a Sunnyboy or a Big M and a packet of Marlboro Special Mild for Mum. Seventy per cent of businesses in Victoria are family run, and our local milk bars remain a huge asset for our communities. I understand and appreciate that the licensing costs will be scaled to reflect the business size to ensure small family-run businesses are not disadvantaged. These laws will help protect legitimate local small businesses so our kids can also get the opportunity to walk to the milk bar for an icy pole and, thanks to our container deposit scheme, get 10 cents back for their bottles, cans and cartons. But thankfully the days are long gone when kids could legally buy a pack of smokes.

On that note, I wish to thank our wonderful VicHealth for their nearly 40 years of work in reducing the harmful effects of tobacco. It was set up under the Cain Labor government, and I am very proud to be one of the three current tripartisan representatives on the VicHealth board, along with the member for Brunswick and the member for Evelyn, under the fabulous leadership of our chair Nicola Roxon. I thank the incredible Sandro DeMaio and his brilliant team for the work and advocacy they have been doing on both smoking and vaping and for their important contributions to the recent Public Accounts and Estimates Committee inquiry on this matter. I also thank Nicola for her incredible work on tobacco and smoking cessation over her career. I also express my gratitude to the hardworking PAEC committee chair, the member for Laverton, and committee members, especially my Labor colleagues the members for Yan Yean, Point Cook and Clarinda and a member for South-East Metro, for their diligent work, for turning up to each of the hearings – unlike the Libs – and for continuing their support for our strong advocacy on these issues.

At the centre point of this report the committee recommends the establishment of a Victorian licensing scheme and an active regulatory authority, which is exactly what we are legislating for today. A new tobacco regulator will be established with dedicated inspectors to hit the streets alongside Victoria Police. The regulator will administer the licensing scheme and will be responsible for enforcement and compliance of licences. This includes the power to search shops, suspend licences and seize illegal items. Inspectors will also support police with extra intelligence gathering in the fight against organised crime. The legislation beefs up Victoria Police's search powers to make it easier and quicker to raid, search and seize illicit products from a retailer suspected of having links to organised crime. Police will also play a clear role in ensuring the suitability of licensees under the scheme. There will also be powers to impose further licence conditions. I am very proud to say that we are introducing the toughest penalties in Australia. Any person found to be selling illicit tobacco will face fines of more than \$355,000 or up to 15 years in jail, while businesses will face fines of more than \$1.7 million.

The bill will also modernise and broaden the scope of what is considered to be illicit tobacco to align with the Commonwealth's tobacco legislation and remove barriers to enforcing illicit tobacco offences. The current legislation provides for separate illicit tobacco offences depending on whether the item is smuggled or an excisable good, which can be difficult for an inspector to determine, preventing enforcement action from being taken. This distinction is removed under the new offences to simplify enforcement. This bill will help keep the community safe by regulating tobacco sales and punishing lawbreakers. The bill will also introduce inspection and enforcement powers for licensing inspectors, including the power to enter premises for compliance monitoring, and inspection and seizure powers. The regulator will be able to issue improvement notices and accept enforceable undertakings to bring about compliance with the licensing scheme.

Victoria Police will continue to be responsible for and focused on detecting and investigating serious and organised crime associated with illicit tobacco, but the bill will help to strengthen Victoria Police's efforts to crack down on illicit tobacco, providing police officers with the ability to exercise enforcement powers under the tobacco business licensing scheme, including the power to obtain search warrants, enter premises and seize illicit items to support the detection and enforcement of serious criminal activity. The regulator will build strong operational relationships with Victoria Police, enabling the regulator to focus on day-to-day compliance, inspection and enforcement activities and Victoria Police to focus on the detection, investigation and disruption of serious and organised crime associated with the illicit tobacco market.

As well as working closely with Victoria Police, the new tobacco regulatory function will also work closely with the Department of Health to continue our commitment to address the harms caused by the illicit tobacco industry and the significant health impacts of smoking. Tobacco remains a leading cause of avoidable disease and death in Australia, contributing to serious conditions like cancer, heart disease, respiratory issues and asthma. Besides the recommendation for the establishment of a Victorian licensing scheme and an active regulatory authority, the PAEC report makes 47 findings and 27 recommendations to reduce the harms of tobacco, especially for young people.

Both tobacco and e-cigarettes contain nicotine, which is highly addictive and harmful, especially for young developing brains. The decline in tobacco use in Victoria over the last 20 years has been undermined by a rapid growth in vaping since 2018, particularly among young people, including children. While smokers are more likely to be of lower socio-economic status, e-cigarette users are not. However, vapers are more likely to be receiving mental health treatment and more likely to be LGBTIQ+, and there was higher vape usage among Aboriginal and Torres Strait Islander respondents. Vaping is most prevalent in north-western Melbourne, while smoking rates are higher in regional areas. Smokers are also more likely to have a disability, experience unemployment and have less formal education than non-smokers.

Victoria has excelled in smoking cessation, boasting the lowest proportion of daily smokers in Australia. However, vaping rates surged dramatically from 2018 to 2022, particularly during the COVID-19 pandemic, with around 500,000 users over 14, nearly equivalent to the number of smokers. Many young people mistakenly believe that vaping is less harmful than smoking, despite a lack of scientific support for this belief. E-cigarettes contain harmful substances including chemicals found in car batteries, poisons, fuel and disinfectants. They can lead to serious health issues, such as popcorn lung and e-cigarette or vaping associated lung injury, which may require ventilator treatment in a hospital intensive care unit. Studies show e-cigarette users face significantly increased risks of heart attack and heart failure compared to non-users.

The report found that the majority of parents see preventing children from vaping as a high-priority public health concern. Like many others, I am very concerned about how vaping products are marketed to young people, particularly through social media influencers and platforms like TikTok, and how vape retailers strategically position themselves near schools. The appealing packaging and flavouring resembling candy and everyday items like highlighters and make-up pens make these products attractive to children. The report found that vaping has fast become the number one behavioural issue

at schools. Vapes are easily concealed because they are small, soundless and also smell like other products such as perfume or aftershave, and they are undetected by teachers. Some schools have resorted to costly vape detection systems, while one school even redesigned its uniform to prevent concealment. To combat these challenges the report recommends introducing compulsory tobacco and vaping education at the primary school level, ensuring resources align with existing drug and alcohol education programs.

I have got a lot more to say on vapes, but I am running out of time. I just really want to thank the committee for their work on the bill and the minister. I wholeheartedly support the bill.

**David SOUTHWICK** (Caulfield) (12:15): I move:

That the debate be now adjourned.

I do so so that we can bring on motion 302, which is to move:

That this house condemns:

- (a) the Allan Labor government for signing multiple multibillion-dollar Suburban Rail Loop contracts prior to submitting the project proposal required to receive Commonwealth government funding; and
- (b) the Minister for Transport Infrastructure for misleading the house by denying this in question time on 12 November 2024.

There is nothing more important at the moment than debating this particular matter. We have a bill before the house at the moment that will take 18 months before it comes to fruition. This government is trying to debate the tobacco bill but will not even bring it on now and the legislation has to wait 18 months. Why is that the case? I will tell you why: because the government has run out of money. Why have they run out of money? Because they are spending it all on the Suburban Rail Loop. And why do we now have the police on strike? Because the police cannot be paid, because of the Suburban Rail Loop.

We have had the Minister for Transport Infrastructure come into this house in question time and say that information had been provided to Infrastructure Australia before the contracts were signed. The minister misled the house. The minister had six years to get this project in order. Infrastructure Australia has been calling for these documents for two years, and the government has provided them with absolutely nothing. Now, after signing at least three contracts, this government and this minister misled the house by saying that the information had already been provided.

**Ros Spence:** On a point of order, Deputy Speaker, could you please let the member on his feet know that his microphone is working?

**The ACTING SPEAKER (Wayne Farnham):** The member to continue.

**David SOUTHWICK:** That is not a point of order. I may be quite passionate about this, and I will tell you why: because Victorians have been misled by the government, which is misleading them because it wastes and mismanages money, and Victorians are paying for that each and every day. It is a Suburban Rail Loop that nobody wanted. This government will stand up and say that they did, and do you know why? Because six years ago it was one project, today it is another project. This government went, only two months before the election, and changed the name from 'Suburban Rail Loop' to 'Suburban Rail Loop – Airport'; change number one. Change number two: they then decided 'We're not going to do a loop, we're going to do a line,' so the name was changed to 'Suburban Rail Line', because it was not going to be a loop because they did not have the money to do it. Then they decided, 'Do you know what? We'll change it again. What we'll do is we'll just call it a housing project. We won't call it a suburban loop anymore. We'll now call it a housing project.' The Minister for Transport Infrastructure went out on the front steps the other day, and all he spoke about was housing.

**Mathew Hilakari:** On a point of order, Acting Speaker, it is a narrow procedural debate. Could you bring him back to it.



**The ACTING SPEAKER (Wayne Farnham):** The member is being relevant to the debate.

**David SOUTHWICK:** As I say, this is very important. It is so important to talk about this right now, because Victorians are being misled and there is no money to pay for police and other important projects.

**Juliana Addison:** On a point of order, Acting Speaker, the issue I am raising in my point of order is that it is very important that members do not pre-empt a future debate, and he needs to stay relevant to why the procedures of the house need to be impacted today by this motion rather than pre-empting what he would like to debate in the procedural motion. He is being irrelevant.

**The ACTING SPEAKER (Wayne Farnham):** I have made my ruling. The member was being relevant.

**David SOUTHWICK:** On the point of order, if I could, the member for Wendouree has no idea what she is talking about. The member for Wendouree clearly is very concerned that her constituents in Wendouree will not benefit from the Suburban Rail Loop. That is why –

*Members interjecting.*

**David SOUTHWICK:** I have not finished my point of order, member for Wendouree.

**The ACTING SPEAKER (Wayne Farnham):** I will take no more points of order. I made a ruling.

**David SOUTHWICK:** Victorians have been misled by the minister for infrastructure, who clearly is out of his depth and who has misled this Parliament, because the government has run out of money. They cannot pay Victoria Police; they are on strike. They cannot pay to ensure that we get the tobacco bill put into this Parliament, so they have got to wait for 18 months to do something that is really important in terms of law and order. Ultimately it is because this government's pet project, the Suburban Rail Loop, does not stack up. S&P have said that if the federal government does not give the money, we could be downgraded financially. The detail has not been done, and this government has misled this house.

**Tim RICHARDSON (Mordialloc) (12:21):** Before I kick off I would like to assure the member for Caulfield that my contribution is being recorded by Hansard, so feel free to keep your phone in your pocket or to yourself for my contribution.

This is an extraordinary intervention, where a notice of motion out on the back stalls in 302 territory is being used to disrupt the proceedings of the house on a bill that those opposite said was critically important and urgent to debate in this house, so much so that the member for Ovens Valley was reflecting on his triumphant actions of discussion a couple of weeks ago and on the effort that has been made, and then we had the member for Brighton's contributions as well. Judging by the limited number of coalition members in the chamber, I am not sure whether this has the coordination or structure of interruption and intervention that normally is sought. The member for Sandringham has raced into the chamber and I am sure will give a great summation on what notice of motion 302 is doing. Then we have the yelling and the screaming about the Suburban Rail Loop (SRL) and all that sort of carry-on, and the notion that it has been to people twice, it has been voted on. Why bring on notice of motion 302 from out in the back stalls to interrupt the session of this house and the critical debate? There has been interaction with Victoria Police. It has been subject to a lot of public discussion and engagement. Then all that rhetoric building up over the last few weeks by the coalition that said that this was a really important issue, a really important bill to be discussed, is undermined by such a cheap, silly stunt of interrupting procedure before the lunchbreak. The rantings and carry-on and the key lines that we heard just before are not really a serious policy discussion or setting that is brought forward, not in this forum or in other types of bills.

I do not think the member for Caulfield has built the case for why the debate should be interrupted now. This could easily be done in a matter of public importance or grievance discussion in an

opportunity down the track. It could be an opportunity for an opposition MPI that talks about the Suburban Rail Loop. They could ventilate a number of dot points that could carry on. This notice has sat on the notice paper for an extended period of time, so its urgency – to cut across a bill that they said was so critically important to debate today, that was so timely that we needed to have it through the Parliament, and then to interrupt that – is more about stunts than the behaviours and actions in the Parliament. It is all good to get up, and if you want to have a ventilate and you are feeling like you just need to get some stuff off your liver, that is okay. Sometimes you can do that on an adjournment and sometimes you can do that in a members statement, but when you are in the serious business of governing, when you are fronting up to issues that have been significant in our community and that need to have that debate and that leadership and that contribution, an adjournment like this is just a bit silly. I am not pre-empting the member for Sandringham. I am sure he will give a far better account than some of the rantings that we saw before. I am still shaking in my ears from the yelling and the carry-on that was going on.

But what is the justification to adjourn other than just another stunt? Why then are you cutting across the contributions on this bill that you said were so critical and so important? You cannot then go and stand up and be credible and adjourn on other things. The member for Brighton has made adjournments in the last sitting weeks on critical issues coming through. This is one of those issues discussed at the time, and then on the flip side this is to be adjourned now, this bill and its importance, for a stunt about the SRL, which has been taken to the Victorian people twice.

I know it is not inconsequential that the member for Brighton did not lead this adjournment, because normally it is Manager of Opposition Business territory to get up there and interrupt, and you can see who is lining up to speak on this. Unless I am misjudging, I do not think the member for Brighton will. I think he will see this as maybe not in his wheelhouse. Maybe it is not serious stuff – adjourning based on a notice paper, hundreds of notice papers out, simply because maybe they do not have enough speakers. Maybe we have found out that there is just not the depth and there is just not the policy intent. Maybe the notes have not been sent out. We see that the Nationals carry the coalition. The Nationals carry them, literally. The Nationals, as a coalition partner, do twice if not three times the speeches each and every week with a third of the crew, and so you see them in a lot, carrying the team. I mean, their backs are getting sore carrying that team so much. So maybe they just do not have the policy there, but maybe give us a bit of justification.

**Brad ROWSWELL** (Sandringham) (12:26): I do rise because I support the member for Caulfield's motion to suspend debate so that notice of motion 302, standing in the member for Caulfield's name, should be considered as a matter of absolute and utter urgency. The fact of this matter is that on the bill currently before the house, the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024, the government have already made their call. It is not actually important. It is being debated at the minute, but its implementation will not be until July 2026, 18 months away. It cannot be that urgent. Even I know – and I will speak slowly, because I know there are a few members on the government benches who may not be able to pick up on the subtlety of this – that we are currently in November 2024, so if the government are bringing a bill and they say that it is urgent and they say that we should not be interrupting debate to address the member for Caulfield's motion, they have got rocks in their head. It is clearly a much more urgent matter for the Parliament to be considering:

That this house condemns:

- (a) the Allan Labor government for signing multiple multibillion-dollar Suburban Rail Loop contracts prior to submitting the project proposal required to receive Commonwealth government funding; and
- (b) the Minister for Transport Infrastructure for misleading the house by denying this in question time on 12 November 2024.

Only a couple of days ago in this place, the Minister for Transport Infrastructure said:

I am really pleased that we have received \$2.2 billion in funding to date from the Commonwealth.

I will say that again. The Minister for Transport Infrastructure, two days ago during question time in this place, said:

I am really pleased that we have received \$2.2 billion in funding to date from the Commonwealth.

Wow. The minister should come into this place now and explain himself, because he knows that this Labor government has not received that \$2.2 billion. He knows that the Allan Labor government have signed those tunnelling contracts without a plan to pay the bill. But we know after 10 years of Labor and we know after 10 Labor budgets that that is their MO. That is exactly what they do. They, frankly, do not give a stuff when it comes to signing away the lives of not only current Victorian taxpayers but future Victorian taxpayers as well. We have got the highest debt in the nation: \$188 billion. Shortly we will be paying \$26 million each and every day in interest payments alone because this Labor government cannot manage money. Some current Victorian taxpayers and certainly future Victorian taxpayers will be paying the price for decisions that this Allan Labor government make. They do not care. They say they care, but they simply do not care.

I assert that the minister, on Tuesday in question time when he was asked about the Suburban Rail Loop project and when he asserted that the Allan Labor government had received \$2.2 billion in Commonwealth funding, intentionally and wilfully misled the house. He knew that that \$2.2 billion had not been received in a Victorian government bank account. He knew that – he is the minister, after all – but what he did was he intentionally and wilfully misled the house and misled the Victorian people. That is what this Labor government does. This is what they do. They tell stories to create a narrative which suits whatever la-la land – with donkeys, ponies, unicorns, butterflies and other fluffy colourful things – to convince themselves and to convince their people that what they are doing is the right thing to do.

But we know that the Victorian people are smarter than that. The Victorian people are much smarter than that, and they want to know if their Labor government commits to a project how it will be paid for. That is a legitimate thing for the Victorian taxpayer to know, and in this case when it comes to Labor's Suburban Rail Loop they have got no idea. We know from this year's budget in the first year there is that \$5 billion committed to the Suburban Rail Loop, and then in the second, third and fourth years it simply says 'TBC'. Does that mean 'To be confirmed', does it mean 'To be canned' or does it mean 'Too bloody costly'?

**The ACTING SPEAKER (Wayne Farnham):** I remind members to use parliamentary language.

**Brad ROWSWELL:** That is a legitimate question that the Victorian people have a right to know.

**Daniela DE MARTINO (Monbulk) (12:31):** Once again we are brought back into the realms of another opposition stunt with a motion to adjourn debate. Unfortunately they do not do themselves any favours by trying to adjourn off a debate about tobacco legislation which they have been attesting quite vocally to the importance and the urgency of. We consider this legislation quite urgent. And I would like to state for the record that it is not coming into effect in a year and a half's time. Stage 1 comes into effect by the end of this year. That is what makes it so urgent, because I would like to remind those opposite that we are in November.

**James Newbury** interjected.

**Daniela DE MARTINO:** No, the bill quite categorically states that stage 1 will take effect by the end of this year. Stage 2 will take effect by early 2026, because you have to build the house before people can move into it. You cannot put the cart before the horse. If those opposite were actually listening to the contributions by government members on this, they would have understood this to be the situation. However, they form their own narrative, so if they want to talk about la-la land, we can talk about fire and brimstone instead over there in terms of fantastical contributions.

**Roma Britnell** interjected.

**Daniela DE MARTINO:** Maybe the member for South-West Coast just missed the contribution from the member for Sandringham talking about fanciful thoughts. In terms of fantasy, maybe those opposite could actually look at the bill a little bit more carefully, listen to the contributions of government on the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024 and understand that there is urgency to this because the first stage comes into effect within two months time. The fallacy that has been espoused today by both the member for Caulfield and the member for Sandringham in terms of the timing is actually not correct.

Furthermore – and I have stated this before – when it comes to trying to adjourn off debates, what happens? We do not go to the motion there. We will simply go to the next order of government business, which is order of the day 3, and that is the State Taxation Further Amendment Bill 2024. So contrary to this entire narrative of ‘Let’s go to this motion right down in the back stalls of the notices of motion,’ it would actually take us to the next order of the day, which would be order 3. We know this and they know this, which is what makes this another stunt.

You will note I am very much doing my best to stick within the procedural matters of this rather than any substance, just as my esteemed colleague the member for Mordialloc did so aptly. As he put it, there are so many other options and ways for the coalition, for those opposite, to be able to air their grievances and their concerns. They can do it at question time, which they did. They can raise it in a matter of public importance, in a grievance debate and even in adjournments. The wonderful member for Mordialloc over there has made it utterly clear – and I will reinforce the notion as well – that playing games in the middle of legislation that we need to pass, which affects the safety of Victorians and will have such a necessary impact out there, is appalling. Those opposite need to have a really long hard look at themselves when it comes to the way that they conduct themselves in this place, because it is unedifying at best and it is appallingly noxious at worst.

I say that we need to get back to the actual matter of the bill before us so we can continue to do the important work, which is developing legislation for the benefit of all Victorians, not for our own egos and self-aggrandisement or a desire to try and get some kind of media attention. I cannot see from where I sit here whether or not they are there, but I am guessing there is no-one there actually that is interested in this stunt. So for those opposite, maybe actually tackle the real essence of what we are here to do, which is to improve the outcomes and lives of all Victorians. That is what we have been elected to do. That is what we continue to focus on, and that is why we will not be supporting this crazy motion to adjourn the debate, which would merely take us anyway to the next order of the day. We have excellent contributions to come on this tobacco legislation, and as the member for Mordialloc suggested, perhaps those opposite do not have any. I do notice the wonderful member for Shepparton, whom I really do have a lot of time for, has entered, but up until this point in time there has not been another Nationals member in here. It was the Nationals member from Ovens Valley who was being quite loud and proud on this. I wonder how the member for Ovens Valley feels that those in the Liberal Party decided that this stunt had to occur, because I would not be very happy if I were him. I cannot speak for him, but it is telling that they are not here.

**Nicole WERNER (Warrantyte) (12:36):** If we are talking about urgency, we are talking about the urgent state of Victoria’s finances: \$187.8 billion in debt we are steeped in, bigger than New South Wales, Queensland and Tasmania combined, with the interest on that alone being \$26 million a day. That is \$1 million an hour that we are about to pay. This procedural motion is urgent, and we are adjourning a bill, if I can remind the members on that side of the house, that is so allegedly urgent to them that it has taken two years since the recommendation was handed down for them to take any action on it. It will take 18 months for it to take effect, and it has been eight months since the Premier actually made a commitment that she would take action on the illicit tobacco trade. It is two years since the recommendation was handed down. I do not think it is as urgent as they purport it to be. What is urgent is the state of our finances. What is urgent is that taxpayers money is being wasted every single day. What is urgent is that Victoria has been bankrupted by the Allan Labor government, and Victorians are paying the price. The truth is that we have to adjourn this debate urgently because

this is an urgent matter. Victoria is broke. We are out of money, and we should not be signing contracts when we do not have the cash and when Labor has bankrupted the state.

Notice of motion 302 is there. What we are witnessing here is a monumental failure by the Allan Labor government to honour even the most basic responsibilities to the people of Victoria. If you were to ever read the documents from that side of the house – Infrastructure Victoria, their own entity that plans for what happens in Victoria – it is a 10-year plan. I have taken the time to read it. It is about this thick, and not once in its 10-year plan does it ever talk about, recommend or propose the Suburban Rail Loop. How is that? In their own entity's document on planning for infrastructure in Victoria it does not once table the Suburban Rail Loop. That is Infrastructure Victoria, let alone Infrastructure Australia, where under the national land transport agreement the bare minimum expectation is that states submit a project proposal report to the Commonwealth for approval. Yet here we are, with Labor stumbling at that starting line, having announced this project six long years ago. We have now learned that the fundamental report was only just submitted, so they are only getting to ticking that box now. It does not end there. Commonwealth law is crystal clear: any project seeking over \$250 million in federal funding –

**Michaela Settle:** On a point of order, Acting Speaker, this is a procedural debate. She seems to be debating the motion, but we are on a procedural debate.

**The ACTING SPEAKER (Wayne Farnham):** The member will come back to the procedural debate.

**Nicole WERNER:** Well, okay, as we are talking about the procedural motion, I am talking about the importance and the urgency, Acting Speaker Farnham and member for Eureka, that we must adjourn this debate, because this is an urgent matter. Notice of motion 302 reads:

That this house condemns:

- (a) the Allan Labor government for signing multiple multibillion-dollar Suburban Rail Loop contracts prior to submitting the project proposal required to receive Commonwealth government funding; and
- (b) the Minister for Transport Infrastructure for misleading the house by denying this in question time on 12 November 2024.

It is urgent that we adjourn this debate so that we can debate the matter at hand – that the Allan Labor government is wasting taxpayers money. Every single day, day after day, we have interest bills at \$26 million – as I have said before, it is absolutely ludicrous. That is the urgency of adjourning your delayed debate so that we can get to the urgent matters at hand.

**Michaela Settle:** On a point of order, Acting Speaker, this is a procedural debate and the member for Warrandyte seems to want to debate the motion. It is a narrow procedural debate. If you could bring her back to the procedural debate.

**The ACTING SPEAKER (Wayne Farnham):** I remind the member that it is a procedural debate and to come back to it.

**Nicole WERNER:** The procedural debate is clear – that we have to adjourn debate because it is clearly not urgent to the members on that side of the house. What is urgent is what we are contending and what we are talking about in this motion. That is the truth, and we have to adjourn debate because that is the most urgent thing at hand today. The minister cannot confirm if this business case has ever been submitted – (*Time expired*)

**Mathew HILAKARI (Point Cook) (12:41):** It is always a pleasure to follow the member for Warrandyte. The member for Warrandyte mentioned signing contracts. I do recall, on the death knell of the previous Baillieu–Napthine governments, those classic days of Geoff Shaw, of the champion of the people –

**Matthew Guy:** On a point of order, Acting Speaker, this is a narrow procedural debate and the Labor members opposite have made that point clear about six times, and now the member for I think it is Point Cook – I am not sure where he is from – is deciding to talk about matters in relation to 2014, and that is not part of a procedural debate in 2024.

**The ACTING SPEAKER (Wayne Farnham):** I remind the member that it is a procedural debate and to come back to the debate.

**Mathew HILAKARI:** The Miley Cyrus loving former Minister for Planning – what a sensation he was back in the day.

**David Southwick:** On a point of order, Acting Speaker, the member is ignoring your ruling. It is a narrow procedural debate. We understand that the Suburban Rail Loop will not benefit the member for Point Cook, and I would ask you to bring him back to the actual debate at hand.

**The ACTING SPEAKER (Wayne Farnham):** Member for Point Cook, I remind you that it is a procedural debate and to come back to the debate.

**Mathew HILAKARI:** Thank you for your sage advice, Acting Speaker. Of course why we should not be considering this and why we should vote against this procedural debate is because we have got an important matter to consider, which is the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024.

**Michaela Settle** interjected.

**Mathew HILAKARI:** It was super important a couple of weeks ago. It was so important that members opposite could not be bothered turning up to any of the inquiry of the Public Accounts and Estimates Committee. They could not be bothered hearing from Victoria Police about what we should be changing –

*Members interjecting.*

**Mathew HILAKARI:** That is right, I am mentioning Victoria Police, because they could not be bothered turning up and listening to their evidence – they just could not be stuffed. And today they cannot be bothered actually passing this through the house and debating these bills. They cannot be bothered. All stunts. They tried this stunt at the start of the week to delay, and they delayed for another half hour; they are doing another delay now for another half hour –

**Sam Groth:** On a point of order, Acting Speaker, the member for Point Cook has mentioned Victoria Police more times than the minister has cared to in this house in the last six months.

**The ACTING SPEAKER (Wayne Farnham):** That is not a point of order.

**Mathew HILAKARI:** He was embarrassing on an international level; now it is a subnational level. It is so great to hear from him again. But these are important bills that should be debated for Victorians. It is something that those opposite do acknowledge, selectively, and they would like to bring on other bills now, like the Statute Law Repeals Bill 2024. Well, I am pleased actually to speak on that. I hope to speak on that today – if our time is not wasted further by those opposite. In fact they think that bills like the tobacco amendment bill are so important that their amendment is to delay it further, to delay it into next year. They are not really interested in improving the lives of Victorians. They are interested in their stunts, when they even bother to turn up to work. They did not bother turning up to a committee that was considering this important legislation. They say they need more time, because they did not do the hard work in the first place. When they introduced into the house two weeks ago a media release largely written in crayon, pretending to be a bill –

**A member** interjected.

**Mathew HILAKARI:** I am reflecting on the quality of the bills that are being introduced by those opposite. That is what I am reflecting on. We should not support the suspension of the debate. We

should not support the procedural debate, because of course we want to get these bills passed for the improvement of Victoria.

**Assembly divided on David Southwick's motion:**

*Ayes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

*Noes (50):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Motion defeated.**

**Mathew HILAKARI** (Point Cook) (12:52): I thought those opposite might have taken this opportunity, but I am very glad that I have the opportunity to do so. I did want to follow on from the Leader of the Nationals, and I am pleased of course to talk in favour of the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. The Leader of the Nationals was talking about the urgency but then also about the delays related to this bill, and we have just had another half an hour within this chamber of further delays from those opposite in not seeking to pass this bill once again. We had a delay at the start of the week of half an hour because they thought it was so urgent they would like to delay it more. We have had an amendment put forward to the bill that seeks to delay it half an hour more. I just wonder about the tactics of those opposite and how much they actually reflect the community's need to see this done as a matter of urgency. I am disappointed that we are seeing this occur so many times across our sitting week and that they do not take the processes and the needs of Victorians particularly seriously. The Leader of the Nationals also talked about taxation, and I just wanted to remind him that during his last term of government – that was 2010–14 – the Nationals increased taxes 24 times and they reduced them only four times. It seems like they sometimes might be missing some of their own history in these matters.

However, I would like to talk a little bit about the Public Accounts and Estimates Committee's report into vaping and tobacco controls, which came through in August of this year. Of course we started that process in February of this year. I thought it was a really interesting report to be involved in. But the reason for this bill being here was really crystallised in one particular moment for me, and that was on Monday 15 April when we were meeting up in Shepparton, and I acknowledge the member for Shepparton in this chamber just for this moment. Detective Superintendent Kelly from the anti-gangs division, who was overseeing the Lunar and the Viper taskforces at the time, said this in response to the 100 search warrants that they had undertaken by that point in time, because we asked was illicit tobacco found from any of these 100 search warrants that they had enacted. Superintendent Kelly's response was '99' – all but one – and that unfortunately was at an address that had burnt down as a result of arson and had not reopened, so it was effectively a 100 per cent strike rate.

It just crystallises right there why this is such an important bill that we should be attending to right now – not being delayed, not being put off, not being used by the processes of this place to avoid these

matters being considered properly. Detective Superintendent Kelly did go on to say a number of other things about some of the retailers, some in their defence. He said:

... out of the 1100 tobacco shops, our intelligence suggests, unfortunately, most are selling illicit tobacco. I want to make it clear, though, that there are a number of people who are trying to run a legitimate business, people who unfortunately are caught in the current situation.

He went on to say:

The feedback we are getting is that people running legitimate businesses are victims of extortion. They are victims of the situation where they are finding it very difficult to make a profit if they do not then venture into illicit activities, unfortunately.

That was really important evidence to hear. It was important to hear what Victoria Police had to say about what the taskforces had been undertaking, and those taskforces of course were very much related to organised crime, not to attending particular retailers that were not part of the organised crime that is going on in the industry currently.

That is why this bill is so important for this place to be considering and debating, and I hope to see it passed in this place later today. The Premier did announce in March that this bill would be introduced before the end of this year, and here we are: we are debating this matter before the end of this year, and we want to see it passed before the end of this year so that we can see those recommendations from Better Regulation Victoria taken up and those recommendations of the Public Accounts and Estimates Committee, of which there were 27, which followed on from 115 submissions, taken into account.

During that committee we also went down to the Australian Border Force facilities, and that was another telling point in time around what is happening right across the state. We went and saw some of the illicit tobacco that was being imported into Victoria. Australian Border Force – and this is in the public domain – said that they probably catch about 30 per cent of the containers that come into the country with illicit tobacco. I should say for members of this house that these shipping containers were in no way trying to hide exactly what they were importing into the country. They were packed full of cigarettes – packet after packet after packet. What we also know is that only one in 30 of those containers need to make it into this country for there to be a profit. So if you put those numbers together, from every 30 containers that are sought to be brought into the country we are only catching nine at the border. That means there are 21 coming through, and they only need one container to come through to make a profit. There are huge profits. It is a very lucrative industry that is going on. That is why we need to regulate it.

We need to regulate it off our high streets, off our streets and off our shopping strips across Victoria. I think almost every member in this place would have had some effect in their community, not just the effect of fires on the community and retailers but also the effect of tobacco being much more widespread and available. If you are selling illicit tobacco, of course it is not hard to go one step further and sell vapes or sell illicit tobacco and vapes to minors. Of course that is an easy and logical step for a retailer to make if they are already doing some of that, so it is something that is important for all Victorians. We know that tobacco and its effects are still the biggest killer, the leading cause of unnecessary death in Victoria, killing 4000 people a year. The member for Laverton rightly pointed out the almost \$10 billion – and that is from 2018 – that it cost Victorians because of the lack of ability for people to quit smoking, but we have made incredible efforts in this space. We are down to 9 per cent of people.

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

**Business interrupted under standing orders.**

**The SPEAKER:** I acknowledge the former member for Buninyong in the gallery today, Geoff Howard, and the former member for Gippsland West.



*Questions without notice and ministers statements*

**Hospital funding**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:02): My question is to the Premier. The Peter MacCallum Cancer Centre had half a day’s cash on hand as at 30 June 2024. Why has the Premier so starved Victoria’s leading cancer treatment centre of funding that it cannot meet its fortnightly wage bill to pay doctors and nurses?

**Jacinta ALLAN** (Bendigo East – Premier) (14:03): I thank the Leader of the Opposition for his question, because it gives me an opportunity to outline to the Leader of the Opposition how his question is wrong. It is a repeat pattern of behaviour from the Leader of the Opposition this week to present incorrect material to the house by way of questions. We have provided to the Peter MacCallum hospital and indeed all of our public hospitals across the state significant funding, indeed more funding than ever before, through this year’s budget process. I want to thank the hardworking healthcare workers right across our state for the delivery of world-class care.

**John Pesutto**: On a point of order, Speaker, the annual report filed today is very clear: as at 30 June, half a day’s cash. On relevance, it was a very specific question about Peter MacCallum Cancer Centre’s cash reserves as at 30 June – very narrow.

**The SPEAKER**: It is not for me to determine whether the Premier is being factual. The Premier was being relevant to the question that was asked, and the Premier at the outset addressed the question.

**Jacinta ALLAN**: I did address the question at the outset, and if the Leader of the Opposition would like some additional facts, I will provide him with some additional facts. There are 40,000 more healthcare workers today in our great, strong public healthcare system than there were when Labor came to government – 40,000 more healthcare workers in our system. What does this mean for our healthcare system? What does this mean for Victorians? It means that we have had to rebuild a system that was slashed by the Leader of the Opposition’s crew when they were last in government.

**John Pesutto**: On a point of order, Speaker, on relevance, this is a specific, tight question around the cash reserves at Peter MacCallum Cancer Centre. We do not want to hear about all of the other generalities that the Premier wants to assert.

**The SPEAKER**: There is no point of order.

**John Pesutto**: But the Premier does need to be responsive, Speaker.

**The SPEAKER**: The Premier was being relevant to the question that was asked.

**Jacinta ALLAN**: I will say this to the Leader of the Opposition if he is so keen on a few facts. Further fact: in 2023–24, with the support of that significant investment, with the support of the tens of thousands more healthcare workers we have across our state, our hospitals have delivered more planned surgery than ever before. When you consider that our healthcare system was under – like every part of our community, but no part of our community was more impacted by the one-in-100-year pandemic than our hospital system –

**John Pesutto**: On a point of order, Speaker, again on relevance, can you please draw the Premier back to Peter MacCallum Cancer Centre? That is what we are asking about.

**The SPEAKER**: I cannot tell the Premier how to answer the question. The Premier was being relevant to the question that was asked.

**James Newbury**: On a point of order, Speaker, standing order 58 does require the Premier to be direct, and multiple rulings from multiple Speakers – including, most recently, Speaker Brooks in 2022 – ruled that the answer must relate directly to the question asked, not some topic and not picking out a word, but directly relate.

**Ben Carroll:** On the point of order, Speaker, if you go to *Rulings from the Chair: 1920–2023*, page 153, ‘Nature of the reply’:

**Content of answers.** Standing Order 58 provides that ‘a minister will have discretion – or the Premier –

to determine the content of any answer’ ...

Speaker Maddigan.

**The SPEAKER:** I am really grateful that members have been reading up on standing orders and *Rulings from the Chair*. It makes my job very much easier. However, in this instance, the Premier answered the question at the outset and the Premier was being relevant to the question that was asked.

**James Newbury:** On a point of order, Speaker, in relation to your ruling, is it now a rule in this place that when a minister or Premier answers a question they then have the remainder of the time to answer anything they want and that the standing orders do not apply to them?

**The SPEAKER:** That is not a point of order. If you wish to question my rulings, you can come and see me in my office after question time. I have ruled on the point of order.

**James Newbury:** On a point of order, Speaker, under standing order 104, are members no longer entitled to take a point of order?

**The SPEAKER:** I did not say you could not take a point of order; I ruled the point of order out of order. I did not deny you the opportunity to raise a point of order; I ruled the point of order out of order.

**Jacinta ALLAN:** We will continue to back our nurses, our doctors and our paramedics. We will back them with the funding that they need – for example, through this year’s budget, where we have provided our hospitals with more funding than ever before to treat more patients than ever before. We have a growing and ageing population. We are treating more patients than ever before.

**James Newbury:** On a point of order, Speaker, standing order 58 requires the Premier to be direct. The Premier is answering generally. The Premier has not gone to the specifics of the question, and the standing orders do apply to the Premier at all times in the response.

**Mary-Anne Thomas:** On the point of order, Speaker, you have now ruled many times that the Premier is being entirely relevant to the question, in line with standing order 58. I ask that you rule the point of order out of order and ask the member for Brighton to stop wasting the house’s time.

**Peter Walsh:** Further on the point of order, Speaker, the Leader of the House is wrong in saying that the member for Brighton cannot raise points of order. I think the member –

*Members interjecting.*

**The SPEAKER:** Order! I would like to rule on the point of order.

**Ben Carroll:** On the point of order, Speaker, Speaker Smith on 21 March 2013 said:

Points of order must not be used to deliberately disrupt the proceedings or to respond to debate ...

which he does every day in this chamber.

**The SPEAKER:** I have repeatedly responded to the points of order that have been raised in relation to being factual, being relevant and being direct, but I point out once again that I cannot compel the Premier how to answer a question, nor any minister.

**Jacinta ALLAN:** Alongside that record investment in our doctors, nurses and paramedics, we also invest in building new hospitals. I remind the Leader of the Opposition that I was proud to be part of the Labor government that helped build the brand new Peter MacCallum hospital. We invested in the Peter MacCallum hospital.

*Members interjecting.*

**The SPEAKER:** The member for Polwarth is warned.

**Jacinta ALLAN:** I want to thank each and every one of those doctors and nurses and cleaners and allied health staff in the Peter MacCallum hospital, who provide world-class care to Victorians every single day.

*Members interjecting.*

**The SPEAKER:** The member for Broadmeadows is warned.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:12): None of the major hospitals have met their target of 14 days cash on hand, including Peninsula Health at zero days and the Austin at minus 2.4 days. An FOI revealed that the Department of Health is not paying suppliers within the required 10 business days 40 per cent of the time. Why are small business suppliers to health services suffering and not being paid on time because the Allan Labor government cannot manage money and cannot manage hospitals?

**Jacinta ALLAN** (Bendigo East – Premier) (14:13): I reject the assertion that the Leader of the Opposition made in his question, and the reason why I reject that is because we have provided the most significant investment in our public health system in this state, a far cry from those who privatised our hospitals. He is a self-declared privatiser.

**John Pesutto:** On a point of order, Speaker, on relevance, the question is: why aren't hospitals paying their bills on time? A very tight question.

**The SPEAKER:** The Premier will come back to the question that was asked.

**Jacinta ALLAN:** As I said at the outset, I reject that assertion from the Leader of the Opposition, and we will continue to invest in our hospital system in record terms, a far cry from those who cut funding to our hospital system, who closed country hospitals –

**David Southwick:** On a point of order, Speaker, the Premier is debating the question. The question is: why isn't the government paying its bills?

**The SPEAKER:** A point of order is not an opportunity to repeat the question. I ask the Premier to be relevant to the question.

**Jacinta ALLAN:** In being relevant to the question, I am rejecting what the Leader of the Opposition put in his question. We are investing in record terms. Those opposite privatised, cut and closed our great hospital system.

#### **Ministers statements: housing**

**Jacinta ALLAN** (Bendigo East – Premier) (14:15): I am delighted to share with the house once again our plan to build more homes. More homes means more opportunities for more Victorians, particularly a plan that gets millennials into their very first home. As we know, this is a plan for the whole state: to build more homes in the places where people want to live right across the state. It is a plan that helps to build not just more homes but more backyards, to invest in the communities and to support accessible, connected, beautiful communities right around the state. We know – and we have heard a bit of this this week – there are some who want to stand in our way. They are not only standing in our way; they are standing in the way of those young Victorians who want the chance to have the home of their dreams. Already we are approving, building and starting more homes than any other state. There are some in this place who like to make a whole lot of crazy accusations – fake fact accusations and claims. Let me share this with you: the lowest point in Victorian home building approvals in the last 15 years was in 2013. Just yesterday –

*Members interjecting.*

**The SPEAKER:** Order! The member for Bulleen can leave the chamber for half an hour. The member for Footscray can leave the chamber for half an hour.

**Members for Bulleen and Footscray withdrew from chamber.**

**Jacinta ALLAN:** The king has left the building – the self-proclaimed king. The member for Bulleen stood up in this place yesterday and said, ‘I’m the king. I was the king of homes.’ 2013 was the lowest point in the last 15 years for home building approvals. We are getting on, focused on building more homes for more Victorians so they can have more opportunities.

**Mount Arapiles rock climbing**

**Emma KEALY (Lowan) (14:17):** My question is to the Premier. The Premier promised not to padlock public land. Why has she broken this promise and locked out rock climbers from the best climbs in the world at Mount Arapiles?

**Jacinta ALLAN (Bendigo East – Premier) (14:18):** I thank the member for Lowan for her question. The assertion that she made is incorrect, and I will provide information to the house as to why that is the case. I am very, very, very committed to providing more opportunities for more Victorians to enjoy the great outdoors. That is why we are investing in providing more certainty for more Victorians to have access to the great outdoors. In regard to supporting activities around Mount Arapiles, I want to acknowledge that the Minister for Environment has met with a range of representatives from the local community in the local community. Further to that, we understand, and I understand keenly, the importance of providing certainty but also the importance of providing access to our great outdoors. That is why the minister has instructed Parks Victoria to work with the local community on how we can provide that certainty of access. When you look at how we can provide certainty of access, the minister has already announced that we are investing in additional facilities and support to facilitate that access – new tracks, car parking, campgrounds and –

*Members interjecting.*

**The SPEAKER:** The member for Polwarth can leave the chamber for half an hour.

**Member for Polwarth withdrew from chamber.**

**Emma Kealy:** On a point of order, Speaker, this question is quite narrow. It is around locking out climbers from the best climbs in the world at Arapiles. On a further point of order, the Premier must be factual in regard to the best climbs in the world having been closed by the government, and climbers want to continue –

**The SPEAKER:** Order! I ask members who are raising points of order to be succinct with their points of order. Two things: the Premier was being relevant to the question that was asked, and I ask members not to repeat the question in their points of order.

**Jacinta ALLAN:** Indeed I am sure the member would want to be factual in how she is representing the process and be factual in how she is providing information on this. Of course the member would know that there are draft plans out for consultation right now, and I encourage every Victorian to participate in this process. I know that the minister has instructed Parks Victoria to do further work with the local communities to understand where there are opportunities. I say this in terms of evidence of how we are committed to supporting access to our great outdoors. There are Victorians today who can continue to hunt ducks in this state because we have backed in that recreation activity. There are more fish being stocked in this state –

**Emma Kealy:** On a point of order, Speaker, regarding relevance, rock climbers do not hunt ducks, they climb mountains. Can you bring her back to the question.

**The SPEAKER:** The Premier to come back to the question.

**Jacinta ALLAN:** The question was about providing access to the great outdoors, and that is exactly what I was outlining to the member for Lowan. We continue to provide access whether you are a fisher or a hunter or you want to enjoy the great outdoors. We will provide you with that support, and that is why the minister has made that instruction to Parks Victoria for further consultation.

**Emma KEALY (Lowan) (14:22):** Wayne Webb owns the Climbing Shop, a local small business in Natimuk. He has said that Labor's decision to lock out rock climbers from the best climbs in the world at Mount Arapiles will:

... ruin the town. It's going to destroy the town. It's going to kill the town.

Why is the Premier killing the town of Natimuk?

**Jacinta ALLAN (Bendigo East – Premier) (14:23):** Natimuk are a great, strong local community, and they deserve better than being represented like that in this place. They deserve better. I will say to the member for Lowan –

**Emma Kealy:** On a point of order, Speaker, the Premier is debating the question and unfairly criticising a local champion. I ask you to bring her back to the question.

**The SPEAKER:** Again I request that members raise points of order succinctly. I ask the Premier to come back to the question.

**Jacinta ALLAN:** I know how great the community of Natimuk is, and I know the Minister for Environment does as well because he actually met with Wayne Webb recently in Natimuk. My expectation, whether it is ministers or Parks Victoria, is that we consult and engage with local communities. That is what we will continue to do as we support the great community of Natimuk. I will tell you what we will also do: we will treat them with respect and provide them with factual information, in stark contrast to the member for Lowan.

#### Ministers statements: Metro Tunnel

**Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:24):** I rise to update the house on the Metro Tunnel project, a project that we are getting on with and those opposite cancelled. With the Metro Tunnel opening in 2025, the time is now to boost housing near public transport. That is why the Allan Labor government is delivering more homes and more opportunities well serviced by transport. The Metro Tunnel will transform housing options at the Arden precinct, which will be home to more than 20,000 residents, as well as new activity centres along the route at Oakleigh and Carnegie, as well as Footscray. The Metro Tunnel's turn-up-and-go services will support new housing in our suburbs so young people and families can be better connected to the jobs, the education and the communities that they love.

The Metro Tunnel will revolutionise the way people get around this great city. Whether you live in Sunbury or Pakenham, Craigieburn or Corio, Bunyip or Boronia, you will be able to get to a hospital or a university or work in the Parkville precinct with a direct connection for the very first time. You have to wonder why the Liberals cancelled this project with the benefits for communities right across the state. It does not matter if you are coming from Sunshine or Werribee or Glen Waverley or Cranbourne; your daily commute will be more convenient with a Victorian-first train and tram interchange at Anzac station.

History will show that the opposition tried to block this project and the construction of Anzac station back 2017, just as they are now with the Suburban Rail Loop. But a recent open day had local residents and workers raving about their brand new station, and why wouldn't they. It will take around 11 minutes to travel from Anzac to Arden station, a trip that can currently take over 30 minutes by the existing public transport network. Those opposite had an allergic reaction to work for their four years in government. They squibbed on this project for four years, but thanks to the Allan Labor government we are on track to open the Metro Tunnel in 2025, 12 months ahead of schedule.

**Probate fees**

**Michael O'BRIEN** (Malvern) (14:26): My question is to the Premier. Labor's decision to hike probate fees by up to 650 per cent –

*Members interjecting.*

**The SPEAKER:** Order! The Minister for Transport Infrastructure will come to order.

**Michael O'BRIEN:** Labor's decision to hike probate fees by up to 650 per cent acts as a death tax payable up-front on the family home. It will particularly hit family homes with a mortgage. An average family home in Box Hill valued at \$1.7 million with a \$1.2 million mortgage actually counts as a \$1.7 million estate for probate fee purposes. Premier, how is it fair that a grieving family pays Labor's up-front death tax on \$1.7 million when the amount inherited is \$500,000?

*Members interjecting.*

**The SPEAKER:** The Minister for Transport Infrastructure is warned.

**Jacinta ALLAN** (Bendigo East – Premier) (14:28): In answering the member for Malvern's question, I remind the member that I went into the detail of this matter yesterday. I also reject his characterisation of the decision that the government has made to put in place a fairer probate system where particularly those smaller estates have their fees abolished and the larger, more complex estates have their fees set at the cost recovery level. I went to this yesterday, and I have nothing further to add.

**Michael O'BRIEN** (Malvern) (14:29): Yesterday the Premier told the house that 'extensive consultation' was undertaken on these probate fees. That consultation was in fact a survey with 124 survey responses, and when participants were asked if they supported the proposed changes to probate fees, 94 per cent said no. Why is the Premier imposing an up-front death tax on the family home against the community's clear wishes?

**Jacinta ALLAN** (Bendigo East – Premier) (14:29): The answer is that we are not. The changes being made are focused on how we can make the system fairer, abolishing those probate fees for small estates, keeping the medium-sized estate fees cheaper than New South Wales and South Australia and having the larger ones at a cost recovery level, reflecting the complexity of these matters.

**Peter Walsh:** On a point of order, Speaker, the Premier is debating the question. I suggest she get a new cheat sheet that actually deals with the facts of the question and not something that has been written for her and is irrelevant.

**The SPEAKER:** That is not a point of order. The Premier has concluded her answer.

**Ministers statements: regional train services**

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (14:30): We are not only building more homes and more opportunities for regional Victorians; we are delivering more public transport services for regional communities as well. At the last election we pledged to add almost 200 new weekend services to the V/Line network, and we are almost halfway there on that. When the new V/Line timetable comes into effect next month we will have delivered more than 900 extra weekly services across our regional rail network since coming to government.

That has only been made possible by our work to upgrade every regional rail line and build more reliable and accessible VLocity trains right here in Victoria. We have added more than 50 new services on the Bendigo corridor, almost 300 new services on the Ballarat corridor and more than 450 extra services on the Geelong corridor, including – and I am looking at the member for South-West Coast and hoping she is listening somewhere – additional Warrnambool weekend services. And we have got more weekend services coming for Gippsland, for northern Victoria and across our beautiful state.

Those opposite love to talk down this government's improvements to regional rail, but that is because they do not want to draw attention to their own record. The truth is that, under the Liberals and Nationals, trains stopped moving. They went years without ordering a single new train carriage. Rather than boosting services, they cut money from regional rail, and let us not forget they closed passenger services to regional centres like Bairnsdale, Ararat and Maryborough, which Labor reopened. Unlike those opposite, Labor has invested in regional rail and delivered more services and fairer fares.

### Housing

**Will FOWLES** (Ringwood) (14:32): My question is to the Premier. In my electorate of Ringwood there are several large vacant sites with permits in place for residential developments where construction has yet to commence. In the Ringwood metropolitan activity centre alone Maroondah council has advised that these approvals collectively account for nearly 1500 dwellings. In fact in the past eight years permits for over 2000 dwellings in the Ringwood MAC have been issued; however, just 364 dwellings have been built. This amounts to a staggeringly low completion rate of just 18 per cent. Given the critical need for more affordable housing in Victoria, can the Premier explain what, if anything, the government is doing to address the economic challenges facing the building industry that are the root cause of these projects being shelved?

**Jacinta ALLAN** (Bendigo East – Premier) (14:33): I thank the member for Ringwood for his question, and I remind the member for Ringwood that the Parliament this week has passed our more homes bill, which delivers off-the-plan stamp duty concessions. I know the Liberal Party did not support the more homes bill on its way through the Parliament. They attempted to block the bill's passage through the Parliament, but we were determined to have this bill pass through the Parliament to provide support to the industry and to buyers. Just this week we have taken action to address one of the challenges that the industry have told us are impacting on their ability to build more homes. The 13 successive interest rate rises and the inflationary pressures that they have caused as a consequence right around the country are impacting on a range of industry sectors. It impacts everyone at the supermarket; it impacts every industry sector as well. That is why we are doing the work – the hard work, the detailed work – to work with industry and communities and councils to build more homes, whether it is the activity centres, whether it is the off-the-plan stamp duty concession, whether it is making it easier to subdivide to build a townhouse or two on suburban blocks of land, whether it is the 10-year land supply release, whether it is the programs to invest in the infrastructure that we need around these communities, and of course support to renters as well.

We listened to industry, and they told us to provide immediate support to industry to get those developments away, like those that the member for Ringwood referred to. They needed support now, which is why we brought about the off-the-plan stamp duty concession. We put the bill through Parliament. It is through Parliament, and buyers and developers have that certainty. And we know it is working, because just last week the planning minister and the Treasurer and I were at a billion-dollar development site in Docklands, and the work has started. As the group CEO of the GURNER Group Ahmed Fahour said, this is getting away now because of this stamp duty concession that is being provided. That is the immediate support we are providing – immediate support that comes about from listening to industry and understanding what you have got to do to build more homes. The behaviour we have seen this week demonstrates the Liberal Party will keep blocking. We will continue to focus on building more homes.

**Will FOWLES** (Ringwood) (14:36): The Premier referred in her answer to activity centres and subdivisions. The concerns in my community are that these changes will deliver more permits but they will not deliver more houses, so specifically: what changes are being made to the economics of new developments to move them from mere permits into actual buildings? And when the Premier undertook to get advice about McDowall Street, Mitcham, in her answer to me back in August, what was the outcome of that advice she sought from the housing minister?

**The SPEAKER:** Order! The member for Ringwood asked two questions. Which question would you like the Premier to answer, member for Ringwood?

**Will FOWLES:** I would like the Premier to address how the government's planning changes will actually deliver more houses and not just more permits.

**Jacinta ALLAN** (Bendigo East – Premier) (14:37): Well, I –

*Members interjecting.*

**Jacinta ALLAN:** True colours can continue to shine through. That is okay. The true-blue Liberal colours can continue to shine through. Just like we have seen them shine through in the courtroom, we are seeing them shine through here in the Parliament as well.

**James Newbury:** On a point of order, Speaker: standing order 118 – from the runner-up Premier.

**The SPEAKER:** Member for Brighton, I ask you to raise your points of order succinctly, without commentary. The Premier to be relevant and to not attack the opposition.

**Jacinta ALLAN:** I say this in answering the member for Ringwood's question: the community of Ringwood, like all Victorians, have seen this week and every week that we will be focused on building more homes while others play their blocking games and their political games and carry on in their true-blue way. In terms of the support for industry, I have outlined how the off-the-plan stamp duty concession is making a meaningful difference now, and we will continue to support the building of more homes for more Victorians.

#### **Ministers statements: housing**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (14:39): The Allan Labor government is getting on with the job of building more homes closer to where people want to live, including in our outer suburbs and regions. With the hardworking Minister for Consumer Affairs as local MP, I was recently really pleased to announce the developer appointed to redevelop a large part of central Dandenong, a project that will deliver around 470 new homes, 2500 square metres of community space, new commercial spaces and new retail spaces and, importantly, redevelop the fantastic Little India precinct. I recently visited the LUMA development in Sunshine North with the hardworking local MP, the Minister for Veterans. This is surplus government land where construction is underway to deliver 300 homes in a great location. The fantastic member for Pakenham is a big supporter of the Olio development in Officer, where 228 homes are currently being built. The terrific member for Thomastown loves the building of homes at Aurora in Epping North, and the unstoppable member for Clarinda loves that construction will soon be completed on 47 homes at Coomoora in Springvale South.

Speaker, you know and the Premier knows how fantastic our regions are. They are a great place to live and raise a family. That is why I was pleased to announce last week the successful bidder to develop the former railway yards at Junction Place, Wodonga. This will transform surplus government land to create more than 200 homes and places to work, eat and play – more homes, more jobs and more investment in regional Victoria. We are also unlocking land at Flora Hill in Bendigo to deliver hundreds of homes, including affordable housing. It does not matter if you are a builder from Bendigo or a blocker from Brighton, right across the state this government is pulling every lever to give more Victorians a chance to own their own home.

#### **Victoria Police**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:41): My question is to the Premier. For the first time in 25 years Victoria Police members will take industrial action and stop work today. Why have Victoria Police members been forced to fight this Premier for more than 18 months for a decent wage deal?



**Jacinta ALLAN** (Bendigo East – Premier) (14:42): The Leader of the Opposition once again in asking his question is wrong in the information that he has put to the house. Indeed the government, through its negotiations with the police association, reached a pay deal, and we do agree that police deserve a pay rise. Further evidence of the support we provide to Victoria Police is the \$4.5 billion that we have invested in providing more police, but also we listen to Victoria Police and provide them with the additional powers they need, like this week – I should not anticipate debate that is on the notice paper – in terms of providing additional powers to crack down on the illegal tobacco trade. I thank Victoria Police for the good work that they do every single day keeping our community safe. We invest in Victoria Police. We do not cut funding to Victoria Police, like those opposite did when the members for Rowville and Malvern were treasurers in the former government.

**David Southwick:** On a point of order, Speaker, the Premier is debating the question. I ask you to bring the Premier back to answering the question: why are the police not getting a pay rise? Simple.

**The SPEAKER:** The Premier to come back to the question.

**Jacinta ALLAN:** As I indicated to the house, we believe that Victoria Police deserve a pay rise. That is why we negotiated a pay deal with the police association. Following that process, though, Victoria Police determined that this is a matter to go before the Fair Work Commission. That is exactly where it is. We will continue to support the great work of Victoria Police every single day.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:44): A senior Victoria Police officer has said:

There are not enough funds to meet all commitments, which are growing every year, or even resource stations, never mind pay for pay rises.

Police association secretary Wayne Gatt warned today that Labor’s failure to offer a decent wage deal would force Victoria Police officers to:

... migrate north to brighter and better-paid careers in NSW and Queensland.

Why has the Premier prioritised funding for Suburban Rail Loop East above a decent wage deal for Victoria Police members?

**Jacinta ALLAN** (Bendigo East – Premier) (14:45): I say again to the Leader of the Opposition that he is wrong in that assertion. We indeed did negotiate a pay outcome with the police association, because we do believe that Victoria Police deserve a pay rise. That is consistent with the approach that we have taken in government, where we have invested an additional \$4.5 billion in putting more boots on the ground, putting more police resources on the ground and giving more tools and resources to Victoria Police. Some of us remember a four-year period – I talked about 2013 earlier, which is covered in that four-year period – when not one single additional police officer was funded.

**David Southwick:** On a point of order, Speaker, again the Premier is debating the question. I would ask you to bring her back to answering the question. There are police members on strike today. They are on strike.

**Ben Carroll:** On the point of order, Speaker, *Rulings from the Chair*, page 155, ‘Discussion of former government permitted’, states that ‘it is permissible to talk about something that the former government did’, Speaker Smith.

*Members interjecting.*

**The SPEAKER:** The member for Yan Yean can leave the chamber for half an hour.

**Member for Yan Yean withdrew from chamber.**

**James Newbury:** On a point of order, Speaker, the bright spark got the wrong point of order.

**The SPEAKER:** Order! The Premier was comparing and contrasting a former government, which is acceptable, but I remind the Premier not to attack the opposition.

**Jacinta ALLAN:** It is also a fact that during that four-year period funding was cut to Victoria Police. We will continue to invest in Victoria Police and thank them for the great work that they do.

**Ministers statements: housing**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (14:47): As Victorians know, more homes means more opportunity, and the Allan Labor government is delivering more homes and more opportunity right across regional Victoria. For the first time ever, we are developing a new plan for all of Victoria, not just a plan for Melbourne, because as we plan for a prosperous and fair Victoria out to 2050, the voices, aspirations and hopes of regional Victoria matter. That is why we are getting on with the job of building more homes, more diverse and affordable homes, right across regional Victoria – homes for families, homes for young Victorians and homes for workers. It is why we have said yes to more homes in Kennington and Flora Hill in the Premier’s own electorate; yes to more homes in Swan Hill, a great opportunity to live by the mighty Murray; yes to more homes in Geelong, Wodonga, Ballarat and Moe. And it is why we are unlocking land for over 15,000 homes in Shepparton, in Warrnambool and in Ballarat to make sure Victorians get to live in these thriving communities. As we build more homes, our reforms to infrastructure funding will mean regional Victorians and communities will have the schools, transport options, parks and trees they need to live healthy, happy and prosperous lives.

Some choose to spend their time organising protests against new homes in their own blue-ribbon seats. As Mr Mulholland in the other place has so colourfully described it, they ‘swoop in quicker than a seagull to a chip on St Kilda Beach’. They spend their time writing op-eds about their plans to block new homes. Whether they are the self-proclaimed king of the developer free-for-all or the Brighton blocker, they have no plans. The opposition has no plans. It is only the Allan Labor government that is getting on and delivering the homes that Victorians need and the opportunities that they deserve.

*Constituency questions*

**Berwick electorate**

**Brad BATTIN** (Berwick) (14:50): (910) My question is to the Minister for Planning. Minister, what information do you have regarding the consultation process to rename Berwick Springs lake in the Berwick Springs estate to Guru Nanak Lake, after the founder of the Sikh faith Guru Nanak Dev Ji? In asking this question many people in the local community have raised concerns that no residents were consulted during the process to rename the lake, which has a proud history in the local area. Casey council have stated that at no time were they engaged to do local consultation, as the land is Melbourne Water’s and the state government’s, and from the Labor media release there is an admission that only the traditional owners and the Sikh community were consulted. It is worth noting that the residents in the area had to pay \$500 towards the maintenance of this lake and continue to support the efforts to maintain it for the area’s use. The concerns raised are around this being divisive because it is named after a religious leader, not a local as per the rules of the government’s process. We ask what information the minister has.

**Pascoe Vale electorate**

**Anthony CIANFLONE** (Pascoe Vale) (14:51): (911) My constituency question is for the Minister for Community Sport. How is the Victorian Labor government’s \$3 million investment towards modernising Coburg City Oval continuing to support local health, wellbeing and recreational outcomes through the Coburg Lions football club? The Coburg Lions football club is one of the oldest continuous sporting clubs in Victoria and indeed Australia. Formed in 1891, the club has continued to punch above its weight and do the Coburg community proud for 133-plus years. Playing out of City Oval since 1915 and first admitted to the Victorian Football Association in 1925 and the VFL in 1996, Coburg has proudly won numerous premierships, including its iconic back-to-back 1988 and 1989

## CONSTITUENCY QUESTIONS

Thursday 14 November 2024

Legislative Assembly

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flags. In 2023 the club proudly entered the Victorian Amateur Football Association Premier Women's competition, a new chapter for the club's history. Now with over 1300 members, 10 men's, women's and juniors' teams and over 200 players, the club is going from strength to strength. I am proud that we have invested over \$3 million towards City Oval's redevelopment of the grandstand, new female-friendly change rooms, community spaces, the new Bachar Houli Foundation and the Coburg Central revitalisation. I commend Michelle Johnstone, Nick Byrnes and Liz Kelly on their efforts.

### Mildura electorate

**Jade BENHAM** (Mildura) (14:52): (912) My constituency question today is for the Minister for Emergency Services in the other place, and I ask why the government is risking the lives of regional Victorians over our city cousins. This week FRV station 72 have once again had their reserve C pumper taken from Mildura to be used in Melbourne due to there being no other apparent alternatives available in the entire state. This truck crisis has once again left Mildura without its reserve pumper, meaning that if a significant incident occurs – and we are in the middle of wheat and barley harvest, so grassfires are aplenty and temperatures are on the increase – both the staff trucks from station 72 will be at that job, leaving the rest of the community with no guaranteed response because, more than likely, the CFA brigades will all be at that incident as well. Why is the minister putting the lives of regional Victorians at risk?

### Wendouree electorate

**Juliana ADDISON** (Wendouree) (14:53): (913) My question is for the Minister for Tourism, Sport and Major Events. How has the Allan Labor government's support for AFL matches at Mars Stadium benefited the Ballarat community? Mars Stadium is the premier outdoor stadium located in Ballarat, in my electorate of Wendouree. The ground was redeveloped in 2016 thanks to support from the Labor government and now hosts two AFL Western Bulldogs home games during the season and an AFLW Western Bulldogs game. We know that Ballarat loves football. We know that our future investment at Mars Stadium, with an additional 5000 seats, is going to make Mars Stadium an even better place to watch football in the future. I look forward to the minister's response.

### South-West Coast electorate

**Roma BRITNELL** (South-West Coast) (14:54): (914) My constituency question is to the Minister for Racing, and I ask: is the minister prepared to back jumps racing and give confidence to the industry? Jumps racing forms an integral part of the Warrnambool racing program, with a history dating back to 1850. In May this year 30,000 people attended the races over three days. These visitors come to Warrnambool, which has a population of 35,000, which demonstrates the support for jumps racing. The ongoing benefits are enormous, with over \$12.8 million being spent in the local economy, supporting local businesses and families each year. This investment is spent on associated industries such as accommodation, food and beverage, clothing, entertainment and fuel. The Premier loves to be seen sipping champagne and eating caviar at the Birdcage at the Melbourne Cup. Losing the Warrnambool May race carnival is equivalent to Victoria losing the Melbourne Cup.

### Kororoit electorate

**Luba GRIGOROVITCH** (Kororoit) (14:55): (915) My question is to the Minister for Small Business. How is the Allan Labor government supporting small business owners in my electorate of Kororoit? Recently I had the pleasure of attending a Women in Business event, an event which was brought together by two local women Niti Bhargava and Helen Kosta Siljanovska. This great event gathered women small business owners from the area. The event was a complete success, with more than 40 women attending. The event was held at Desir Wine and Cocktail Lounge, a gorgeous cocktail lounge in Caroline Springs owned by Michelle and Brenton. This women's group was formed to provide a space for female small business owners to lend each other a hand and grow their businesses. I heard stories about how being a small business owner can be tough, but these women have the tenacity and fire in their belly to succeed. As women in business, Niti and Helen have drawn on their

own lived experiences to help create this community, which will help assist others when they are in times of need. I am so excited to be invited back and to help these women, and I look forward to the minister's response.

#### **Ringwood electorate**

**Will FOWLES** (Ringwood) (14:56): (916) My constituency question is to the Minister for Housing in the other place. In my electorate of Ringwood a site in McDowall Street in Mitcham has remained vacant for several years. This is despite the 2021 announcement as part of the Big Housing Build that 62 new dwellings would be built on the site. Construction has not yet commenced due to negotiations over design changes as well as funding shortfalls arising from these delays. Given the critical need for affordable housing in our community and the fact that other projects in the Big Housing Build in the private sector are facing similar delays, I ask the minister: what steps are being taken to address these delays, ensuring that projects like the one at McDowall Street are delivered to meet the urgent housing demand? Additionally, the Premier undertook to seek advice from you on this project in August this year. What was the outcome of the Premier's request?

#### **Bayswater electorate**

**Jackson TAYLOR** (Bayswater) (14:57): (917) In 2022 we announced funding for new internal double-court competition-grade basketball courts and gym for Wantirna College as well as new performing arts spaces. Work is absolutely powering ahead. My question is to the Minister for Education: when can we expect to see works complete onsite? I have been speaking to principal Carrie Wallis and the team out there. I am looking forward to taking a tour of the site very soon. Frames are up, walls are going in – it is all happening. This is the largest educational infrastructure project I have delivered since my time as the member for Bayswater, part of over \$90 million delivered to local schools in my community. It is all happening. Education is a great leveller. I am proud to back it in. It is the most important thing I get to do, and I look forward to hearing from the minister.

#### **Mornington electorate**

**Chris CREWETHER** (Mornington) (14:57): (918) My question is for the Minister for Prevention of Family Violence. Can the minister provide information on the Labor government's plans to tackle family violence on the Mornington Peninsula? Recently I spoke at an event on family violence and its impact on the community with the Shadow Minister for the Prevention of Family Violence organised by Voice Male in conjunction with the Bentons Square Community Centre. Mornington Peninsula family violence incidents are up 17 per cent over the last year and crime is up 22 per cent. Victims of family violence are even more vulnerable, with a lack of crisis accommodation locally. There is only the Ranch in Mornington, which faces potential imminent closure at any time. We need immediate action, including funding for crisis accommodation, more funding for localised services, services located where need is greatest, expanded support at the recovery stage for victims and increased police resources on the peninsula.

#### **Bentleigh electorate**

**Nick STAIKOS** (Bentleigh) (14:58): (919) My question is to the Minister for Health, Minister for Health Infrastructure and Minister for Ambulance Services, and my question is: when will the new East Bentleigh ambulance station open? I am so pleased that the new East Bentleigh ambulance station is finally under construction. It is located at Moorabbin Hospital. It will mean a four-car ambulance station and modern amenities for our hardworking paramedics. It will also mean training facilities for our hardworking paramedics, but crucially it will mean another ambulance crew operating in our local community. I am looking forward to it opening, and I ask the minister to find out and advise my community when it will be open.

*Bills***Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024***Second reading***Debate resumed.**

**Mathew HILAKARI** (Point Cook) (14:39): I am hoping that I get the full 10 minutes back, but we will see how we go. The new regulator is the Department of Justice and Community Safety – I feel like I lost a few seconds there, but I am happy to continue anyway. The main thrust of the bill is, of course, if you do not have a licence, you will not be able to sell tobacco products. That is the thrust of the bill. We have not seen a tobacco licensor in Victoria before, but we all know that it is very much needed. The importance of having a licence is there are consequences for those people who are selling tobacco illicitly. That is the point of a licensing system, and there should be consequences.

This government is seeking, should this bill pass through this place and the upper house, to impose the toughest penalties in all of Australia – up to \$1.7 million in fines and up to 15 years in jail. What does that do? It imposes on those people who are seeking to sell illicit tobacco or seeking to sell tobacco illegally, once the licensing scheme is in place, the real cost of doing business. At the moment, and as we heard in the parliamentary Public Accounts and Estimates Committee, there is a minimal cost of doing business for people who are involved in the illicit tobacco industry.

Part of the licence scheme will be to make sure that an applicant is an appropriate person to hold a licence. That is an incredibly important part of any scheme. There will be broad powers set out as to who can hold a licence, and particularly there will be consultation with the Chief Commissioner of Police. It is another important element of the scheme, because the chief of police is often in the best position with some of the best information to provide that advice on whether a person is suitable for a licence. There are matters around suspending licences, varying licences and putting conditions on licences, which are all contained in this bill. A licence will be able to be reviewed at any time, as is appropriate. A licence will be able to be suspended. For those possessing illicit tobacco, there will be up to a \$23,700 fine for people and almost \$120,000 for a body corporate. With the limited time that I have had, I will of course commend this bill to the house, and I hope for its speedy passage.

**Eden FOSTER** (Mulgrave) (15:02): I am pleased to rise today in support of the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024, and I thank the Minister for Casino, Gaming and Liquor Regulation for introducing the bill. In my community in the past several months there have been a number of arson attacks on tobacco stores, which is concerning. Thankfully, no-one has been injured, but one is too many. The police and the community have been calling for increased powers, and we have acted swiftly. Unfortunately, those opposite have attempted to delay this bill despite saying there is an urgency to get on top of this. So I am a bit confused as to whether they are Arthur or Martha; they are confused as to whether they are Arthur or Martha.

Everyone deserves to feel safe, which is why we are establishing a tobacco regulator and creating the toughest and harshest penalties in Australia. This bill will be implemented in two different stages. The first stage will come into effect towards the end of the year and will involve establishing a licence scheme and establishing a regulator, allowing for the appointment and training of inspectors. The two-stage approach is very deliberate. We understand that there are many small businesses, legitimate businesses, that are doing the right thing. We are not seeking to penalise those that are doing the right thing. As a government that supports small business, this grace period allows for licence applications to be made and determined in advance of new business requirements, giving certainty to business.

The new regulator will have powers to impose conditions on those with a licence. As part of the new licences, there will be reviews of suitability to ensure licensees meet the fit and proper person criterion. The information around what specifically will be required when gaining a licence will be decided through regulations following the passage of this bill. Some of the information that will likely be required by the regulator in allowing for an assessment of the person applying is their personal details,

personal history and family history, as well as whom they associate with. Police checks may also be undertaken, although it is important to note that all of this information will remain confidential and will not be disclosed to applicants or licensees. The Chief Commissioner of Police will be required to be consulted on new licences and transfer applications for the Chief Commissioner of Police's input, which may include varying, suspending or cancelling a licence if they have information which concludes the applicant is no longer suitable. Suspensions and cancellations will occur through a show cause notice when it relates to an associate of the licensee or a licensee breaches a condition of their licence or is no longer considered to be a suitable person to run or be associated with a tobacco supply business. The regulator may immediately suspend licences for up to 90 days in response to immediate escalating risks in the tobacco industry as well as being able to disqualify a body corporate from holding a licence for up to five years.

This bill will mean you have to have a licence to sell tobacco – no ifs, no buts. It is an absolute requirement, and the penalties for not having a licence will be substantial. The new laws coming in will be the harshest in Australia and will be brought forth to align with the Commonwealth legislation and make it easier to prosecute illegal tobacco possession and supply. Currently there are differences in the penalties for illicit tobacco offences based on whether the tobacco is smuggled or an excisable good, which is very difficult for inspectors to determine and makes enforcement harder. This is why we are removing this distinction so that enforcement can be undertaken in a far more swift and efficient manner, removing those grey areas and assisting inspectors. New penalties will include fines of up to \$1.7 million or possible jail time. The new penalty for possessing illicit tobacco is up to 120 penalty units for a natural person and 600 penalty units for a body corporate. The penalty for possessing a commercial quantity of illicit tobacco is up to 840 penalty units and five years jail for a natural person and 4200 penalty units for a body corporate. There will also be new supply offences, with the penalty for supplying illicit tobacco being up to 120 penalty units for a natural person and 600 penalty units for a body corporate. The penalty for supplying a commercial quantity of illicit tobacco is up to 1800 penalty units and 15 years jail for a natural person and 9000 penalty units for a body corporate. It is quite detailed there.

The Allan Labor government is serious about community safety and is actually getting on with the work of governing and ensuring community safety. This bill will also create inspectors who will be on the beat, with powers to search premises, suspend licences and seize illegal items. This will also include seizure of illegal vapes. As someone who has worked with young people in a school environment, I cannot tell you how often vapes are caught on students. It is unfortunate. Students are locking themselves in bathrooms at times, vaping and setting off smoke detectors and vaping detectors, and we know that it is becoming an addiction for many young people and an inappropriate coping mechanism. As is well known, there are also many health risks associated with smoking and vaping, but this is only amplified when illegal chop-chop and vapes are being used, since they are not regulated.

Smoking is still the most significant contributor to the burden of death and diseases including cancer, stroke, cardiovascular disease and kidney disease. It also costs the economy, with Quit Victoria estimating the tangible costs are \$3.7 billion and an additional \$5.8 billion in intangible costs associated with the loss of life every year. That is why the new regulator will work closely with the Department of Health. Our children should be kept away from these products, and it is crucial that this black market be tackled for the health of our society and for the sake of our future generations. Just to reiterate, the Victorian government believes in the importance of keeping our community safe. We all know that under those on the other side of this place the Victorian community would be less safe. This state is safer and more secure by having the Allan Labor government in power, because we actually care about making the community safe. We want to get on with the job, and we want to deliver for the people of Victoria.

Let us not forget that the previous coalition government slashed \$100 million from the Victoria Police budget and did not fund a single new police officer – not one police officer. For all the chatter about

being tough on crime from those on the other side of this place, there is never any action, and it is shameful. Speaking more on police, Victoria Police will continue to be responsible for the organised crime associated with illegal tobacco. A strong relationship between the regulator and Victoria Police will be key to disrupting and dismantling organised crime networks and tackling the illicit tobacco markets. Whilst this bill has been developed, Victoria Police have been undertaking targeted action in tackling illicit tobacco. It has required a multifaceted response, and the Victorian government is providing all the tools and resources they need to disrupt and dismantle crime networks. Part of this multifaceted response includes the introduction of the regulator. While this bill has been introduced, Victoria Police have been taking targeted action through Taskforce Lunar against the illicit tobacco trade, making arrests and seizing large quantities of illicit items. Taskforce Lunar has already had success with, in the last week alone, over 600,000 illegal cigarettes being seized across 25 properties; since September 2023, over 200 search warrants being executed; and 80 offenders arrested and the seizure of cash, vapes and illegal tobacco products worth \$37 million as at September 2024.

These actions were only made possible due to our strong investment in Victoria Police and the police force, investing over \$4.5 million in Victoria Police. Once again the Allan Labor government is actually getting on with the job and not only talking the talk but also walking the walk. Those on the other side want to oppose change, they want to delay, but we want to keep our community safe. We believe in doing whatever it takes so that families can feel safe in their homes. I know the effects that illicit tobacco has on my community, and I want to make a difference. I commend this bill to the house.

**Paul MERCURIO** (Hastings) (15:12): I am happy to rise to speak on and support the Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024. We are seeking to amend the Tobacco Act 1987 to create a new regulatory scheme with additional powers and a new licensing regime and also to introduce the toughest penalties in Australia. Jeez, my head is all a bit aflutter with all of the debate that has gone on. I am probably going to repeat a few things that other people have said, but what I am planning on not doing is talking fiction. I am not going to say anything about fantasy; I am not going to be disingenuous. I am just going to talk about the facts, and I think that is really important. I am also not going to do any fearmongering, and that is important. We are here to talk to our communities openly, honestly and with integrity so that they know that we are here to hear them and also to help them and support them. That is what this bill is doing.

I do not have any experience in my electorate of what has been going on. I know we have all been watching the news and seeing some awful things, and I am so glad that no-one has been hurt as yet. The government and the police are working consistently – they have not stopped and they will not stop working consistently – for the public, to stop the atrocities that are going on. But I will talk about that factually a little bit more. Why this bill? Simply put, we need it. We need to stop what is going on, simply put, because we said we would. The Premier announced back in March that we would have something to address what is happening to tobacco sellers across Victoria. That is what we are doing here today. We have heard recommendations from the Public Accounts and Estimates Committee inquiry into vaping and tobacco, which was completed in August of this year. We have heard from the community, who are sick of seeing shops ramraided, burnt down and robbed. We have listened, and now we are acting on it and introducing much-needed changes.

To implement these changes effectively the bill proposes a two-stage rollout. In the first stage, which will commence by the end of the year, we will establish the licensing scheme and appoint and train the inspectors responsible for enforcement. This takes time. This will allow businesses to begin applying for licences ahead of that time, ensuring that they have the opportunity to comply with the new requirements. This is not about pushing to penalise business owners. It is about giving law-abiding businesses a fair chance to operate within the new laws and regulations. It is about giving law-abiding businesses the opportunity to have a safe workplace where they are not intimidated or fearful for their businesses and their safety and the safety of their workers.

Stage 2 introduces enforcement powers and penalties, providing licensing inspectors with the authority to issue immediate penalties for noncompliance. I will talk about that a bit more too. This includes the

power to search premises, suspend licences on the spot and seize illegal items, like illegal tobacco and vapes. This phased approach is about doing what is fair, giving retailers the time they need while also equipping inspectors to act quickly against illegal operations. If we do not give them the time they need, none of this will be effective. Dedicated inspectors will be focused on tobacco enforcement, working alongside police to strengthen our ability to identify, disrupt and ultimately dismantle the networks that provide that profit from illicit tobacco. Our commitment to protecting law-abiding businesses is evident in this bill. By establishing clear licensing and suitability requirements, we are not only addressing the problem of organised crime in the tobacco industry but also levelling the playing field for legitimate businesses. Honest businesses who play by the rules should not have to compete with illegal operations that undermine their livelihoods. By introducing these licensing standards, we provide these businesses with the protection they deserve, while making it crystal clear that unlawful activity will face the harshest of consequences.

This bill introduces new offences for possessing and supplying illegal tobacco, with the amount of the fine being increased and in some cases jail time. Some of my fellow MPs and members have already talked about the penalties and the increases, and I think it is important that these are increased and are severe. This bill gives the enforcement agencies the teeth they need and the ability to use those teeth to bite the people that are doing the wrong thing. We have already talked about how big those things are.

On this idea that this government is doing nothing, I know a member on the other side – I think a shadow minister, actually – said that from today until July 2026, when they figure the bill is actually going to start working, the Allan Labor government and the Premier will be responsible for every firebombing that occurs in the next 18 months or two years. It is really a completely ludicrous idea and offensive too. The fact is this bill is like going for your drivers licence. When you want to get your licence, you have got to go through 110 hours of training. This bill is similar to that. When it can finally really bite and do the work it needs to do, people will be trained and will be able to action what they need to do. But it takes time. In the meantime, whilst that is happening, we are still working. The Labor government is still working, and the police force is still working. Furthermore, this bill's enforcement measures are complemented by the essential work of Taskforce Lunar, which has been instrumental in the fight against illegal tobacco. Since being created, Taskforce Lunar has created over 200 search warrants, arrested 80 offenders and seized illicit items worth \$37 million. I would call that doing something. That is not sitting around doing nothing, waiting for this bill to apparently start working in July 2026.

This level of enforcement is not possible without significant investment and support. Our government has allocated a record \$4.5 billion to Victoria Police, funding over 3600 new officers and empowering them to form taskforces like Taskforce Lunar to target organised crime. Taskforce Lunar's success demonstrates the critical importance of a multifaceted approach. As the Chief Commissioner of Victoria Police has said, a licensing system could ensure only fit and proper individuals operate tobacco shops, but it will not completely solve the problem. This is why Victoria's police enforcement actions combined with the powers introduced through this bill provide the required response needed to tackle the issues from all sides. The bill also strengthens the collaboration between the regulator and Victoria Police, allowing the regulator to focus on compliance, inspections and day-to-day enforcement while police concentrate on investigating and disrupting organised criminal activity.

I would like to also highlight the bill's provisions on protected information, which support a fair and secure licensing system. This framework allows confidential police intelligence to be shared with the regulator, ensuring that the licensing decisions are informed by the best available information. At the same time applicants are afforded the right to appeal these decisions at VCAT, upholding principles of justice while keeping sensitive information confidential.

One of the other things that I want to mention that I think is really important about this bill is it is obviously about getting cheap and illegal cigarettes off the streets. The rates of smoking are going up and health issues are going up, and it concerns me that kids have easier access to illegal tobacco. I



worry very much for their health. Unfortunately, I started smoking at the age of nine. There is not much I remember. I do not remember how I got that cigarette. I probably pinched it off my mum, but I still remember the effect of the very first cigarette I had. Afterwards, with the addictive nature of that, I just wanted another one. Kids' brains are not formed – I am not sure if mine is still yet. But this bill is about protecting children. Their brains are not formed. They are not thinking about what is right and what is healthy. They are not thinking about whether they are going to have emphysema or cancer of the throat or anything later on when they are in their 40s, 50s or 60s. They need to, but they cannot, so we need to be looking after them. Part of what this bill does is ensure that young kids – children, our children, your children and my grandchildren – will not have access to tobacco, to cigarettes and to vapes. There is a lot in this, but I commend the bill to the house.

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (15:22): I move:

That debate be now adjourned.

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

### **Roads and Road Safety Legislation Amendment Bill 2024**

*Clerk's corrections*

**The ACTING SPEAKER (Daniela De Martino)** (15:22): Under joint standing order 6(1), the Speaker has received a report from the Clerk of the Parliaments that she has made the following corrections in the Roads and Road Safety Legislation Amendment Bill 2024:

Clause 42D, as inserted by the Council's amendment No 6 and agreed to by the Assembly, inserts new subsection 58BA into the *Road Safety Act 1986*. I have replaced the four references to '*Roads and Roads Safety Legislation Amendment Act 2024*' with '*Roads and Road Safety Legislation Amendment Act 2024*'.

### **State Taxation Further Amendment Bill 2024**

*Second reading*

**Debate resumed on motion of Tim Pallas:**

That this bill be now read a second time.

**Brad ROWSWELL** (Sandringham) (15:23): I rise to address the government's State Taxation Further Amendment Bill 2024. I note the time of the day, being 3:23 in the afternoon on the Thursday of a sitting week, the last sitting day of this sitting week. We have just over an hour and a half to go before the government's guillotine kicks in, where, as ordinarily we would, we will vote on the government bills for this week. I also note that from an opposition perspective there are 12 very keen colleagues of mine who wish to speak on this bill and, because this bill is a state taxation amendment bill and because the government know that matters of the economy or matters of taxation really, fair dinkum do not favour them, whenever these topics are spoken of they leave it until the very last minute of the very last sitting day on the second-last sitting week of the year to bring them on.

I fully intend to contribute for the next 28 minutes and 55 seconds. Following that, my colleague the Leader of the Nationals will, then we will probably get the member for Bulleen. I hasten to add that the member for Eildon, the member for Gippsland South, the member for South-West Coast, the member for Kew, the member for Ovens Valley, the member for Narracan, the member for Warrandyte, the member for Mildura and the member for Morwell will not have the opportunity to contribute because of the way this government has chosen to manage its government business program. It is just not right that just because matters of the economy and matters of taxation are a bit of a sore point for this government and just because they choose to manage their government business program in such a way that it actually limits debate and the time for debate on this important bill before the house today, a number of my colleagues miss out on the opportunity to speak. That is just not right; it is just not fair. But over the last 10 years –

**Nick Staikos** interjected.

**Brad ROWSWELL:** Acting Speaker, the member for Bentleigh is not in his place; he is being very disorderly at the minute.

**The ACTING SPEAKER (Daniela De Martino):** The member for Bentleigh knows that if he wishes to interject he should do so from his chair.

**Brad ROWSWELL:** Because the government has brought this bill on so late in the piece, a limited number of my colleagues will have an opportunity to contribute to it. I wish to say from the very outset that the opposition will not be opposing this bill. We will not be opposing this bill, but I would like to go through in some detail how we have come to that position and in some detail the clauses that are contained within this bill. Of course this bill seeks to make a number of amendments to existing tax acts in relation to the government's health tax, in relation to a number of property taxes, in relation to a repeal of an exemption for friendly societies and in relation to foreign purchaser adjustments. I intend to go through some of those in some detail now.

At the very outset I think a valid question to ask is this: can the Victorian Labor government, under the leadership of Premier Jacinta Allan, which has now been in government for 10 years, be –

**Colin Brooks:** On a point of order, Acting Speaker, there seems to be a consistent pattern of members of the opposition referring to the Premier by her name rather than by her correct title.

**The ACTING SPEAKER (Daniela De Martino):** The member for Sandringham is reminded to use the correct terms, please, when referring to members.

**Brad ROWSWELL:** On a point of order, Acting Speaker, if I refer to the Premier as Premier Jacinta Allan, is that an unparliamentary way to refer to the Premier?

**The ACTING SPEAKER (Daniela De Martino):** I believe that using names is not correct in the lower house. In the Assembly we use titles.

**Brad ROWSWELL:** In relation to the Premier and her leadership over the last 10 years as a senior member within the Andrews and now Allan Labor government, the question really needs to be asked: can Victorians trust this Labor government when it comes to managing Victoria's economy? You see, Victoria's economy at the minute is – I have described it this way before and will describe it this way again – an absolute basket case. It is an absolute and utter bin fire. We have the greatest amount of tax in this state, the highest amount of taxes, the highest amount of business taxes, the highest amount of property taxes and the highest amount of debt at \$188 billion – the most amount of debt of any state in the nation. We are paying \$26 million a day each and every day in interest payments on that debt. That is money that we cannot actually invest in important services and infrastructure that our community so desperately, desperately needs. That is the state of the economy after 10 years of Labor and after 10 Labor budgets.

Just today the Australian Bureau of Statistics has confirmed that for seven months straight Victoria has had the highest unemployment rate of any state in the country – for seven months straight. This is what you get after 10 years of Labor and after 10 Labor budgets. So when it comes to tax reform, when it genuinely comes to tax reform and when it genuinely comes to making life easier for Victorians and not harder for Victorians, the genuine question needs to be asked: can Labor be trusted? Frankly, I contend that the answer to that is an absolute big, fat no.

As I mentioned at the start, this bill covers a number of amendments to various acts. It covers amendments to the Payroll Tax Act 2007 specifically in relation to Labor's health tax. We have a long-held position when it comes to Labor's health tax: we are opposed to it. Yes, we acknowledge that this bill goes some way to making access to bulk-billing appointments in this state easier. We do acknowledge that, but it does not go far enough, because it only applies to general practice. It does not apply to all allied health or all primary health. It does not apply to dentists, it does not apply to physios,

it does not apply to podiatrists, it does not apply to psychologists; it only applies to GPs when they bulk-bill a patient. That means there will be more Victorians who are unwell who, because of Labor's health tax, cannot actually afford to pay to see a doctor and will end up lining up at an emergency department that is already overrun because of the way that this government has managed the health services over the last decade. We know that it actually costs more to the Victorian taxpayer for a Victorian to turn up to the emergency department of a public hospital in this state. It costs about 500 bucks for a Victorian to turn up to the emergency department of a public hospital in this state. That is the price Victorians will need to pay because Labor cannot manage money and cannot manage our health system.

Non-bulk-billing GPs and allied health professionals will still face Labor's crippling health tax, which means the impact of Labor's health tax continues to threaten the viability of clinics across the state. In fact the Australian Dental Association Victorian Branch said in correspondence to the opposition that the government is leaving dental clinics across the state calculating whether they will have to close or how much they will have to charge patients to cover a possible tax debt through no fault of their own. Let me repeat that for the sake of those opposite. The Australian Dental Association Victorian Branch has said that the government is leaving dental clinics across the state calculating whether they will have to close or how much they will have to charge patients to cover a possible tax debt through no fault of their own.

There are quite literally hundreds of medical clinics right around the state who operate on a mixed billing model that will now be subjected to Labor's health tax. That is going to make health care more out of reach for many, many Victorians, and the only way for Victorians to have certainty when it comes to Labor's health tax is to boot them out in November 2026 and to elect a coalition government, because our commitment is really, really clear. We have said that we will reverse Labor's health tax. We have already tried to do that in the other place. We have already tried to move a bill in the Legislative Council to effectively knock out Labor's health tax, but of course the government is not interested in that. They are not interested in that at all. In fact they voted against it. That is why I now move:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government commits to a payroll tax exemption for all medical and allied health providers.'

This is a very, very important amendment, which I encourage the government and those on the crossbench and the Greens and the people up there to support, because it is the only way that Victorians can be assured that they will not be paying additional dough for health care. It is a practice within this state, it is a universal understanding in this state that access to universal health care should be a right of citizens. But, no. The Victorian government is in such a poor economic state that the injustice of this is they are seeking to make the economic circumstance and the circumstances which they have created over the last 10 years the fault of Victorians by imposing on them more taxes – 55 new or increased taxes in the last 10 years alone, 29 of which are on property.

I have said it before and I will say it again: if you tax something more, it does not get any cheaper. If you tax something more, what happens? It gets more expensive. A little bit more active participation would have been welcome at that point, but I understand why that was not the case. But I will say it again: if you tax something more, it does not get any cheaper; if you tax something more, it gets more expensive. Fifty-five new or increased taxes over the last 10 years have meant the cost-of-living pressures on Victorians have gone up and up and up and up. The people on the government side of the chamber say they care about the impact of the cost-of-living crisis on Victorians. Well, if they did actually care, they would not seek to impose more taxes; they would seek to repeal more taxes and to live within their means, but we know that that is simply not within their DNA.

It is not just the health tax that is amended or changed slightly in this bill; there are also changes to property taxes. The government proposes to extend exemptions from vacant land tax to bereaved

families winding up estates and to properties on alpine resorts. We think that that makes sense. But the question that I have is: why did the Labor government expect people in this circumstance to pay more tax in the first place? If they had thought about it, if they had considered it and if they had spoken to the community about it, they would have known about the land tax exemptions to bereaved families winding up estates and to properties on alpine resorts. I would have thought that in the government's consultation on these matters these sorts of cases would have come up, and they would not have legislated those changes, those impositions, in the first place. But no, they did, and they are back here seeking to now include those as exemptions. A question that I think is a valid question to ask is: why did Labor expect the grieving families to pay residential land tax while winding up the affairs of a loved one in the first place? Why in the first place did this Labor government consider that that was a good thing to do? Despite these modest exemptions, which we do support, the government's property tax regime will still continue to punish Victorians.

As I say, Labor has introduced some 29 new property taxes over the past decade. Twenty-nine is a familiar number. Member for Polwarth, was it number 29? Did I read that in the paper earlier this week? I think it was on Tuesday I read the number 29. Yes, that is right.

**Richard Riordan** interjected.

**Brad ROWSWELL:** Polling results, member for Polwarth, absolutely. That was the Premier's polling result, 29 per cent, which just happens to match up to the amount of new property taxes that this Labor government has introduced over the last 10 years.

**Richard Riordan:** So there might be a reduction in taxes coming.

**Brad ROWSWELL:** We can only hope, member for Polwarth. We did go to the government with a number of –

**Richard Riordan** interjected.

**Brad ROWSWELL:** Thank you, I thought it was quite a good routine. We should do morning radio. I did go to the government with a couple of questions in relation to the imposition of their taxes, and in relation to the health tax I asked, 'How many GPs are employees as opposed to contractors and how many are trainees?' I also asked, 'How many private clinics do not fully bulk-bill? What is the proportion of clinics which only bulk-bill, and where are they located?' The reason why we asked these questions on behalf of the opposition but also on behalf of the Victorian people is because we would like to get a sense of who and how many people are being affected by this and the consideration that the government has given to their health tax before imposing it upon Victorians. So how many GPs are employees as opposed to contractors and how many are trainees, how many private clinics do not fully bulk-bill and what is the proportion of clinics which only bulk-bill? On both occasions the government has returned serve – and the member for South-West Coast will be fascinated by this answer, because she was at the bill briefing with the government and various departmental officers – and come back with the following:

The Department of Treasury and Finance (DTF) does not have access to private clinic data and, therefore, relies on publicly available data sources, which may vary in scope, timing, and level of detail.

In relation to the question on private clinics and if they fully bulk-bill or otherwise, the response from the government was:

DTF does not have access –

that is, the Department of Treasury and Finance, for those playing along at home –

to clinic-level data on patient bulk-billing practices. Available data on the proportion of patients, and the proportion of services, bulk billed is provided below.

On both occasions there has been acknowledgement by the government that the Department of Treasury and Finance does not have access to private clinic data – that DTF does not have access to

clinic-level data – so I think it is an appropriate question to ask and a valid question to ask: if they do not have the clinic-level data, using what data have they actually modelled that the changes in this bill will be what they say they could be? If you do not have that baseline data, how can you assert something? We asked another question: what is the impact on rural GPs? The government said:

The Government expects that the decision to provide an exemption from payroll tax for payments to contractor and employee GPs in relation to bulk-billed consults will support more bulk-billed GP consults for Victorians and improve access to GP services ...

But how can that assertion be made if in the first place the government acknowledges, or at least the Department of Treasury and Finance acknowledges, that it does not have access to clinic-level data? How can you make that claim, seriously, without having access to the clinic-level data? I would have thought that would be a very important thing to have access to.

This bill also repeals the exemption for friendly societies, which is in our view a new tax burden on friendly societies, which are not for profit. The government said that mutual organisations focus on community services, including affordable housing, health services and retirement savings. Friendly societies, as I am informed, have been tax exempt due to their role in supporting the common good through affordable health care and financial services. We are concerned by this change, but on balance we have decided to not oppose this bill, for reasons that I previously stated.

I can come to my initial point, which is: can this government truly be trusted to deliver upon tax reform in the first place? The answer I have to that question is a big, fat no, because if they could be trusted to deliver true, lasting, meaningful, impactful tax reform, then why are we in the state of affairs that we are currently in: the highest taxes in the nation, the highest property taxes in the nation, the highest business taxes in the nation, the highest unemployment in the nation – now seven months running – and the lowest credit rating in the nation and when we have got a circumstance where property is out of reach, where housing is out of reach, where the cost of groceries is going up and where the cost of power bills is going up? You pay more in this state than in any other state in the country to send your kid to a state school at the same time as our educational outcomes are flatlining, if not declining in some areas. These are all cost-of-living pressures that families are experiencing right now.

For the life of me I cannot understand why this government just does not bite the bullet and do something meaningful when it comes to tax reform. Of course it will take a coalition government to do that. It will take a coalition government to do that in 2026. But of course we are not waiting till 2026 to have a fair-dinkum conversation with the Victorian people about our plans for this state for them – for singles, for families, for older Victorians, for great Victorians. There are no ordinary Victorians; they are all great Victorians with great stories, and we value them and we respect them, because their contribution to this community should be valued and should be respected and currently is not. We are not waiting until November 2026 to speak about how we would govern this state, the opportunity that we would seek to create in this state – to indicate to Victorians just some of the things that we would do to improve their lives and to make their lives easier.

In July last year you may be interested to know – you also may not be interested to know, but it is my speaking time so I will carry on – we launched a tax discussion paper. That was an opportunity to talk to Victorians about the impost of taxes on the lives of Victorians and Victorian businesses over the last decade. What we heard during those consultations right around the state, including in Gippsland, was not good. It was not good at all. Victorians are buckling under the pressure of state government taxes and high inflation caused by a poorly planned big building project which is turning into a big bill that all Victorians will have to pay the price for. What Victorians want is a government that they can trust, a government who respects their money and a government who values the taxpayer money that Victorians earn and Victorians hand over to their government. They want that money treated with respect. They want a government that actually understands what integrity is.

That is why just in the last couple of weeks the opposition, the alternative government in this state, announced our plan to better manage Victoria's money. It is the first of a three-stage plan that we are

starting to announce and will complete before the election. The first pillar of this plan is a charter of budget honesty, the second is a public expenditure tracker and the third is an intergenerational report – three things that we think are very, very important. We on the opposition benches know that it is not our money. It is not our money; it is Victorian taxpayers money. It is not the Liberal Party's money; it is not the National Party's money; it is not the member for Sandringham's money; it is not the member for Gippsland South's money; it is not. It is the Victorian taxpayers money, and it must be treated with respect as a basic principle.

We think that we have an obligation to increase financial integrity in this state, so that charter of budget honesty in the first place is a very important first step to say to the Victorian people, 'We respect the money that you give us. We will treat you with respect and we will treat your money with respect. We will manage your money better.' I am looking forward to and I am quite excited by the transparency that will be offered by a public expenditure tracker so Victorians can see firsthand where their money is being spent, how their money is being spent and in what area their money is being spent. This is information that is already there, collected on a monthly basis and made available by department, and it simply needs to be collated and made publicly available. Transparency is not a bad thing, especially after 10 years of Labor and especially after 10 Labor budgets. It is a good thing, and I think it will be appreciated by the Victorian people.

The final stage of that particular plan that we announced a couple of weeks ago now is the establishment of an intergenerational report, an opportunity for us to understand the impact of decisions we make now on our current day and what that will look like in the future. It is so important to plan for the future and to make sure that the Victoria that we create now does not leave the next generations of Victorians worse off. Sadly, I contend that under this government, after 10 years of Labor and 10 Labor budgets, there are many, many generations who will be worse off, because it is those generations that will have to pay the price for the poor economic management of this state that has been imposed upon the Victorian community under this Labor government today.

As I said earlier, 26 million bucks a day, each and every day, in daily interest payments is akin to going to an ATM, backing up a big Budget rent-a-truck, pulling out 26 million bucks, chucking it in the back, driving it to the front steps of Parliament and setting it alight. Victorians get nothing for it. Victorians get nothing for that \$26 million. In my community, in the member for Northcote's community, in the member for Hastings's community, in the member for Box Hill's community, in the member for Melton's community, in the member for Gippsland South's community, just think about it. What about the member for Footscray's community and the member for Bentleigh's? He is out of his seat again. Twenty-six million bucks a day, each and every day – that would be transformational for our community. I hope we get nonpartisan agreement on that. If you had 26 million bucks in your community, it would be transformational.

**The ACTING SPEAKER (Daniela De Martino):** Through the Chair, please, member for Sandringham.

**Brad ROWSWELL:** Acting Speaker, if you had \$26 million in your community of Monbulk, it would be transformational. If I had 26 million bucks for my community of Sandringham, it would be transformational in that community. I know exactly what I would do with that. I would call the principals of the Beaumaris Primary School and the Beaumaris North Primary School and I would say to them, 'Do you remember those school halls that the government promised you when you reached a certain student level that have never been delivered, so much so that when the sun is beating down upon the heads of your students and the rain is beating down upon the shoulders of your students that you've got nowhere to have a whole-school assembly or to have community sport?' I would say to them, 'You've got those school halls,' and that would be transformational for those school communities. I know that, and every member of this place knows what 26 million bucks would mean in their own communities.

But no, each and every day we are rolling up to the ATM with a Budget rent-a-truck, taking out 26 million bucks and setting it alight because of the way Labor has managed the Victorian economy over the last 10 years. That 26 million bucks could pay for 128 ambulances, two breast cancer centres, 2715 elective surgeries or the yearly salaries for 315 nurses, 510 Victoria Police recruits or 305 paramedics. It is not Monopoly money, it is real money. It is Victorian taxpayers money, and it is not being managed in a respectful way. If the Labor government understood that, they would manage things in a different way, but they do not. They do not. They are too set in their ways. Arrogance has set in, hubris has set in, and the Victorian people are picking up on this – just have a look at Tuesday’s front page of the *Age*. There have been over \$40 billion in blowouts under this Labor government – \$40 billion: the North East Link, \$21.2 billion; the West Gate Tunnel, \$4.7 billion; the Metro Tunnel, \$13.8 billion. Things do not just cost what they cost – what an irresponsible attitude to have when it comes to the management of public funds in this state. But of course that is what we get under this Labor government: 55 new or increased taxes and a government that, really, say they care but just do not.

There is a better way. There must be a better way. There must be a brighter, more optimistic future, a more hopeful future, for this state. I hate to say that we will not get this under the Allan Labor government. The Victorian people are twiggling to this as we meet here this evening. Under a government that we lead there will be lower, fairer, simpler taxes. We will respect Victorian taxpayers money. We will enable business to thrive – not just to survive but to thrive. That is very, very important to us. We will scrap Labor’s holiday and tourism tax. We will scrap their health tax. We will scrap their schools tax. We will establish a charter of budget honesty, the first state to do so. We will establish a real-time government spending tracker. We will commission Victoria’s first intergenerational report. We will end waste. We will say to businesses, those who have recently left this state for other states or those who have recently closed down in Victoria, that again Victoria is open for business under a government we lead. We will scream that from the rooftops. We will introduce a legislated debt cap in this place. After 10 years of Labor, after 10 Labor budgets, Victorians are waking up each and every day to the economic havoc that is being wreaked on the state, and they deserve so much better.

**Paul HAMER** (Box Hill) (15:53): I rise to speak on the State Taxation Further Amendment Bill 2024. It is always a pleasure to follow the member for Sandringham. He has such a smooth, mellifluous voice, the member for Sandringham. I think he has got a fantastic post-parliamentary career in late-night radio. I can just imagine listening to the sounds of ‘Late nights with Brad’. I can see that. I would fall asleep; I guarantee I would fall asleep.

But I do want to talk about the taxation bill and what it is about. There was some reference by the member for Sandringham about the changes to GP payroll tax, and I just want to remind the house that these changes came about as a result of decisions by the Supreme Court of New South Wales, I believe, that made a determination about who would be classified as a contractor or an employee in a medical practice. These exemptions that have been put in place through this legislation – they were flagged earlier in the Treasurer’s budget speech – actually put into effect these exemptions, particularly for GPs that are providing bulk-billed consultations. The government made, at the time, a commitment to provide an exemption from payroll tax for payments to contractor GPs and to employee GPs for providing bulk-billed consultations from 1 July 2025. That was specifically to deal with the issues that had been raised in that court case that had found that if we do not introduce these exemptions then these bulk-billed clinics would be liable for payroll tax. The reason that we are doing that is really so that we can provide more bulk-billed primary healthcare consultations for families, and I think it is important that the amount of bulk-bill clinics in the community is increased and that we provide it as widely as possible.

I know that in my community the primary care centre that has been introduced, the nearby one in Forest Hill – I know it is in the member for Glen Waverley’s area, but it is very close to my area – has been very well received. Having that clinic available particularly out of standard hours into the evening and on weekends, it has certainly been a centre that I have frequented. It is amazing how often you

have a family member who gets sick at a time when you just cannot get into a GP because the GPs are closed.

There has been extensive consultation with the primary care sector to align the settings across the country, particularly since this ruling was originally made. There has been a further 12-month exemption from payroll tax for payments to contractors through to 30 June 2025, which will be available for any general practice business that has not already received advice and begun paying payroll tax on payments to their contractor GPs on this basis. The exemption for this one was provided through the Treasurer's existing *ex gratia* powers and would be applied in this way under any Labor government. It is important to recognise that to deal with the pressures that the healthcare sector is under, particularly the primary care healthcare sector, the government has worked closely – and the Treasurer's office in particular has worked closely – with this sector to work out how they can support these practices, particularly these practices that are providing bulk-billing, to continue to do that and not have the impost that would otherwise be charged if the ruling was applied in its entirety. I just want to read some of the quotes from the peak bodies about the GP package that was announced, as I said, earlier this year to deal with some of these issues. The Australian GP Alliance deputy chair Dr Mukesh Haikerwal said:

We thank the Victorian Government for their decision and commitment to the primary care sector as this outcome will support practices to remain viable into the future and help Victorians continue to have access to affordable services as we work together through the details to ensure affordability of health services to Victorians. GPs can now focus on caring for their patients and the health system.

There are many people from across that healthcare industry, particularly in the GP sector, that really appreciate the changes that the government is making in this regard, because they know how important it is to be able to provide this care at the front line and the work that the GPs do. I am very conscious of the time and the need to allow multiple speakers to have their contribution on this bill, so with that I commend the bill to the house and I rest my contribution there.

**Danny O'BRIEN** (Gippsland South) (16:00): This is referred to as the State Taxation Further Amendment Bill 2024, but it should in fact be known as the Clayton's bill, because this is the bill where you provide an exemption where there should be no need for an exemption, if we believe what the government has been telling us for the last two years. This is the bill to fix up the government's mess of its health tax – the health tax that was brought in by the Treasurer, the Minister for Health and the Premier, even though time and time and time again last year and again earlier this year they said there was no health tax. This is a bill to provide an exemption to a health tax that the government says does not exist. If you do not believe me, you can go to the *Hansard* and you can find it for yourself. Time and time again – in question time, in debates on matters of public importance and in contributions on the budget last year and again this year – we have had the government say, 'Look away. There is nothing to see here when it comes to a GP payroll tax.' Indeed I can give you the quotes directly. When asked about these things on 21 March 2023 the Treasurer said:

... we have not changed in any material way the procedure by which the State Revenue Office seeks to raise payroll tax from GPs. In fact I went further than that.

He was talking about a meeting he had had with health representatives:

I took the opportunity to indicate to the representatives of GPs that the SRO would sit down and work with them and issue a practice note to make it clear to GPs that there was no intention to change the tax liability of GPs ...

So he was saying that these GP clinics, which were suddenly getting bills for payroll tax for contractors that they engaged and which had previously never paid payroll tax on those contractors, were wrong, that there was not any change and we did not need to worry about that. Further, on 29 August 2023 the Minister for Health in response to a question said:

... when it comes to payroll tax absolutely nothing has changed. There has been no change. There has been zero change to the way in which the payroll tax operates.



Again, very clearly the Minister for Health was saying that nothing had changed. So we are today debating an amendment to provide an exemption to something that did not exist in the first place, according to the minister and the Treasurer. The very next day, 30 August 2023, the minister again said:

But let me be clear: there has been no change.

And then the Premier herself said, on 1 November last year, almost exactly a year before this bill being introduced:

As I have said previously, as the Treasurer has said previously, the payroll tax arrangements continue to operate in the same way as they have for some time since 1983 across all sectors.

So they were saying ‘Nothing to see here, ladies and gentlemen, Victorians, doctors and people needing to get into a GP clinic. Nothing to see here. We haven’t changed. Nothing has changed.’ And yet here we are today debating an exemption to a tax that the government said did not exist.

The government has obviously responded to the political pressure that it has been under on this. It has obviously responded to the concerns of GP clinics around the state, but it has not responded to the allied health professionals and their practices that will continue to attract payroll tax on contractors – notwithstanding this legislation, because it only applies to general practice. The government really has not covered itself in glory in this. It has made it very, very unclear, to misquote the Minister for Energy and Resources. That is why I support the reasoned amendment of the member for Sandringham:

That ... ‘this house refuses to read this bill a second time until the government commits to a payroll tax exemption for all medical and allied health providers.’

That is what the Liberals and Nationals will do. We have made the commitment already, and we repeat it here again today, that if elected in 2026 we will provide that exemption, not because this is something that impacts on GPs and GP clinics, because ultimately it would impact on patients.

We heard in some of those quotes that I read out surrounding the commentary from the Minister for Health repeated comments about the status of primary health and how critical it was to take pressure off our health system. We agree entirely, which is why we do not think this tax – whether it is for GPs, whether it is for dentists or whether it is for physios, podiatrists, psychologists, psychiatrists, osteopaths or any of those allied health providers – should be on there. Our commitment is already clear to the people of Victoria that, if elected, we will make a full exemption for those contractors because we do not believe they are in fact employees.

We know that there are concerns about this. We know the Australian Dental Association Victorian Branch has said that it leaves dental clinics across the state calculating whether they will have to close or how much they will have to charge patients to cover a possible tax debt through no fault of their own. That is the concern, and it is repeated across the state. In my own electorate I consulted the GP clinics throughout Gippsland South earlier this year. One of them told me that if they had to pay back pay for five years, which has been the case last year and this year with some clinics, they would face a bill of \$375,000. They would be expecting a bill annually of \$70,000, and they said, ‘That would kill us.’ The comment from a very, very longstanding and very well respected GP in my electorate at the time was that 25 per cent of GPs would probably retire, because that is, sadly, the number that are close to that age anyway. There is a significant concern, and I think this was from the AMA or the Royal Australian College of General Practitioners, that one-third of clinics would go if the tax was applied across the board. We are certainly not opposed to, and in fact we support, this bill’s intent to provide that exemption; we simply do not think it goes far enough. That is why I am supporting the member for Sandringham’s reasoned amendment. We think this is a good step in the right direction, but it does not go far enough to deal with the issues that are truly there.

The bill before us not only deals with the health tax on GPs; there are a couple of other aspects to it that I will touch on briefly. The bill proposes to repeal the existing tax exemption for friendly societies under the Duties Act 2000. This is an exemption that currently applies to transfers of property or

declarations of trust involving both charities and friendly societies. I would not have thought it was a great move by government to be introducing a tax on something called friendly societies, but there you go. It also introduces a new section to ensure the foreign purchaser additional duty is enforceable for foreign property buyers in Victoria. That responds to some recent federal reforms via the Treasury Laws Amendment (Foreign Investment) Act 2024 and ensures that we are lined up with the federal government.

There are some other changes, including to land tax, and we are all hearing a lot about land tax at the moment given the government's so-called COVID debt recovery plan, which has reduced the land tax threshold from \$300,000 to \$50,000, has seen rental vacancy rates plummet and has forced many people into great hardship because they are facing, for the first time, a land tax bill of either \$500 or \$975 and as a result are struggling. Then of course there is the increase in the rate above that \$300,000 threshold as well. This bill provides a vacant residential land tax exemption for alpine resorts. That also does not really scream to me as something that a social Labor government would be keen to do – to make sure that those who have got their chalet in the snow are looked after – but I do understand the common sense of that particular one, given the vacant residential land tax criteria surrounding how often those properties need to be used. Clearly it is not going to be that often when it is only being used in snow season. Ensuring the holiday home exemption continues for a transitional period after the property owner's death is the other aspect of it.

This bill, as I have said, we do not oppose. It is a Clayton's bill, though, because it is providing an exemption to a tax that the government insisted for well over a year did not actually exist. Clearly this bill is an acknowledgement that it does in fact exist. We will not be opposing the bill, but we are moving that reasoned amendment to ensure that all medical and allied health providers are captured by this exemption.

**Steve McGHIE** (Melton) (16:10): I too rise to contribute to the State Taxation Further Amendment Bill 2024. I will go to the bill just with some of the areas of tax amendments. The bill amends the Duties Act 2000 and exemptions from duty on dutiable transactions and relevant acquisitions of tax reform scheme land; exemptions and concessions from duty for friendly societies, as just referred to by the previous speaker; special disability trusts and persons under a legal disability; and the imposition of additional duty on foreign purchasers. It also amends the First Home Owner Grant and Home Buyer Schemes Act 2000 to permit an application for a first home owner grant to be made on behalf of the principal beneficiary of a special disability trust, and it goes through a range of tax acts. For the Land Tax Act 2005, there are changes in exemptions for clubs, excluding – again referred to previously – alpine resorts, and that is probably for the good old Melbourne Football Club members; providing exemptions for land tax for land on which housing is provided for the relief of poverty; and making further provision for the holiday home exemption from vacant residential land tax and the imposition of land tax surcharge on foreign owners of Victorian land.

I am pleased that the opposition are not opposing this bill, but I do not accept that there needs to be a reasoned amendment as moved by the member for Sandringham. I think it just defers the passing of this bill in this house this week. Certainly after extensive consultation and listening and working with the primary care sector and to align policies nationwide, starting on 1 July next year the Allan Labor government through this bill introduces a payroll tax exemption. As I say, that starts on 1 July 2025, and that is for general practice medical businesses that provide bulk-billing services. We all understand and would experience in our electorates how important bulk-billing services are for our constituents. In particular I know out in my corridor, in the west and the north-west, how important bulk-billing is. We do encourage the medicos to bulk-bill more of their patients and release some of the pressures on the emergency departments so patients can get in to see their doctors but also, for the ones that cannot afford to see and be treated by the doctor, to bulk-bill them.

Additionally, an extra 12 months of payroll tax relief is considered and, with the passage of this amendment, introduced for contracted GP payments through to 30 June next year for the businesses that have not received their guidance or started paying payroll tax for their contracted GPs. It is an

important part of this amendment that the bill's new exemption applies to employers paying wages to contract or employee GPs who provide bulk-billed consultations. It is a partial exemption that is based on the share of total payments made by patients or relevant funding providers for bulk-billed or fully funded medical services, like veterans entitlements, Transport Accident Commission or workers compensation schemes. This exemption will relieve financial pressures on GPs, it will provide certainty for primary care businesses and it will support the essential services GPs provide to, again, our constituents right across the state.

The member for Box Hill referred to the fact that the medical profession is very supportive of these amendments, and he made mention of Mukesh Haikerwal, who has represented medicos. He has been very supportive of these changes. These are long-term changes to provide certainty to general practice businesses. That is what they are; they are businesses. Through that support and relief it supports more bulk-billing for Victorians, and that is exactly what we want to be able to deliver – good healthcare services to those people in need right across all of our electorates.

This bill also amends the Duties Act 2000 and the Land Tax Act 2005 to ensure some clarity and fairness in the application of taxes and foreign purchasers and absentee landowners. Specifically this bill upholds the original intent of imposing the foreign purchaser additional duty (FPAD) and the absentee owners surcharge (AOS) on relevant property purchases by individuals from certain countries during the period from 1 January 2018 and 8 April 2024.

The Taxation Administration Act 1997 is also updated to reinforce that past FPAD and AOS assessments carry the same authority as assessments under these amended provisions, and these amendments address a legal risk in the Duties Act and Land Tax Act which may have led to inconsistencies with those international tax agreements and a federal law that enforces non-discrimination clauses in international tax treaties. In April this year Commonwealth amendments to the Treasury Laws Amendment (Foreign Investment) Act 2024 resolved that state laws, such as those imposing the AOS and the FPAD, take precedence even if inconsistencies arise with the international tax agreements. These changes apply to taxes payable from 1 January 2018 and onwards. The bill before us aligns Victorian law with these federal amendments, making sure that our intended tax obligations are upheld. What this means is that if a person has already paid FPAD or AOS and it is later found that these taxes were technically invalid, their previous payment will still cover their liability, and for those who owe but have not yet paid, they will be required to pay the same amount under this new legislation. Of course these amendments reinforce that taxes are paid as originally intended. They place all foreign nationals on an equal footing under Victorian law, and they safeguard significant revenue for our state – and how important that revenue is to be able to deliver the services and the infrastructure that the Allan Labor government is delivering.

Of course here in the chamber yesterday the member for Polwarth went to great lengths to explain to this place the exact circumstances in which one of my staff members became a home owner for the first time, and he was using it as a stab at the government, claiming all doom and gloom and that people are having to sell up and leave the state – which I do not think is quite accurate, but anyway – when in fact what is actually happening is that in most instances those house sales are investment properties. They are being sold, which creates opportunities for people to buy into homes for the first time and for home owner-occupiers to enter the market, which I think is a good thing. If there are more homes available for people to purchase and greater variety, it gives people an opportunity to for the first time purchase a home and own a home, and that is what we want. We want to see people getting into the market and having a roof over their head. Of course by allowing and in fact encouraging first-time home owners to enter the market, it creates additional economic value that goes on for decades and otherwise never would have existed. The legislation that waives the stamp duty lowers the deposit barrier, which can be a massive contributor to the barrier of cost of entry in purchasing a home, and that is great for those people that want to enter the market. It broadens the pool of people and Victorians who are able to buy a home that would otherwise be unable to access home ownership.

What this amendment does is make a meaningful difference in the lives of individuals with disabilities and their families by amending the Duties Act. It ensures that the pensioner and concession card reduction can apply when a home is purchased by the guardian or person with a legal disability who holds an eligible concession card. This bill extends similar support to first home buyers, allowing the first home buyer duty concession or exemption to apply in cases where the purchaser is a trustee of a special disability trust and the principal beneficiary is an eligible first home buyer. These changes will make it easier for guardians and trustees, including those managing special disability trusts, to secure housing for individuals with disabilities, and we want people that have disabilities to be able to access the housing market and to be included and to have some accessibility but also to be able to live like everyone else that has a home and a roof over their head. Previously many eligible individuals with disabilities were unable to do this and access these concessions or exemptions simply because the purchase was made under a guardianship or a trust arrangement. This tax law and these tax changes in the State Taxation Further Amendment Bill are very important for this state. It is important that we pass this bill this week. I do not believe we need to have the reasoned amendment, and I commend the bill to the house.

**Matthew GUY** (Bulleen) (16:20): Hello, Deputy Speaker. You are in the chair a lot when I am up talking about tax and things. It is beautiful that you are there again – a lucky thing for you, a lucky thing indeed.

**Vicki Ward**: Do you reckon he is there checking up on you, mate?

**Matthew GUY**: Said like a good Research person. You would say that to a Montmorency boy. Listen, this government really is getting out of control with land tax, and we know it on this side of the house – ruining Victorians' livelihoods over land tax, completely ruining livelihoods. I brought to this chamber, Deputy Speaker, the last time you were in the chair, an example of a block of land and land tax bills, and I know the individual personally who purchased a block in Melbourne's outer south-eastern suburbs in 2022. His and his wife's land tax assessment on that block was \$3015. It is unimproved. The same block the next year, annually assessed now by this government, was \$38,302. That is the rise in one year. A year later, at the start of this year in April, he got the bill again, and it is now for \$83,192 for the same block of land.

The government can get up and talk about tax all they like – and I intend to certainly in these 10 minutes I have got – but these kinds of tax increases are killing this state. What we did have was a great competitive advantage over other states to bring business to Victoria, a reason for people to come to Victoria, but of course that has now disappeared. When suburban investors like the example I just gave of this fellow and his wife, who I know live in the middle eastern suburbs – I think, with great respect, Deputy Speaker, probably in your electorate – and who are regular Victorians who have invested in their city, make a decision and then get bills like that, they cannot pay that. That is not reasonable, and no-one would think that is a reasonable bill for an unimproved block of land – to rise from \$3000 and two years later be \$83,000 – from a broke government that has spent everything it has got and now wants to tax its way out of the financial catastrophe it has got our state into. They have got our state into a financial catastrophe.

This bill, which amends the Land Tax Act 2005, the Valuation of Land Act 1960, the Commercial and Industrial Property Tax Reform Act 2024 and the First Home Owner Grant and Home Buyer Schemes Act 2000, has myriad issues in it that relate back to those acts, which frankly are bankrupting our state. I could to you, Deputy Speaker, talk about the 29 new property taxes that have come on.

**James Newbury** interjected.

**Matthew GUY**: The member for Brighton is in here and has jogged my memory, because 29 is a great number. In fact we are enjoying the number 29 this week.

*Members interjecting.*

**Matthew GUY:** I will take the compliment, at age 50, that I look 29. The member for Eltham rarely gives out compliments, particularly to me, but I am not going to let that one go. I want it recorded in *Hansard* that I look 29. I will make sure I say good things about you. But what I know is that 29 is a great number. In Ukrainian it is двадцять дев'ять, it is neunundzwanzig in German but here in Victoria it is the approval rating of the Premier. Even my preferred Premier rating was better than 29, and even my primary vote was better than 28. The member for Brighton is here, and what was his term? It was the runner-up Premier. Well, the runner-up Premier had neunundzwanzig, 29 per cent.

*Members interjecting.*

**Matthew GUY:** You can laugh all you like, but on those figures, mate, you will not be here.

**Sarah Connolly:** On a point of order, Deputy Speaker, I know the member on his feet does enjoy the sound of his own voice –

**Matthew Guy** interjected.

**Sarah Connolly:** Please do not shout at me, member for Bulleen.

**The DEPUTY SPEAKER:** Without assistance, member for Bulleen. The point of order is, member for Laverton?

**Sarah Connolly:** My point of order is that the member has strayed somewhat from the bill, and I ask you, Deputy Speaker, to bring him back to the bill that is being debated before the house this afternoon.

**Matthew GUY:** On the point of order, Deputy Speaker, I was referring to taxes, the number of taxes that the government has introduced since being in office, and the figure is 29 on the property sector. This bill is relating to the land tax.

**Lauren Kathage** interjected.

**Matthew GUY:** Please do not shout at me. What was the line? Please do not shout at me.

**The DEPUTY SPEAKER:** Member for Yan Yean!

**Matthew GUY:** Deputy Speaker, it is entirely relevant to talk about the number of taxes introduced by this government on property, being 29, when the bill is, for the member's own interest, a property tax bill.

**The DEPUTY SPEAKER:** The member for Bulleen was on the bill, and then he strayed a little bit from the bill. I ask him to come back to the bill.

**Matthew GUY:** As I said, there are 29 new taxes on property introduced by this government. This bill relates directly back to the Land Tax Act 2005, the Valuation of Land Act 1960, the Commercial and Industrial Property Tax Reform Act 2024 and the First Home Owner Grant and Home Buyer Schemes Act 2000. Here we have four examples in this bill relating to property taxes where this government has introduced 29 new ones in the last decade that it has been in office.

Let us go through some of those. We have the fire services property levy, which has been introduced, similar to the Land Tax Act referenced in this bill; we have the foreign stamp duty, which has been introduced three times, which relates to the Land Tax Act, which is referenced in this bill; and of course we have a tax on Uber and taxi fares. But more to the point, as I said before, the whole premise of this bill, as the member for Gippsland South said, was that the government had said in this chamber multiple times – and we have got the health taxes being introduced as one of those 29 – that there were absolutely no new taxes, that there was nothing going on in the health sector. The opposition asked and asked and asked. How many times did we come in here? The member for South-West Coast, who is in the chamber, asked and asked and asked. And yet what we find from this bill that is being presented to the Parliament today is a clarification of an issue that apparently did not exist. We heard

it from the Treasurer, the Minister for Health twice and the Premier. We know about the Premier. We have talked about the Premier, haven't we, member for Brighton?

**James Newbury:** The runner-up Premier.

**Matthew GUY:** That is right. We know the Treasurer said:

... we have not changed in any material way the procedure by which the State Revenue Office seeks to raise payroll tax from GPs.

Yet here we are debating a bill to clarify exactly that. The health minister then came in and said:

We met with the RACGP, we met with the AMA ... and we were very clear at that point, in that meeting, that when it comes to payroll tax absolutely nothing has changed. There has been no change. There has been zero change to the way in which the ... tax operates.

Yet, I again say, why then are we here with the State Taxation Further Amendment Bill 2024 clarifying exactly, in this bill, what the Premier, the health minister twice and the Treasurer have come to this chamber and said in question time? I think the term actually was – I know it is unparliamentary and I know, Deputy Speaker, you have said it is unparliamentary, but it was mentioned in question time – that these were lies. This is a quote, what was said in question time – that what the opposition had said was indeed that. In fact it is none of the above. If it was, then why is this bill being presented to this Parliament today? It is being presented for a reason. It reinforces what we said at the time. Not only is this government addicted to tax, this government is also addicted to not telling the truth. We see that time after time after time in question time, when the government literally tells an untruth first and, maybe, begs for forgiveness second by bringing legislation to the Parliament, which is what we are seeing today.

After the untruth of 'There is no way payroll tax is being changed to deal with the health industry,' a few months later after having three, four or five question times on this very matter to seek clarification on this very issue, with GPs in particular going off their tree, complaining, 'This is going to force GP clinics to close,' we now find – and of course we were pilloried for saying this – that what we said were untruths the government told in those question times were in fact untruths. The opposition was making a point, and this was coming to us from desperate professionals – allied health professionals, GPs and others who were desperate. They are there to work for the best interests of Victorians right around the state, and they were desperate. The member for South-West Coast, who is a former health professional, would know better than anyone else in this chamber how important it is to put the interests of your patients first, which is why those issues were being raised. But what we got was untruths in question times from the leader of the government and from a number of ministers, and it is evidenced today that they were untruths by the fact that this bill is being presented to this chamber.

**Nathan LAMBERT (Preston) (16:30):** I rise to support the State Taxation Further Amendment Bill 2024. As the Treasurer noted in his second-reading speech, this bill amends 10 separate acts not just consequentially but substantially, so there are a number of issues to address. I might try and pick up on some of the ones that have been addressed to a lesser extent in the debate so far. To the degree that the speakers from the opposition have touched on the provisions of the bill at all, and certainly in the member for Bulleen's case that was not a great deal, they have largely concerned part 5, which of course relates to payroll tax and GPs. I should say I very much enjoyed the lecture we got from the member for Sandringham about the importance of universal health care; we welcome such a lecture. I only hope that he could speak to some of his colleagues who have a preference for private models about that important view.

As I said, I might turn to some of the other parts of the bill which are also important. Part 2 amends the Duties Act 2000. Notably, it follows up on the debate we had in this place on the Commercial and Industrial Property Tax Reform Bill 2024, which of course passed the Parliament. I do remember at the time of that debate that the member for Sandringham moved a reasoned amendment that basically said 'We need more consultation.' Those of us on the government side said that we thought the

Treasurer was proceeding with his reforms in a very careful and judicious way and that, if there were a need for any changes, there would be plenty of time to do so given the 10-year rollout of that program. Indeed the bill before us today is proof, I think, of that. There are some amendments there to the commercial and industrial property tax reforms. Most of them relate to what the Department of Treasury and Finance call non-standard transactions, which are where the economic interest in land is divvied up in some unusual way. We know that finance people like to come up with creative ways to divvy up the economic interests in assets, and these reforms just ensure that they are taxed as the original reforms intended.

The second division of part 2 makes some other important changes to the Duties Act. Most notably, it does allow people who purchase a home through a special disability trust to get the pensioner and concession card stamp duty concession or the principal place of residence concession in addition to the first home buyer concession and of course the first home owner grant, which is dealt with in part 3. I think these amendments deserve our strong support. They remove a problem where a small number of people with a profound disability were unable to access concessions that they deserved because their loved ones had set up a special disability trust. I know that the word 'trust' can conjure up notions of very wealthy people, but I think it is very important to state that special disability trusts are different. They support people with a profound disability, and we welcome that reform.

Division 2 also removes stamp duty exemptions for friendly societies, given that friendly societies can be quite commercial. As the Treasurer said, those exemptions are better targeted at charities. I did think it was interesting that the member for Sandringham, if I heard him correctly, said that the opposition would extend the exemptions to all friendly societies. Then when the member for Gippsland South got up on behalf of the Nationals he seemed to accept the government's proposal, so I am not sure if the Liberals and Nationals need to talk further about that. Certainly we support where the Treasurer is going with this.

If I can, I might just shout out to the Victorian Elderly Chinese Welfare Society, a charity which is headquartered in High Street, Preston. They are landowners. I am sure they appreciate our exemptions for charities, and in fact they recently celebrated their 40th anniversary. Well done to Sam Wu, Patrick Chow, Robert Yung and Duncan Tang at VECWS, who organise many valued services for our older Chinese Victorians.

Finally, division 2 also makes some amendments to the foreign purchaser additional duty provisions to ensure that they operate as intended. I think those welcome reforms will have broad support because we all want to see that important revenue – revenue that is supported by all parties in this place, I believe – secured for the future.

Turning to part 4, it ensures that charitable institutions that own or manage land for the purposes of the relief of poverty are exempt from the land tax. I understand that affects a relatively small number of organisations, but it rounds out the exemptions that we provide for social housing, emergency housing and charitable organisations. Part 4 also makes some adjustments to the treatment of holiday homes, and in a similar vein it exempts alpine ski resorts from the vacant residential land tax. Alpine ski resorts are not often brought up when we are doorknocking in Reservoir or Preston, but it does make sense that they should be exempt. Actually, when we were young, when we were kids, we used to go up to Mount Beauty and Mount Buffalo in the summer season because accommodation is very cheap at that time of year, so I can confirm there are probably not a lot of jobs or demand for accommodation during the summer.

On the topic of vacant residential land tax, I would like just again to recognise the advocacy of the member for Footscray around the issues of land banking. I know she often talks about the Forges site and the Little Saigon site. I am not sure if there is any update there, but I am pleased to let the house know there is an update in Preston to one of the properties that has frustrated us, the big property on the corner of Bell and High streets. It is a very large property. I think I perhaps ungenerously said last time that it was only serving as a home for rats and pigeons. In good news, this very large 4000-square-

metre site is now up for sale and it looks like there might be some action. That may be because of the land tax reforms we put through. It could also be, though, because of our housing statement – the Preston activity centre and all the incentives we put in place for people to actually do something with their land. I will not get too far ahead of myself, but I do hope to update the house when we see some construction actually start there.

While I am on that topic, I want to give some credit to the Minister for Housing in the other place as well as Haven Home Safe and their CEO Trudi Ray, and then Stemcon construction and their director Steve Sfendourakis, Sam, Bill and all the team there. I just want to give some credit to them. They are just up the street in Bell Street building some fantastic new social housing, and of course that project benefits from the exemptions that are in the bill in front of us here today. That is well underway and we look forward to its completion next year.

I will perhaps turn to some of the arguments we have heard from the opposition this week on housing. We have heard a lot of complaints that land taxes are preventing landowners from renting out their properties. I just want to echo the comments made by the member for Melton that of course owners of land and owners of property, if they think their taxation burden is too high, can sell their property and they can purchase equities or whatever else they might want to purchase. As we know, someone else then buys that property. It does not disappear. All properties in Victoria are owned by someone, and indeed the person who buys it may well be a first home buyer who then gets into the market and has their own property. We know one of the great advantages – the classic great advantage – of a land tax is that it does not distort people's decision about renting out a property or making use of their property. The only thing it really does is make sure that people do the very best to make sure that their property is put to the highest value use in their assessment.

We also heard this week the Greens' critique that investors are somehow favoured by Labor in purchasing a property over those who are buying a property for their principal place of residence. I find that critique very frustrating because it is so obviously false. It is a well-known fact of our tax system, both here in the state and federally, that there is a very long list of exemptions for people's principal residence, many indeed that are touched upon by the bill in front of us. It is simply not true to say that those buying their first home are at a disadvantage under any of Labor's policies. Quite the reverse – they are in fact at an advantage.

I did mention that part 5 of the bill provides those GP exemptions in relation to bulk-billed medical services. I do want to echo the remarks of the member for Melton about our encouragement of GPs to use that incentive to provide more bulk-billed services. That is what we would like to see and that is the intention. It also clarifies, I think importantly, how we treat those circumstances when wages have been underpaid. Unfortunately, in this state wages are underpaid quite regularly, and I commend the parts of this bill that will allow us to recover the right level of payroll tax. We certainly do not want to see those employers who are underpaying their wages then get a tax benefit because they do not pay the full payroll tax on those wages.

Part 6 clarifies the definition of 'sale price'. Rounding it out, part 7 completes what has been an important reform not touched on yet in the debate, moving valuation responsibilities away from councils to the valuer-general, where they should be. I thank the Treasurer and his team for their fine work on this important set of discrete reforms. I thank the State Revenue Office, who I know do a great job and have been closely involved, and I commend this bill to the house.

**Cindy McLEISH** (Eildon) (16:40): I rise again to speak on a taxation bill introduced by the government. This one is a little bit different to the others actually. This one has a fair degree of back-peddalling rather than introducing another tax, because we know we are already up to 55 new or increased taxes under this period of Labor government. I am speaking on the State Taxation Further Amendment Bill 2024. We have got an interesting title here. It shows us why we are here: a further amendment. We are doing this because the government did not do all of the thinking up-front. They have had their taxation bills. They have got to have another crack at it because they did not get it right,



because they did not do their thinking. This is what the government does. They knee-jerk and they rush. They realise the state is just about as broke as it can be. There is barely any money in the kitty for anything. We heard about the hospitals. We can see from their annual reports that their cash flow situation is precarious. The government have this kneejerk reaction, and each time they have not thought about the detail – what does it mean? This one is not about new taxes, which is a bit of a relief really, and I am quite thankful about that, but it is making some amendments for some stuff-ups that they have had as they have gone through.

There are a number of acts being amended, but primarily we have got the Payroll Tax Act 2007, the Duties Act 2000, the Land Tax Act 2005 and a bunch of others. I am going to start by talking about the payroll tax. I think it is important and we need to understand what it was that the government did then, because remember this is a further amendment. They introduced changes to payroll tax calculations. That payroll tax calculation change included doctors and other health professionals who lease rooms – they could be dieticians, physios, chiros, osteos, dentists – from medical practices rather than being direct employees of the practices themselves. So somebody who is leasing a space, operating their own business, was captured in this because they were not a direct employee. But the State Revenue Office went out and published guidelines, ruling that payments to GP contractors would be considered wages for the purpose of calculating payroll tax liability for GP medical clinics. At the same time as the SRO was going out providing a little bit of clarity, in the Parliament we had the Treasurer, the Minister for Health and the Premier at different times put in their two bob's worth about what was happening. Despite now back-peddalling on something, at the time they denied something was even happening.

I have got a couple of great quotes here. On 21 March last year the Treasurer was talking about when he was meeting with different people related to this:

I had the opportunity to confirm then, and I will confirm now, that we have not changed in any material way the procedure by which the State Revenue Office seeks to raise payroll tax from GPs.

He was saying nothing had changed. A few months later, on 29 August, the health minister said:

... and we were very clear at that point, in that meeting –

she is referring to the AMA and the Royal Australian College of General Practitioners –

... that when it comes to payroll tax absolutely nothing has changed.

She doubled down the next day:

But let me clear: there has been no change.

The Premier in November last year also went on to say:

As I have said previously, as the Treasurer has said previously, the payroll tax arrangements continue to operate in the same way as they have for some time since 1983 across all sectors.

These are extensive denials by the most senior members of the government. Now we see this back-peddalling, so they are introducing a payroll tax exemption. This time it is limited to general practitioners' bulk-billed services – the services that they bulk bill – effective from July next year, so it is a partial exemption, and it comes in response to the campaign that the Liberals and Nationals ran. We did not have to try very hard then, because the GPs and the practice owners, those that lease rooms, were exceptionally outspoken. They met with us. They met with our leader and with the Shadow Minister for Health. They were furious. We heard stories of enormous payroll tax bills being sent backdated five years. If you run a GP practice and all of a sudden you have a bill for \$500,000, that is something that you just do not have spare in your back pocket to be able to pay, so these practitioners were furious at the government's changes. The government then started to think, 'We'd better listen,' because they did not do the thinking and the consulting first up.

This change also grants the commissioner now the authority to reassess payroll liabilities up to five years post initial assessment, noting that retrospectivity will not apply to GP contractors before 1 July

2025, as indicated by online statements from the State Revenue Office. We have also put forward a reasoned amendment around this because we would like to see that be a permanent exemption, not just a partial exemption.

I want to mention just briefly changes to the Duties Act 2000 which are repealing existing exemptions for friendly societies under section 45. There is an exemption that currently applies to the transfer of properties or declarations of trusts involving charities and friendly societies. We do not hear much about friendly societies these days – hardly at all – and this will provide these organisations relief from duty on certain transactions. There is also a foreign purchaser additional duty that is enforceable for foreign property buyers.

I want to jump onto land tax and talk for a moment about the alpine resort exemptions which have been brought forward. This applies to properties in Victoria's six alpine resort areas. Two of those are in my electorate, three of those actually – Buller, Sterling and Lake Mountain. We also have Falls Creek, Hotham and Baw Baw. It is fair to say that Lake Mountain and Baw Baw are not alpine resorts, but they are collectively pulled into this for the purposes here. They have had a really tough last couple of years. They have had poor seasons. Snow-making has been a disaster, certainly at Mount Buller because of some issues with the licence to pump.

It is fair to say, and it is very understandable, that alpine resorts are very seasonal. The properties there remain vacant outside peak periods, and even so, the snow season is quite short, so the government has decided in the spirit of things to make an exemption. I am going to actually quote here from the second-reading speech, because I think that there is room to extend this a little bit further:

Due to the cyclical and seasonal demand for accommodation in alpine resort areas, lands located in these areas are likely to be considered vacant for VRLT purposes. However, the imposition of VRLT on lands located in Alpine resort areas would be inconsistent with the purpose of VLRT, which is to encourage owners of vacant residential homes to make them available for use as long term accommodation.

There are a couple of questions about this, but I think that there is room, for the exact reason that is outlined in the second-reading speech, that they could exempt these areas from the short-stay accommodation tax as well. I have been lobbied by quite a number of people. There is a bit of confusion about how that is going to apply to some of these people. We know that there are lodges that are very small, not-for-profit areas that are subject to the 7.5 per cent levy, and they are very worried that they are not going to be able to increase the cost of the accommodation to cover that. It is very seasonal in those areas. The government is trying to entice all-year-round visitation to our alpine resorts to have people there for 12 months of the year – the green season, not just the white season – and these sorts of charges are only going to discourage that. When they were looking at this, it might not have been the reason they were including it, but I encourage the government to actually go away and do a little bit more thinking about that short-stay accommodation tax for alpine resort areas. I do know that the removal of the land tax there will be welcomed by a number of people, because it is very difficult. They are never going to be up at Dinner Plain near Hotham, for example, on the permanent residential property market.

**Sarah CONNOLLY** (Laverton) (16:50): I too rise to speak on the State Taxation Further Amendment Bill 2024. I was just reminded by some colleagues on this side of the chamber that it has been a really big week this week here in this place. I have to say it has been full of nonsense coming from the other side, talking about conspiracies and all this sort of stuff, including about this bill, having listened to previous speakers. I want to talk about the bill. It is really important. It is a great time to bring it forward.

The main purpose of the bill is to act on the commitment made by our government to exempt contractor and employee GPs who provide bulk-billing services from paying payroll tax from July 2025 onwards. We really want to make sure that our primary care system is working and, most importantly, it is working as best as it possibly can and delivers the quality medical care that Victorians expect. They expect this kind of quality care, and they need it to be as bulk-billed as it can possibly

be. I know when I have to turn up to the doctor, whether it is for my husband or me or my kids, I constantly wonder how we went from it all being bulk-billed when I was growing up; I do not ever remember my mother paying and forking out as much money as we do now. The bulk-billing aspect when it comes to GPs is really important. I talked about this matter, and it was great to hear that Truganina has a great bulk-billing medical centre that offers all kinds of services, including GPs, speech pathologists and all of those kinds of thing. They are in the heart of Trug, and they are Reliance Care Medical Centre. I got to talk to a lot of those healthcare service providers, and they talked to me about some of the challenges they face. One of the things we talked about that they were so proud of is that they were a bulk-billing centre, and the local community absolutely love it.

I want to be very clear here in saying that our GPs are doing a fantastic job and doing their absolute best to deliver their care and play an integral role in Victoria's healthcare system. It is why they got into the profession in the first place. They say it is a calling to deliver the best possible care to their local community. But what we know is that the biggest challenge facing their industry right now is a decade of underinvestment in Medicare and a decade of absolute neglect from the previous federal coalition government. They are the ones of course who kept the Medicare rebate frozen while costs continued to increase. If you look at how long they were in power in Canberra for, that was about eight years of frozen rebates, eight years worth of small gradual increases that may not have kept up, forcing more and more clinics and more and more doctors to stop bulk-billing. When I say I wonder what happened when I was a kid and in my early 20s going to the GP and it was all bulk-billed, what happened? What happened to this country was a decade of neglect from a federal Liberal coalition government. I remember back in 2014 when the Abbott federal government tried to introduce a flat \$7 GP co-payment for everyone, no matter where you were, whether your clinic could accommodate bulk-billing or whether you could afford it or not. It beggars believes that a decade later they somehow succeeded. There is a lot that needs to be done to fix those mistakes, and I know that our federal government is working so hard at doing exactly this.

It is things like urgent care clinics that are fully bulk-billed that have been transformative for communities like ours in Melbourne's west. It is at these places you can show up, like the Reliance Care Medical Centre in Trug, with nothing but your Medicare card and you can get the best care that you need and deserve. This work is so important because it is taking the pressure off our hospitals. It is diverting people away from hospital emergency rooms and from flooding our hospitals because they cannot afford to see a GP or, worse still, cannot access one. Right now we are going to do our bit by delivering \$32 million to support graduate GPs, ensuring that medical students know that they can have a rewarding career working in general practice, because we know that we absolutely need more of them to follow this opportunity and follow this kind of calling that they have to look after and care for our community.

We have also invested an additional \$10 million in this year's budget into primary care, which will establish a grant scheme to be co-designed with MPs. The particular change that we are making today relates to a payroll tax decision made by the state commissioner of taxation, which actually went ahead and ruled that GP clinics may not be liable for payroll tax. The Treasurer has used his special powers, his *ex gratia* powers, to create a temporary exemption, something that this bill most importantly is going to go ahead and make permanent. This has aligned our settings with the rest of the country. It has ended the confusion over whether a clinic or a GP will be liable for this payroll tax. We have worked really closely with the primary care sector, including peak advocacy bodies like the state's Australian Medical Association branch and the Australian GP Alliance. All of these bodies have had an overwhelming response in backing these changes that are before us today, which are giving them and their members clarity and, importantly, certainty over this matter. It also allows for all of us to focus on making primary care as affordable and accessible as possible for all Victorians, because a Labor government still believes to this day it is your Medicare card and not your credit card that should get you access to health care.

This bill does not just deal with payroll tax when it comes to GPs. There are a lot of other really positive changes as well. For example, the bill is going to apply payroll tax to cases of wage underpayments. I am really proud of the fact that I was part of this government when we made wage theft a criminal offence. It was a really big moment here in this place and for our government, making wage theft a criminal offence. We were the first jurisdiction in Australia to do so, and I am even more pleased that the Commonwealth has followed suit and made several sweeping reforms to industrial relations in this country. They are changes that were, yes, long, long overdue, but we have now nationally made wage theft a crime in every state and every territory in this country, and that is something that Australians should feel very proud of. It is logical that when wages are underpaid this in turn lowers the amount of payroll tax that an employer must pay. Indeed you would think that this would seem like further incentive to go ahead and engage in this kind of illegal practice. As it stands the existing legislation only allows for the commissioner of state revenue to make reassessments of a tax liability for up to five years after the initial assessment. But most importantly, what this bill is going to do is expressly allow for the commissioner to make a reassessment for payroll tax after the five-year period where there has been a case of wage underpayment. What we are doing is we are making it really clear that if you break the law and you do not pay your workers what you should have and you get found out – and, yes, you will – you will not get off the hook for payroll tax.

This is not the only other change we have made which makes a really positive impact, though. We are also expanding the land tax exemption for social and affordable housing. Earlier this year the state budget introduced a land tax exemption for a particular list of social and affordable housing providers as well as providers of emergency accommodation. We absolutely want to see more social and affordable housing, which is a key cornerstone of our government's housing statement and indeed the recent round of housing announcements made by our wonderful Premier over this past month. We also want to make it easier for social housing providers and charitable organisations to provide housing to support some of our most vulnerable, and this exemption will help achieve that purpose.

This bill makes some really small but really important, impactful changes to Victoria's tax system. It is all about making things fairer. That is what the Labor government has been trying to do and indeed has been going ahead and rolling out right across Victoria for the last decade – making impactful changes and making things fair. Whether you are a GP clinic providing primary critical care, someone who has been the victim of wage theft or a social housing provider, the changes in this bill make it easier for you, and that is exactly the reason why I wholeheartedly commend the bill to the house.

**The SPEAKER:** The time set down for consideration of the remaining items on the government business program has arrived, and I am required to interrupt business. The house is considering the State Taxation Further Amendment Bill 2024. The minister has moved that the bill be now read a second time. The member for Sandringham has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words which have been circulated. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Sandringham should vote no.

**Assembly divided on question:**

*Ayes (51):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Statute Law Repeals Bill 2024**

*Second reading*

**Debate resumed on motion of Ros Spence:**

That this bill be now read a second time.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Aged Care Restrictive Practices Substitute Decision-maker Bill 2024**

*Second reading*

**Debate resumed on motion of Mary-Anne Thomas:**

That this bill be now read a second time.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read second time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024**

*Second reading*

**Debate resumed on motion of Melissa Horne:**

That this bill be now read a second time.

**And Tim McCurdy's amendment:**

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government conducts further consultation with affected stakeholders on when the licensing scheme should come into effect.'

**The SPEAKER:** The minister has moved that the bill be now read a second time. The member for Ovens Valley has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' with the view of inserting in their place the words which appear on the notice paper. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Ovens Valley should vote no.

**Assembly divided on question:**

*Ayes (51):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Business interrupted under sessional orders.**

*Adjournment*

**The SPEAKER:** The question is:

That the house now adjourns.

**Guru Nanak Lake**

**Matthew GUY** (Bulleen) (17:11): (931) My adjournment matter is to the Minister for Planning. In beginning my adjournment matter I want to note that tomorrow is the birthdate of Guru Nanak Dev Ji. Guru Nanak is the founder of the Sikh religion and is one of history's most significant religious figures. I note without passing an opinion that the government has renamed the Berwick Springs lake in Berwick to Guru Nanak Lake. Anything associated with the Guru should be revered. It should be, as the Sikhs would say, pure like a gurdwara, which is a Sikh temple, taking the name of the Guru. Things

must be pure and uncontaminated with sin or excess when the Guru's name is used. Hence at a gurdwara you cannot eat meat, you cannot smoke and you must certainly not attend having drunk or consumed alcohol in and around the gurdwara. To do those things would be utterly blasphemous to the Guru and indeed to all Sikhs.

I was stunned earlier today to hear the Minister for Multicultural Affairs state in the Legislative Council, 'Let's all go to Guru Nanak Lake and have a barbecue.' The minister may hold that job, but she very, very clearly does not understand that key part of her portfolio. I was stunned at the ignorance of that comment. To invoke a big meat cook-up, no doubt where people drink alcohol and some presumably smoke, in a location that evokes the Guru's name, encouraged by the Minister for Multicultural Affairs, I believe is stunningly ignorant.

So tonight I ask the Minister for Planning for the following action. Given the minister gazetted the Guru's name for this location, can she write to me and indeed to the local Sikh community in the south-eastern suburbs and advise clearly on whether she did also gazette the prohibition of the consumption of meat and alcohol at a location that invokes the name of the much-revered Guru Nanak, whose birthdate is tomorrow. Or was this gazettal done not indeed to honour those who know the Guru to be one of the most respected figures in human history, but purely for politics?

#### **Blackburn activity centre**

**Paul HAMER** (Box Hill) (17:13): (932) My adjournment matter is also for the Minister for Planning, and the action that I seek is for the minister to join me for a local walk in Blackburn to better understand the qualities that make Blackburn unique. Blackburn has been identified as one of six activity centres on the Belgrave–Lilydale line as part of the government's expanded activity centres program. Blackburn is a very special place with qualities found nowhere else in Melbourne. The residential area south of the station has the largest tree coverage of any suburb within 20 kilometres of the CBD and a large number of streets registered on the National Trust. The area is an oasis in the suburbia which surrounds it. The nearby Blackburn Lake Sanctuary is a wonderful bushland park and provides a haven for over 165 bird species. The streets extending outwards from the lake and across Blackburn Road are an integral part of the ecology of the lake area and demonstrate an excellent integration between the natural and man-made environments.

While the provision of additional housing in appropriate locations is important, any planning changes must recognise the unique environmental values that attract residents to a suburb in the first place. With the planning process expected to kick off in 2025, a visit by the minister so she can see for herself what Blackburn residents really love about their suburb will assist her putting together a plan that can respect the needs of the community. I look forward to her reply.

#### **Murray Basin rail project**

**Jade BENHAM** (Mildura) (17:15): (933) My adjournment matter this evening is for the Minister for Transport Infrastructure, and the action I seek is for him to immediately approve the use of dual-gauge sleepers on the V/Line network before wasting time and a significant amount of money replacing 24,000 concrete sleepers with broad-gauge-only sleepers on the Maryborough–Ballarat line, further delaying the completion of the Murray Basin rail project. We are aware that the Department of Transport and Planning is currently looking to approve, and are very close to approving, a gauge-convertible concrete sleeper for use on the V/Line network, which would allow that incredibly important freight corridor between Maryborough and Ballarat to be approved, enhancing and making the line for grain and rail freight from north-west Victoria to port much more efficient than it is now.

The revised Murray Basin rail project achieved some increase in grain on rail. Mind you, the 2022 bumper crop season did help. But the project has not achieved any of the four government objectives, and 72 per cent of rail freight still goes via our crumbling roads, which is absolutely atrocious. Add to this that more than \$100 million in rail-related investment continues to be suspended until the direct rail route via Ballarat to ports is reinstated, which is the line we are talking about now and on which

they are about to replace 20,000 to 24,000 concrete sleepers with broad-gauge-only sleepers. It makes no sense when the Department of Transport and Planning is looking to approve gauge-convertible concrete sleepers for use on the V/Line network. It makes absolutely no sense. I realise it may not be Labor Party policy to improve the efficiency of this rail network or to invest in regional rail at all, but I ask the minister to consider delaying this project of replacing concrete sleepers with broad-gauge-only sleepers until those gauge-convertible sleepers are approved for use on the V/Line network so we can do the job once and do the job properly.

### **Millennium House Community Centre**

**Katie HALL** (Footscray) (17:17): (934) My adjournment matter is for the Minister for Transport Infrastructure, and the action I seek is to invite Minister Pearson to Footscray to visit Millennium House, a multicultural centre that has been transformed by the West Gate Neighbourhood Fund. Since the 1960s Millennium House has served as a place for the diverse migrant communities of the inner west to gather, learn, share and support not just each other but the entire community. The upgrades, which were made possible through the West Gate Neighbourhood Fund and other generous donors, will help provide education, carers respite, culturally safe support services and so much more to the 30,000 people that visit Millennium House each year.

The West Gate Tunnel will transform the roads and neighbourhoods of the inner west, removing thousands of trucks from roads in my community. But what some may not know is that the benefits of the project have already been felt by many in the community thanks to the West Gate Neighbourhood Fund. The Allan Labor government is not just revolutionising the transport infrastructure in the inner west, it is also partnering with the community to transform the social and cultural infrastructure. I look forward to seeing the minister, as will those who will benefit greatly from this project.

### **Mount Arapiles rock climbing**

**Chris CREWETHER** (Mornington) (17:19): (935) My adjournment matter is for the Minister for Environment. The action I seek is for the minister to provide an update on the initiatives being taken to ensure Mount Arapiles remains the beating heart of rock climbing in Victoria and Australia. Growing up in Horsham, I went all the time to Mount Arapiles for climbing, abseiling, hiking, bushwalking and more, through school, cubs and scouts, youth groups, family and friends, and I went every week to Natimuk, where my sister had her gymnastics classes. So I was shocked and blindsided, along with the global climbing community, by the Labor government's decision to shut down both high-profile difficult climbs and beginner climbs at Mount Arapiles. This was announced at 5 pm the day before a public holiday, the week of the US election. There was no consultation. The government blindsided the Australian Climbing Association. The Premier broke her promise not to lock up Victoria's public land. The Premier, just over two months ago, promised:

... I won't be putting a padlock on our public forests.

But look what has happened. Was this a lie? Labor's Minister for Environment, in a panic, went to Natimuk a few days ago in what can only be labelled as a tokenistic visit after four years of secret surveys. This government has an attitude of 'We don't trust Victorians to look after the environment,' despite climbers and outdoor enthusiasts being very respectful of the environment, as well as Indigenous Victorians. Many have become champions of both. I too support protecting and enhancing our environment and Victoria's Indigenous cultural heritage, but this should not come at the cost of basic outdoor pursuits like rock climbing, which gets people into nature and is good for health, mental health and more. It also gets young people off their iPads.

With the member for Lowan and many coalition colleagues, I joined mountain climbers and others on the steps of Parliament today protesting this. All parliamentarians were invited, but no-one from Labor or the Greens turned up. Many of these rock climbers then joined question time, where the Premier failed to answer questions on closing rock climbing sufficiently. One example raised today by a



Natimuk doctor was the impact this will have on attracting doctors, nurses and others who would otherwise come to places like Natimuk because they love rock climbing. This decision will kill Indigenous opportunities in local rock climbing and have a flow-on impact to businesses as well.

The government is ignoring common sense. That also includes in the Mornington electorate, where they have been silent on opening up the decommissioned South East Water reservoir to the public as an alternative to development or on helping fix the broken Beleura cliff path or the Balcombe estuary boardwalk, closing off access to our nature, local amenity and tourism. After Mount Arapiles what is next – hiking, bushwalking, bike riding? The government's decision to close and shut down rock climbing at Mount Arapiles is disgraceful. I call on this government to listen to our community and to have common sense.

### **Australian Art Orchestra**

**Nina TAYLOR** (Albert Park) (17:22): (936) My adjournment matter is for the Minister for Creative Industries, and the action I seek is for him to attend the celebration of the Australian Art Orchestra's 30th anniversary concert taking place at the Melbourne Recital Centre. This milestone event celebrates three decades of the Australian Art Orchestra's remarkable contributions to the arts across Victoria. Over the past 30 years the AAO has profoundly shaped our creative communities through its transformative and culture-defining art music. This concert promises to be an extraordinary journey of memory, imagination and celebration, offering a unique window into the past, present and future of this iconic organisation. The arts are at the heart of Victoria's cultural and economic identity, and events like this highlight the importance of supporting our vibrant creative industries. They foster innovation, connect communities and showcase Victorian talent on a global scale. I encourage the minister to join this celebration and witness firsthand how organisations like the Australian Art Orchestra continue to elevate Victoria as a cultural powerhouse.

### **Abortion law reform**

**Gabrielle DE VIETRI** (Richmond) (17:23): (937) Around the world we are seeing a resurgence of right-wing politicians trying to control women's and trans and gender-diverse people's bodies and restrict their access to abortion and reproductive health. We have seen it in the US but also in Australia, from South Australia to Queensland and federally with the Nationals. Here in Victoria women and trans and gender-diverse people have a legal right to abortion, but there are still barriers to access, especially in disadvantaged and marginalised communities and for culturally and linguistically diverse people. Improving access, redressing these stark inequalities and ensuring that every hospital that receives public money provides access to –

**Anthony Carbines:** On a point of order, Deputy Speaker, it would assist if we understood, for members in the house, who the adjournment is directed to, of the ministers in the government.

**The DEPUTY SPEAKER:** The member for Richmond has not yet specified a question, but she has still got time left.

**Gabrielle DE VIETRI:** I will come to, and I will be very clear about, my question and who it is for. Improving access through addressing the inequalities and ensuring that every hospital that receives public money provides medical and surgical abortions as routine health care should be priorities of this government.

But today I want to talk about protecting the rights we already have, because politics today teaches us that we should never take our hard-won gains for granted. It was only in 2022 that it became possible to access legal abortions in every state and territory in Australia – two years ago – and it could take just one change of government to roll that back. The ripples of conservative debates threatening our autonomy over our bodies are no longer ripples; they are surging tides, and they are threatening to take away the right to a safe abortion. That is why the action that I seek from the Premier is to protect the right to an abortion, to safeguard it against the whims of a future conservative government. We could

do that here in Victoria by enshrining that right in the constitution. All women, all trans and gender-diverse people: your body, your choice, always.

### **Keon Park train station**

**Nathan LAMBERT** (Preston) (17:26): (938) My adjournment matter is for the Minister for Transport Infrastructure, and the action I seek is for the minister to join me in a visit to Keon Park to inspect the new station and the Hughes Parade intersection. It is no exaggeration to say that this particular project is one of the most significant ones ever undertaken in the Keon Park and Merrilands areas. In fact, probably in terms of its size and complexity, it is the most significant ever. It has removed the dangerous and congested level crossing at Keon Parade, which is used by thousands of motorists and cyclists every day. It has delivered a fantastic new station on the south side of Keon Parade. It has delivered a safer Hughes Parade intersection, and it has delivered more bike paths, greener community spaces and thousands of new native plants.

We are very grateful to the team who have worked very hard to make it all happen and who have really become part of that Keon Park community over the last couple of years. Obviously we did not get the chance to meet all of the workers involved – there were hundreds on the project – but I would like to extend our particular thanks to the program director Andrew Peplinkhouse; the deputy program director Ian Ransley, who put up with many questions regarding the superstructure and screens and native vegetation and other issues; Matt Valvo, whose engineering explanations were greatly appreciated; and the amazing Sarah MacNish, who has moved on to other projects but who made a huge contribution as project manager and also earlier at the Moreland level crossing removal project in the member for Pascoe Vale’s neck of the woods. Of course supporting that leadership team were hundreds of civil construction professionals, including cadets like Tao and Mitch, who we met, and graduates like Sam, who is a graduate of the Melbourne University engineering faculty, and a fine faculty it is, if I can say so.

I would also like to thank the community engagement teams. There is a lot of disruption with these projects. It is important to bring the community with you. There were some issues with the closeness of the Trinity and Cappella apartments, which they continue to work on. They worked with Prace, the Endeavour Foundation, the Johnson Street businesses and the Alawi Islamic Social Centre. Their work actually culminated in a fantastic community day where 2500 people attended and enjoyed free rides, games, food and coffee and some great musical acts, including the Darebin Brass Band, the best brass band in the state. Thank you to Ali, Georgia, Jo, Amelia, Steph, Saskia and the whole team, and a special shout-out to Reservoir local Steve.

While the major works are complete, there are still matters to work through, and the minister’s visit, if he is able to do so, will be a chance to both reflect on the great work undertaken to date, but also to pick up on some of those continuing matters. We thank the minister very much for his consideration.

### **Brunswick tram depot**

**Anthony CIANFLONE** (Pascoe Vale) (17:28): (939) My adjournment matter is for the Minister for Public and Active Transport, and the action I seek is for the minister to provide my community with an update on the progress of plans to upgrade the Brunswick tram depot, which has long been the heartbeat of local tram operations in Merri-bek.

The Brunswick and Coburg councils first considered a tramline on Sydney Road to Melbourne in 1881, but it was not until October 1887 that the Melbourne Tramway and Omnibus Company ran a cable tram only to Moreland Road. At the time the Coburg farmers were said to have opposed the cable tram because it was likely to startle their horses as they carted hay down to Melbourne. A horse tram was opened to Gaffney Street in 1888, with some referring to it as the ‘Slow-burg’ because apparently the lethargy of the horses was only matched by that of the drivers at the time, who were slow to start but quick to stop for a chat with a driver coming from the other direction once the line was duplicated in 1891. A Coburg land boom followed these evolving transport links, with Upfield

previously opening in 1884 and with land companies purchasing farms, subdividing them and offering them to willing speculators and homemakers – very much a case of back to the future.

By late 1912 it was agreed that a new electric tramway from the city would run along Lygon Street, Holmes Road, Nicholson Street and Moreland Road, then up Sydney Road, terminating at Bakers Road. That is a hybrid of today's route 1 and route 19. The Brunswick and Coburg tramways trust was created in 1914, headed by former Coburg mayor Thomas Reynolds, with the first electric tram running to Bakers Road on 27 April 1916.

By 1917 the tramline from Moreland Road had been extended along Nicholson Street to Bell Street – today's route 1 – and it was not until June of 1927 that the Coburg West line along Melville Road was completed to Bell Street, with a single track north of Moreland Road. With a growing population and growing patronage, a £30,000 Brunswick tram depot was opened on 26 April 1936, bounded by Sydney Road, Moreland Road and Cameron Street. While the depot has received its fair share of face lifts over its almost 90-year history, I am delighted to say that this Victorian Labor government's record \$115 million investment will help secure its future over the coming century.

It was great to accompany the Minister for Public and Active Transport on a visit to the tram depot on 17 September to welcome the new upgrades that are going to get underway soon, including an expanded tram depot building to house and accommodate the next-generation trams, increasing the number of trams that can be stabled and serviced at the depot from 49 to 60, new and upgraded maintenance facilities to service the growing tram fleet, modern administration buildings, amenities and car parking to cater for over 210 more tram drivers and depot staff – proudly Rail, Tram and Bus Union members – up from the current 170 staff, a new game-changing tram exit from the depot directly onto Sydney Road to free up and decongest Cameron Street and Moreland Road – the depot's only current access point – new accessible tram stops along Moreland Road and improved power resilience through power upgrades.

We are going to be complementing the world-class Moreland station precinct, which the member for Preston referred to earlier, over the road through these works. The works will help support ongoing tram services along Moreland Road route 6, Sydney Road route 19, Nicholson Street route 1 and of course Melville Road route 58. The tram depot's upgrades will also continue to preserve the depot's tram history in terms of having been the place of Joyce Barry, who was selected as the first woman tram driver in 1956.

### VCE exams

**Jess WILSON (Kew) (17:31):** (940) My adjournment matter is for the Minister for Education, and the action I am seeking is an apology to the year 12 students of Victoria, who have yet again had their exams compromised by the Victorian Curriculum and Assessment Authority. One year ago almost to the day I stood in this place and called on the minister to commission a comprehensive and independent investigation of the 2023 VCE exam process conducted by the VCAA. This was off the back of multiple errors made during the 2023 VCE exam period across specialist maths, general maths and chemistry.

Let us not forget that in 2023 errors came off the back of the 2022 maths exams, which were so riddled with errors that Labor had to call in Deloitte to try and clear things up. Last year, with the usual Labor fanfare, a review was conducted, and we were assured that those issues would be addressed. 'No more problems. Nothing to see here,' the VCAA and the minister told us. But once again, for the third year in a row, the government has put Victorian students at a disadvantage. For three years in a row the VCAA and the Labor government have shown how little they care for the hard work and stress our year 12s go through during exams. Three years in a row the Allan Labor government has overseen bungled VCE exam periods, and now students are paying the price. It is so incredibly unfair for our VCE students, who work so hard, study so hard for their exams and then have their exams' integrity called into question.

It is beyond clear that the review of the 2023 exams has failed to fix systemic issues at the authority. These errors continue to persist, and these are only the ones that we know about. It is simply impossible to have confidence that there are not errors that we have not yet discovered. In four subjects thousands of students had access to documents that have been described as 'de facto cheat sheets'. These sample exams contain almost identical questions and case studies to the final exam papers. Extraordinarily, the VCAA and the minister were notified of this issue in mid October – weeks ago – and yet they still allowed tens of thousands of Victorian students to sit the exams that they knew had been compromised online. Can I pay tribute to specialist maths teacher John Kermond, who has been belling the cat on this and trying to call out the VCAA for their ongoing failures.

Make no mistake, three years in a row presents a pattern of very concerning behaviour. This is a pattern of behaviour we had been assured would be stopped but instead has persisted yet again into 2024. We need the minister to guarantee that no more exams will be compromised during this VCE period, and we need the minister, on behalf of the VCAA, to apologise to all VCE students.

### Responses

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (17:34): The honourable member for Bulleen raised a matter for the Minister for Multicultural Affairs. I will not go into the details of it, only because there was a little bit of commotion in the chamber, and I would not want to get it inaccurate. But I know our marvellous Hansard colleagues have it all there and recorded, and I will make sure the Minister for Multicultural Affairs follows up those matters. The member for Box Hill raised a matter –

**The DEPUTY SPEAKER:** Minister, I believe it was the Minister for Planning for the member for Bulleen.

**Anthony CARBINES:** It was planning, was it? I stand corrected. There was just a bit of commotion and it was hard to hear at that time, so I appreciate the guidance. The member for Box Hill raised a matter for the Minister for Planning also, and that was with regard to visiting a magnificent place out in his electorate of Blackburn and discussions around activity centre work there. The member for Mildura raised a matter for the Minister for Transport Infrastructure seeking approval for dual-gauge sleepers on the V/Line network. The member for Footscray raised a matter for the Minister for Transport Infrastructure to visit the Footscray Millennium House, which she has a close connection with, and it does great work. The member for Mornington raised a matter for the Minister for Environment seeking an update on initiatives to ensure that Mount Arapiles remains a climbing venue for rock climbers from our state and around the world. The member for Albert Park raised a matter for the Minister for Creative Industries inviting him to attend the celebration of the 30th anniversary event of the Australian Art Orchestra.

The member for Richmond raised a matter for the Premier with regard to action on abortion being included and enshrined in the constitution. I take the opportunity to make the further point on that matter that it was the Abortion Law Reform Act 2008 that decriminalised abortion in this state, and one of the members in this place who voted and advocated strongly for that work is the Premier of Victoria, the member for Bendigo East. I say further to the member for Richmond and the Greens political party more generally, who seek to perhaps muddy the waters in relation to some of the issues in their own now diminished caucus after these past couple of weeks by throwing other very serious matters around, that they do not seem to understand that wedge comments imperil hard-won rights here under law for Victorian women and for Victorian families and others more generally. I would caution against some of the throwing around of some of these issues by the Greens political party but particularly the member for Richmond. I will be sure to pass on these matters for consideration by the Premier but stand by her very eloquent and comprehensive response in question time yesterday and the work that she has done to advocate time and time again to deliver real outcomes to women and to Victorians right across the state.

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The member for Preston raised a matter for the Minister for Transport Infrastructure seeking that he visit Keon Park station and view the magnificent work done around the intersection there. I am not sure if the Keon Park squash courts are still there, but the work along the station is pretty magnificent, and I am sure the transport infrastructure minister would be keen to visit. The member for Kew raised a matter for the Deputy Premier and Minister for Education seeking action around an apology for year 12 students for the actions of the VCAA – if my memory serves me, the Victorian Curriculum and Assessment Authority – and I will be sure to pass it on. It has been a while. The member for Pascoe Vale, not quite in this order, did raise a matter for the Minister for Public and Active Transport to seek an update, information and a discussion on the Brunswick tram depot. I commend those matters to the house.

**The DEPUTY SPEAKER:** Thank you, Minister, members, attendants and clerks. The house stands adjourned until Tuesday week.

**House adjourned 5:39 pm.**