



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 28 November 2024

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Georgie Crozier

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	IndLib	Ratnam, Samantha ⁵	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem	Northern Metropolitan	DLP
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina ³	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David ⁴	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard ⁶	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² Lib until 27 March 2023

³ Appointed 14 November 2024

⁴ LDP until 26 July 2023

⁵ Resigned 8 November 2024

⁶ Appointed 7 February 2024

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;

Greens – Australian Greens; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;

LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;

Nat – National Party of Australia; PHON – Pauline Hanson’s One Nation; SFFP – Shooters, Fishers and Farmers Party

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Thursday 28 November 2024

The PRESIDENT (Shaun Leane) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

*Announcements***Felicitations**

The PRESIDENT (09:33): Members, it is the last sitting day of the year. The great thing about the last sitting day of the year is I get to make a contribution in this chamber. Can I start by personally thanking the acting presidents, in the order I look at them, John, Michael, Jeff and Bev, and of course Wendy for the great job she does as Deputy President. It can be a tough –

Members interjecting.

The PRESIDENT: And Jacinta Ermacora; sorry. I have been on no sleep. It can be a tough, unforgiving role upholding our standing orders. Can I thank members for their cooperation with me and patience with me. My ego can take it. I do not always get it right, but I really enjoy that people are prepared to challenge me. I think it is a really good thing for us to go forward. I really appreciate that MPs accept that the standing orders and the rules are not mine. They are our standing orders and rules – all our standing orders and rules. We had the opportunity at the start of this session of Parliament to put sessional orders in if anyone was not happy with the way it worked in the previous term. There is also the opportunity, which has been proven this term, for notices of motion to be put up to change the standing orders – for example, short-form documents motions and things like that, which we have done during the term. So the processes are there.

I thank everyone for their cooperation around that, and as I said to Ms Ermacora – I apologised when I missed her out – I have been on no sleep, so I have been thinking about this. Imagine if we did not have any standing orders or rules in this place. Imagine how we would go about the core business the good people of Victoria expect us to do. Our core business is passing legislation and moving amendments, our core business is obviously motions on matters of importance to Victorians and also our core business is keeping the executive to account. That is what I think the good people of Victoria expect us to do, and I pictured that if there were no rules, I reckon we would last a couple of weeks until our bosses, the good people of Victoria, would sack us, because I reckon we would get nothing – nothing – done. This place could be turned into a restaurant, like shock jocks on a rotation of every couple of years suggest. If you ever want to check your ego in being an MP, listen to talkback radio when MPs get a pay rise. If you ever want to check your ego, there are already people that do not think we should get paid every second week. There are already people that would prefer that we hit ourselves with sticks down on Bourke Street every second week than get paid, and there would still be people ringing up Raf and saying, ‘These MPs should be using bigger sticks.’ Thank you for that.

Now, something on behalf of all of us: I want to thank our magnificent clerks. They are magnificent – Robert, Anne, Richard, Keir, Sally – they are just great help. The attendants – Michael and his squad – thank you very much. The papers office – Annemarie Burt, Vivienne, the whole team – they are just fantastic. We are so lucky to have that resource, and we really appreciate it. I thank of course Hansard, broadcasting, all of DPS. Can I give a special shout-out to the security and PSOs this year. It has been a pretty challenging year. We really respect that they have got a tough job, and we really appreciate the ends they go to to keep us safe. I think nearly all of us have probably had a chat to Adam Boyd about something that we have had to deal with, and we are so lucky that he is hanging around the back of our chamber, but I thank all of the security staff too. The tradies, who I love. I love the tradies. Thank you to IT – Chris Prasad is a living legend in Parliament, and he and his team –

Melina Bath interjected.

The PRESIDENT: He is not that old, but he is a living legend as far as our staff are concerned. I want to shout out to the Speaker Maree Edwards and the Clerk of the Legislative Assembly Bridget Noonan and all her team on the other side of the world, who are great partners of ours. Something that I should do more, and it is the last thing I want to say, is I want to give a shout-out to the magnificent Nat Tyler, without whom nothing happens, seriously.

Melina Bath: A good Essendon supporter!

The PRESIDENT: Good – well, maybe not. And then there is all of her assistance to me. There is a saying that some things are hard to polish. She is magnificent.

I am doing this now so that when the adjournment comes we will all be out of here in a big hurry. I just want to wish all members of this chamber a great break, and when we come back in February we will get back into some democracy.

Committees

Public Accounts and Estimates Committee

Membership

The PRESIDENT (09:40): I advise the house that I have received a letter from Danny O'Brien, member for Gippsland South, resigning from the Public Accounts and Estimates Committee effective 27 November 2024.

Bills

Corrections Amendment (Assisted Reproductive Treatment) Bill 2024

Introduction and first reading

Georgie CROZIER (Southern Metropolitan) (09:40): I introduce a bill for an act to amend the Corrections Act 1986 to provide that a prisoner does not have the right to undergo assisted reproductive treatment or any procedure for the purposes of another person undergoing assisted reproductive treatment and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Georgie CROZIER: I move:

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

Motion agreed to.

Papers

County Court of Victoria

Report 2023–24

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:41): I present, by direction of the Governor, the County Court of Victoria report 2023–24. I move:

That the report be tabled.

Motion agreed to.

Magistrates' Court of Victoria*Report 2023–24*

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:42): I present, by direction of the Governor, the Magistrates' Court of Victoria report 2023–24. I move:

That the report be tabled.

Motion agreed to.

Supreme Court of Victoria*Report 2023–24*

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (09:42): I present, by direction of the Governor, the Supreme Court of Victoria report 2023–24. I move:

That the report be tabled.

Motion agreed to.

Victorian Infrastructure Delivery Authority*Tunnel and Stations Public Private Partnership: Project Summary Addendum 2*

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (09:42): I move, by leave:

That Metro Tunnel's *Tunnel and Stations Public Private Partnership: Project Summary Addendum 2* be tabled.

Motion agreed to.

Department of Families, Fairness and Housing*Inclusive Victoria: State Disability Plan*

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (09:43): I move, by leave:

That the *Inclusive Victoria: State Disability Plan – Midway Report 2022–2024* be tabled.

Motion agreed to.

Department of Energy, Environment and Climate Action*Sustainability Fund Activities Report*

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (09:43): I move, by leave:

That the 2023–24 *Sustainability Fund Activities Report* be tabled.

Motion agreed to.

Committees**Economy and Infrastructure Committee***Inquiry into Local Government Funding and Services*

Georgie PURCELL (Northern Victoria) (09:43): Pursuant to standing order 23.22, I table a report on the inquiry into local government funding and services, including appendices, extracts of proceedings and minority reports from the Economy and Infrastructure Committee, and I present the transcripts of evidence. I move:

That the transcripts of evidence be tabled and the report be published.

Motion agreed to.

Georgie PURCELL: I move:

That the Council take note of the report.

I am very pleased to table the final report from the Economy and Infrastructure Committee for this year, and this was our longest one yet. It was a really, really big one, and we learned a lot of valuable information that is in this report today. Local government is one of the three tiers of government in Australia, and in many ways we learned it is in the most difficult position of all of them. It is a level of government that is closest to individual communities, as it is drawn from people within the communities and provides services that on a practical level are very important to those local communities and the people that live within them. At the same time as meeting the needs of local communities, local government is extremely limited in its ability to raise revenue and thereby pay for the services that it is expected to provide.

During this inquiry the committee heard from a significant number of local government representatives about the challenges that they are facing in meeting the demands of the community today, right now, and in remaining sustainable into the future. The committee heard about the tensions between the financial challenges faced by local government councils and the capacity of ratepayers to meet the financial demands made on them. It also heard from councils about cost shifting from the other levels of government onto local government and the financial strain that this places on councils. In the submissions that were received by the committee and evidence given in public hearings – we had some great public hearings out in the regions; we travelled to northern Victoria, western Victoria and eastern Victoria, which was certainly a great experience for us regional members – we heard the concerns of both local government councils and ratepayers, and they were canvassed very widely.

This report has attempted to provide a balanced analysis of the issues faced and to provide some ways for a pathway forward. I would like to thank the people who took the time to provide their expertise and views in the high-quality submissions received by the committee and for working with us when council elections were actually on at the same time, which put significant strain on them. I would especially like to thank those who took the time to appear before the committee to give evidence and come along to public hearings, especially in the regional areas. The committee greatly appreciated the effort made by all witnesses and everybody involved. I would especially like to thank the committee members, who approached the issues raised during the inquiry professionally and with courtesy to each other and to those appearing before the committee. Like most inquiries, and like in here, there were a number of different views and we did not always agree – we often had opposing views – but despite the differences in opinion on the way forward, members maintained for the most part a level of courteous and respectful discussion throughout.

Most of all I would really like to thank the committee secretariat for their professionalism and dedication to the inquiry and to this report: committee manager Michael Baker, inquiry officer Kieran Crowe – who is a research assistant but also now an inquiry officer, so congratulations, Kieran – and Jessica Summers. They all provided very high quality support for the committee's work. In addition, administrative assistance was provided by Tayla Barker, Julie Barnes and Sylvette Bassy, and it was invaluable to the smooth running of the inquiry. The committee would also like to thank and acknowledge Jeffrey Ding, a graduate intern who provided valuable background research for the inquiry.

David DAVIS (Southern Metropolitan) (09:48): I want to begin by complimenting the chair and other committee members for the work that was done on this inquiry, and also compliment particularly the staff. It has been a large inquiry and it has been a challenging inquiry but an important one. Local government plays a very significant role in our community. Occasionally we may have our differences with our local governments, but having said that, I and many others strongly respect the role that local government plays.

What became clear as the inquiry went on is that this government is pushing more and more pressure onto local government, and there are some classic examples. The immunisation example is the one

that strikes me from this inquiry. What a dumb idea from the Department of Health to put a new tax on every council to run the immunisation system and then a \$2 charge per jab for every kid that gets an immunisation. I support immunisation. I want to see it at high levels so that we have a safer community, particularly for our children. The Allan Labor government's approach is to put a tax on immunisation. It is absurd. I say that this is a classic example of how an inquiry can uncover bad and unsatisfactory practices. This should be reversed. The state government should get rid of its tax on immunisation. It is just such a stupid idea.

The cost shifting that councils face is significant. I very much believe that our roads and our institutions need proper support and proper maintenance, and we have seen through this inquiry the state government's utter failure to properly support local government, instead repeatedly cost shifting onto them. What we are actually seeing and one of the consequences here of the state government's terrible debt – *(Time expired)*

Sarah MANSFIELD (Western Victoria) (09:50): I too would like to acknowledge the work of the chair, the deputy chair, all of the staff and everyone who was part of this inquiry. As has been mentioned, it was a lengthy inquiry and a really important one. Local government is one of the most important levels of government. It is the closest level of government to the people, but its remit is enormous. What local government can achieve with the resources that it has is quite extraordinary, and it plays such an important role in local communities.

The evidence that we heard throughout this inquiry I think painted quite a dire and urgent picture in terms of the financial sustainability of councils. That is something that should worry all of us, because ultimately it is going to end up falling to other levels of government and onto individual community members to pick up the pieces if our local governments fail. The overwhelming body of evidence from councils and representative bodies was that councils are facing major structural financial barriers, and they have limited capacity to address these on their own. Some councils are already having to reduce the services that they provide. They are already having to limit the investment in new infrastructure, and there is a really worrying trend in many councils of a decline in asset renewal and maintenance, which sounds a bit dull but should be a concern to all of us, because when assets fail they are very expensive to fix and it means communities are left without much-needed infrastructure.

There are many issues that need to be addressed. Rate capping and cost shifting were two of the headline ones; the grants system as well is a major issue. But one of the things I want to highlight that really stood out for me is that local government wants to be seen as a trusted partner of other levels of government. At the moment they do not feel that that is the case. I think that is an area that this government should really look to focus on to once again restore trust with local government.

Michael GALEA (South-Eastern Metropolitan) (09:52): I also rise to speak on the local government inquiry report by the Economy and Infrastructure Committee. Although I was a participating member, I did have the privilege of serving on this inquiry, particularly in hearing from the local councils in my region – Knox, Cardinia and Frankston. They each shared with us the unique challenges that face them, be it from urban growth or densification. I would like to particularly thank outgoing Knox mayor Cr Jude Dwight and CEOs Carol Jeffs of Cardinia and Phil Cantillon of Frankston for sharing their insights with us. It is indeed a great privilege to serve as a member of Parliament on committee inquiries. It is a privilege because of the opportunity it presents for us to turn up, to listen and to act. The inputs of the various local councils, in particular those of the South-Eastern Metropolitan Region, are particularly invaluable to me as a representative of the region I am proud to serve, because representing an area in this Parliament is an immense privilege, and it is a privilege most honourably exercised when it is executed with a focus on the communities that we represent.

I must also make note of the hardworking secretariat, in particular Michael Baker, who diligently supported our inquiry, and committee chair Georgie Purcell for her conscientious leadership. I thank all the committee members who participated in this report, and I look forward to further debates and discussions about this very important topic.

Evan MULHOLLAND (Northern Metropolitan) (09:54): I too would like to speak on the local government inquiry review. I would firstly like to state that it was a great inquiry that was proposed by the opposition and agreed upon by this chamber but I believe opposed by the Labor Party at the time. It is good to hear that they enjoyed this review. It was really great to get around to lots of different parts of our state. I was speaking yesterday about how great inquiries like this are in terms of learning new things and getting more involved in learning about the processes of government and local government in particular. It was great to visit places like Camperdown, Traralgon and Frankston, and it was really great for me to be able to heavily lobby the committee and secretariat to bring this inquiry to Broadmeadows. That was a really fantastic opportunity to hear from Hume City Council and growth area councils as well.

I have to say one of the interesting things about this – Mr Davis spoke about immunisation, and we heard about the Labor government gutting the Growing Suburbs Fund to basically a useless level for them – is that it is clear that the Labor Party are as divided as ever. Throughout the inquiry we saw, and we see in the reports, Labor members voting against each other's motions, voting against each other. One Labor member on the other side even voted for a review of the rate cap. I do not think Victorians facing a cost-of-living crisis would agree with that, but it was good to see that a particular Labor member produced a minority report viewing favourably the coalition's country roads and bridges program, so that is something interesting to note. I will say again the Labor Party did not want this inquiry and are still heavily divided against each other on different parts of the report, so it is clear they are not going to have a very good Christmas or a very good summer.

Bev McARTHUR (Western Victoria) (09:56): I too would like to speak on this report and thank Georgie for her excellent chairing of the committee, all the members and the secretariat for their work and the councils that contributed. It was in Camperdown that we revealed that the Labor government are going to apply a vaccination tax – a vax tax – on the citizens of Victoria via their ratepayers. I was very regretful I could not be at the deliberation hearing, but I am very grateful for Gaelle Broad, who subbed in for me and did a great job, and I thank her for all the work on our minority report. But I was most interested to see that Ms Terpstra voted on numerous occasions with the Liberal members on the committee to reject the Labor members' amendments. That was fascinating. And I am so pleased she has come to grips with supporting the roads and bridges funding, that wonderful Liberal policy and coalition policy – an excellent approach from Ms Terpstra supporting the Liberal–National coalition. She has done well in this regard. But I do want to say that one of the points in our minority report is very important – recommendation 4, that:

The Victorian Government should amend the *Aboriginal Heritage Act* and cultural heritage management processes to clarify the definition of “undisturbed land,” implement standardised fees, introduce a right of appeal for landholders, and establish requirements for cultural heritage assessments to ensure greater transparency.

That is vitally important, and along with the dreadful examples we got of cost shifting, where ratepayers in Victoria are being absolutely attacked by this state government, who demand that a policy be implemented but ratepayers pay – and free kindergarten is a good example.

Gaelle BROAD (Northern Victoria) (09:58): I am very pleased to speak about this report, and it is a very important report. I think I heard there are 28 or so councils. We have a lot in Northern Victoria, so I do want to thank the chair and the other members of the committee and most importantly the people that have made the time to make a submission. It is very important to hear from ratepayers. We only heard from a few, but their contribution was significant. There were a number of issues raised. The report itself had 47 findings and 48 recommendations. Financial sustainability at councils was significant, and who is monitoring that was a big question. Cost shifting was talked about a lot. We know that a lot has been pushed with libraries and school crossings, and there are a number of councils pulling out of programs.

There is a challenge with assets, because a lot of assets are looked after by local councils and they do not always have the funds to continue to maintain them or insure them. Our grants process was raised

as a challenge. Certainly for regional councils that have to compete for grants, it makes it very difficult. And it was very unusual to see the state government actually take some funding out of a federal grant to local councils for administration purposes – that is a big no-no. And a lot of councils talked about not having a seat at the table when it comes to decision-making. I know that was something that the M9 talked about. The country roads and bridges program was certainly appreciated. I encourage people to check out the minority report put forward by the Liberals and Nationals, because it talks about the need for renewable energy facilities to be on a more level playing field, because there are a lot of farmers and people out there that are carrying a heavy load when it comes to the fire services levy. Developer contributions were also mentioned, and on cultural heritage the need for greater transparency in that area. I do encourage people to go online to the Parliament of Victoria website to check out the report and more importantly the minority report at the back.

Motion agreed to.

Papers

Papers

Tabled by Clerk:

- Auditor-General – Staff Wellbeing in Fire Rescue Victoria (*Ordered to be published*).
- Australian Grand Prix Corporation – Report, 2023–24.
- Beaufort and Skipton Health Service – Report, 2023–24.
- Caulfield Racecourse Reserve Trust – Report, 2023–24.
- Cenitex – Report, 2023–24.
- Central Gippsland Health Service – Report, 2023–24.
- Commissioner for Environmental Sustainability – Minister’s report of receipt of the 2023–24 Report.
- Community Visitors – Report, 2023–24 (*Ordered to be published*).
- Consumer Affairs Victoria – Report, 2023–24 (*Ordered to be published*).
- Corangamite Catchment Management Authority – Report, 2023–24.
- Country Fire Authority (CFA) – Report, 2023–24.
- Court Services Victoria – Report, 2023–24.
- Crimes (Assumed Identities) Act 2004 –
 - Report, 2020–21, under section 31 of the Act, by the Independent Broad-based Anti-corruption Commission.
 - Report, 2021–22, under section 31 of the Act, by the Independent Broad-based Anti-corruption Commission.
 - Report, 2022–23, under section 31 of the Act, by the Independent Broad-based Anti-corruption Commission.
 - Report, 2023–24, under section 31 of the Act, by Victoria Police.
- Dhelkunya Dja Land Management Board – Minister’s report of receipt of the 2023–24 Report.
- East Gippsland Region Water Corporation – Report, 2023–24.
- Environment Protection Authority (EPA) – Report, 2023–24.
- Fire Services Implementation Monitor – Report, 2023–24.
- Fisheries Act 1995 – Report on the disbursement of Recreational Fishing Licence Revenue from the Recreational Fishing Licence Trust Account, 2023–24.
- Forensic Leave Panel – Report, 2023.
- Gunaikumai Traditional Owner Land Management Board – Minister’s report of receipt the 2023–24 Report.
- Harness Racing Victoria – Report, 2023–24.
- Heritage Council of Victoria – Minister’s report of receipt of the 2023–24 Report.
- Melbourne Convention and Exhibition Trust – Report, 2023–24.

Mental Health and Wellbeing Commission – Report, 2023–24.
 Mental Health Complaints Commissioner – Report, 1 July to 30 August 2023.
 Mildura Base Public Hospital – Report, 2023–24.
 National Parks Act 1975 – Report, 2023–24 on the working of the Act.
 Phillip Island Nature Parks – Report, 2023–24.
 Professional Standards Council of Victoria – Report, 2023–24.
 Puffing Billy Railway Board – Report, 2023–24.
 Racing Integrity Commissioner – Report, 2023–24.
 Robinvale District Health Services (RDHS) – Report, 2023–24.
 Safe Transport Victoria – Report, 2023–24.
 Seymour Health – Report, 2023–24.
 Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule No. 132.
 Surveillance Devices Act 1999 –
 Report, 2021–22, under section 30L, by the Independent Broad-based Anti-corruption Commission.
 Report, 2022–23, under section 30L, by the Independent Broad-based Anti-corruption Commission.
 Reports, 2023–24, under section 30L, by the –
 Independent Broad-based Anti-corruption Commission.
 Environment Protection Authority.
 Surveyors Registration Board – Minister’s report of receipt of the 2023–24 Report.
 Sustainability Victoria – Report, 2023–24.
 Treaty Authority – Report, 2023–24.
 Triple Zero Victoria – Report, 2023–24.
 Trust for Nature (Victoria) – Report, 2023–24.
 VicForests – Report, 2023–24.
 Victims of Crime Commissioner – Report, 2023–24.
 Victorian Civil and Administrative Tribunal (VCAT) – Report, 2023–24.
 Victorian Environmental Assessment Council – Report, 2023–24.
 Victorian Fisheries Authority – Report, 2023–24.
 Victorian Gambling and Casino Control Commission – Report, 2023–24.
 Victorian Institute of Forensic Medicine – Report, 2023–24.
 Victorian Institute of Forensic Mental Health (Forensicare) – Report, 2023–24.
 Victorian Marine and Coastal Council – Report, 2023–24.
 Victorian Planning Authority – Report, 2023–24.
 Victorian Responsible Gambling Foundation – Report, 2023–24.
 Yarram and District Health Service – Report, 2023–24.

Proclamation of the Governor in Council fixing an operative date for the following act:

Justice Legislation Amendment (Integrity, Defamation and Other Matters) Act 2024 – Division 2 of Part 12–
 10 February 2025 (*Gazette S648, 26 November 2024*).

Petitions

Recognition and settlement agreements

Response

The Clerk: I have received the following paper for presentation to the house pursuant to standing orders: the Minister for Treaty and First Peoples’ response to the petition titled ‘Halt Barengi Gadjin Land Council recognition and settlement agreement’, presented by Mr McCracken.

Production of documents

Bridge maintenance

The Clerk: I have received three returns to orders for production of documents. Firstly, I table a letter from the Attorney-General dated 20 November 2024 in response to a resolution of the Council on 30 October 2024 on the motion of Mrs Deeming relating to road and rail bridge infrastructure. The letter states that the date for production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

Middle East conflict

The Clerk: I further table a letter from the Attorney-General dated 21 November 2024 in response to a resolution of the Council on 15 May 2024 on the motion of Dr Mansfield relating to government agreements with Elbit Systems and the Israel Ministry of Defense. The government have identified three documents within the scope of the order and make a claim of executive privilege over two documents in full and one document in part. I further table the one document in part and schedules of the identified documents.

Health services

The Clerk: Finally, I table a letter from the Attorney-General dated 25 November 2024 in response to a resolution of the Council on 14 August 2024 on the motion of Ms Crozier and further to the government's initial response on 27 August 2024 relating to funding Victoria's health services. The government have identified 83 documents within the scope of the order and make a claim of executive privilege over all these documents in full. I further table a schedule of the identified documents.

Business of the house

Notices

Notices of motion given.

David DAVIS (Southern Metropolitan) (10:20): I move, by leave:

That notices of motion be extended for a further 10 minutes.

Leave refused.

The PRESIDENT: I apologise if anyone missed out. I am sure that in the next sitting week they will get a go.

Adjournment

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (10:20): I move:

That the Council, at its rising, adjourn until Tuesday 4 February 2025.

Motion agreed to.

Motions

Middle East conflict

Anasina GRAY-BARBERIO (Northern Metropolitan) (10:21): I move, by leave:

That this house:

(1) notes that in a report to the United Nations General Assembly on 20 September 2024, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, stated that:

(a) civilians have been indiscriminately and disproportionately killed en masse in Gaza;

- (b) in five months, the Israel Defense Forces used over 25,000 tonnes of explosives across the Gaza Strip, equivalent to two nuclear bombs;
 - (c) this bombing has caused mass destruction and the collapse of water and sanitation systems, agricultural devastation, and toxic pollution;
 - (d) the policies and practices of Israel are consistent with the characteristics of genocide with the targeting of Palestinians as a group, and the life-threatening conditions imposed on Palestinians through warfare and restrictions on humanitarian aid;
- (2) further notes that the committee stated that:
- (a) 'It is the collective responsibility of every state to stop supporting the assault on Gaza and the apartheid system in the occupied West Bank, including East Jerusalem';
 - (b) 'Upholding international law and ensuring accountability for violations rests squarely on member states';
 - (c) 'A failure to do so weakens the very core of the international legal system and sets a dangerous precedent, allowing atrocities to go unchecked';
- (3) further notes the Gaza Strip is 360 square kilometres, about half the size of the Northern Metropolitan Region;
- (4) does not support the state of Israel's continued invasion of Gaza; and
- (5) supports calls for an immediate and permanent ceasefire.

Leave refused.

Government performance

David DAVIS (Southern Metropolitan) (10:23): I move, by leave:

That this house condemns the Treasurer, the Honourable Tim Pallas, for his mismanagement of the Victorian economy and leaving a legacy of failure, including a stinking Victorian debt that will exceed more than \$200 billion, which will act as an albatross around the neck of Victorians, reducing living standards for future Victorian generations.

Leave refused.

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:23): I move, by leave:

That this house:

- (1) notes that under a failing Labor state government:
 - (a) rates for emergency department presentations for circulatory diseases are highest in Cardinia, Casey and Frankston council areas;
 - (b) Monash Health recorded a \$329 million deficit in their 2023–24 annual report, compared to a \$450,000 surplus in the previous year;
 - (c) non-urgent and semi-urgent emergency department presentations per 100,000 residents were highest in Frankston, Cardinia and Mornington Peninsula;
- (2) condemns the Allan Labor government for a lack of funding and for the failures in the health system in the South-Eastern Metropolitan Region and throughout Victoria while Victorians are at risk, suffering and paying the price; and
- (3) calls on the government to fix the health crisis in the South-Eastern Metropolitan Region and save people from its financial mismanagement.

Leave refused.

Prahran by-election

Michael GALEA (South-Eastern Metropolitan) (10:24): I move, by leave:

That, given his passion for the electorate, Mr Mulholland nominates as the Liberal candidate for Prahran.

Leave refused.

*Members statements***Northern Community Legal Centre**

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (10:25): I want to share with the chamber that I recently had the opportunity to join the Attorney-General Jaelyn Symes and the member for Yan Yean Lauren Kathage, last Friday, for the opening of the Northern Community Legal Centre’s new office in Wallan. Established following the merger of the Broadmeadows Community Legal Service and the Moreland Community Legal Centre in 2016, they have rapidly grown to meet the needs of the Merri-bek, Hume and Mitchell communities. They continue to provide high-quality client-centred support that integrates legal assistance with culturally responsive non-legal services. Their advocacy work is focused on addressing systemic gaps and barriers in driving evidence-based reforms for structural change. Community education initiatives also empower vulnerable groups by equipping partners to identify legal issues and offer innovative resources to help resolve them independently. These activities are rooted in their deep relationship with the community based on trust, respect and cooperation. The expansion to Wallan will mean that victims of crime in the Mitchell shire, amongst the fastest growing regions in Victoria, will no longer have to face these challenges alone or travel far to access the services that many take for granted. It marks a significant milestone in our journey towards a justice system that reflects the values of fairness, empathy and equality. I want to take this opportunity to give a special thankyou to Jenni Smith and chairperson Louise Gartland for their inspiring leadership, and also a shout-out to Mitchell Shire Council for providing the space for this new centre.

Council elections

Joe McCracken (Western Victoria) (10:26): I would like to congratulate the new mayor of Ballarat Cr Tracey Hargreaves on her election, with Cr Ben Taylor as the new deputy. A new, more positive approach will be exactly what Ballarat needs. My congratulations also extend to Cr Stretch Kontelj, the new mayor of Geelong, and his deputy Cr Ron Nelson. Both have a strong commitment to Geelong and will drive the direction of the city into good areas. Congratulations to Cr Tanya Kehoe of Pyrenees shire on her re-election as mayor – she is an amazing advocate – and Cr Paul Tatchell, the mayor of Moorabool shire, and his deputy Cr Rod Ward on their election as well. Both are passionate locals and proud country men. I congratulate Cr Jo Armstrong as mayor of Ararat and Cr Bob Sanders as deputy of the rural city, a dynamic duo who will drive Ararat forward in leaps and bounds. Cr Sarah Hayden is the new mayor of Golden Plains. Well done, Sarah, and congratulations on your commitment to Golden Plains as well. Cr Jason Schram is mayor of Colac Otway shire and Cr Phil Howard is deputy mayor. I worked with Jason, as we were mayor and deputy mayor for each other. I wish him and his team all the very best for the future. Also to Cr Grace La Vella as mayor of Central Goldfields and Cr Ben Green as deputy mayor of Central Goldfields. We are in very good hands with Central Goldfields shire. To all councillors and mayors and deputy mayors in western Victoria, congratulations on your election, and I wish you all the very best for your four-year term ahead.

Denis Moroney

Jeff Bourman (Eastern Victoria) (10:28): It feels like I have been doing this every single member’s statement lately. Today, with great sadness, I speak to honour the Sporting Shooters Association of Australia (Victoria) immediate past president Denis Moroney, who passed away on Friday 22 November this year. Denis served on the SSAA board of management for 12 years and as the association’s president between 2014 and 2022. Denis also served as the SSAA national junior vice-president, an SSAA national finance subcommittee member and a director of the SSAA insurance brokerage. Under Denis’s leadership SSAA Victoria achieved many significant accomplishments and milestones. Denis was most proud of the purchase of the Springvale range during his time as president and the achievement of financial stability for SSAA Victoria. As a member of the association, I am indebted to Denis for his considered, stable leadership and for his significant contribution over a long period of time.

Felicitations

Jeff BOURMAN (Eastern Victoria) (10:29): I would also just like, before Christmas, to thank the staff for looking after us bunch of reprobates and keeping us going.

Western Victoria Region sporting facilities

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (10:29): Recently I had the pleasure of meeting Matilda stars Chloe Lincoln and Emily Gielnik during their visit to junior players at the Surf Coast Football Club at Torquay's Banyul-Warri Fields. Emily shared a wonderful message with the young soccer players: do not worry about your abilities, keep playing with friends, enjoy it and stay active. This inspiring visit underscores the importance of investing in community sports, and the Allan Labor government is proud to support local clubs with new and upgraded facilities that will allow more people of all ages, abilities and genders to actively participate in healthy activities. Surf Coast residents can soon enjoy new hockey facilities at Banyul-Warri Fields, home of the Torquay Tornadoes. These upgrades include a state-of-the-art hockey pitch with lighting, scoreboard and spectator seating. In Waurm Ponds residents will benefit from a new indoor sporting complex featuring six multisport courts, a gymnastics facility, a dance studio and extensive onsite parking. Armstrong Creek will also see the construction of a cutting-edge indoor sports centre with four multisport courts, a civic plaza and additional car parking to support the area's growing community. Stage 2 upgrades to the Surf Coast Aquatic and Health Centre are about to begin and will deliver a dedicated learn-to-swim pool, splash park, spa, sauna, steam room and more change rooms – *(Time expired)*

Regional Victoria

Melina BATH (Eastern Victoria) (10:30): After 10 years of Labor, the Allan Labor government is leaving regional Victorians behind. There is no clearer indication than the Parliamentary Budget Office report showing that for 25 per cent of the population we are receiving only slightly more than 10 per cent of the infrastructure funding. Shame on Labor. We know that Jacinta Allan has made the outrageous claim that the Suburban Rail Loop benefits all Victorians, when it involves just building a small train line between Cheltenham and Box Hill. We know that the Labor government should be ashamed of itself for shutting down Victoria's native timber industry. It now imports timber from other states and overseas. We know that the department of agriculture has been reduced from a standalone entity to a minor component within a megadepartment, resulting in cuts in research funding for agriculture. We know that CFA station funding and the truck replacement program have been slashed. We know that regional development leadership programs were axed, even though formal evaluation has found them to be an effective use of taxpayer money. And we know that the cancellation of the 2026 Commonwealth Games, which were set to inject much-needed investment into regional communities, was another betrayal, effectively costing this state \$600 million to cancel the games. We also know that the voice of regional Victorians has been silenced by Labor intentionally removing the rights of all Victorian – *(Time expired)*

Transgender Day of Remembrance

Rachel PAYNE (South-Eastern Metropolitan) (10:32): Last Wednesday 20 November was Transgender Day of Remembrance. I would like to acknowledge and commend Minister Shing for her unwavering allyship and advocacy for some of Victoria's most vulnerable. I also want to take this opportunity to reflect on what that day means. I wish there was no need for a day of remembrance, but the reality is trans and gender-diverse people continue to be murdered, vilified and harassed. It is no wonder that, according to the *Writing Themselves In 4* report, over 70 per cent of trans men and women had suicidal thoughts in the past 12 months. Certain people in this chamber use a cloak and dagger. Under the guise of child safety, they directly enable the vilification that the trans and gender-diverse communities face. I now want to speak directly to the trans and gender-diverse community. In the face of so much darkness, I know it can be hard to be hopeful. But for progress we need hope, a hope for a future where your long and happy lives are not in question. That is my hope.

Water safety

Tom McINTOSH (Eastern Victoria) (10:33): Summer arrives this Sunday, and we know Victorians will be hitting our beaches and having a swim. In the last sitting week the Minister for Emergency Services Jaelyn Symes hosted Life Saving Victoria here in Parliament to ramp up the campaign to keep us thinking about water safety this summer. Our volunteer groups keep us safe in open water, and our government has recently announced our volunteer emergency services equipment program winners. I have already been able to visit four of the 34 winners in Eastern Victoria. Thanks to Denis and Kent from Southern Peninsula Rescue Squad at Blairgowrie for showing me their new remote-control lifeboats and how they will help keep the peninsula safe. They can go from 400 to 800 metres, meaning that in hard-to-navigate and hard-to-reach areas they will be able to rescue individuals and keep them safe. I also got to visit two of Victoria's biggest lifesaving clubs. I got to attend Mount Martha Life Saving Club. They are upgrading to a new rescue boat and motor and two new rescue boards. Thanks, John and Sheryl, for explaining to me what this will mean to the club and the local community. A big thanks to life member and committee member Andrew Gibson OAM, life member Max Jeffrey, life patron and life member John Horwood and committee member and life member Andrew Welsh for showing me around Point Leo Surf Life Saving Club and their two new inflatable rescue boats, two beach trailers and a new motor, which are at the club and which will help keep people safe on their side of the peninsula throughout the summer.

Personalised Support Services

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:35): I want to congratulate the team at Personalised Support Services and managing director Ibrahim Hassan for hosting a successful Super Cars & Super Humans event on Saturday 24 November for the NDIS community. It was a joy to see the faces of local boys who won prizes and a delight to see family and friends celebrating at the festival of dream cars.

Melbourne Kannada Sangha

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:35): Congratulations to Gandhi Bevinakoppa, president of the Melbourne Kannada Sangha, on their grand celebration. I also want to congratulate the committee and the team of volunteers for their wonderful event of dancing and awards on Saturday 24 November in Springvale. I want to thank the Kannada ladies for helping dress me in a beautiful sari and all the Kannada community for their fabulous celebration with their warm, friendly and helpful people.

Armenian National Committee of Australia

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:36): I want to thank the Armenian national committee for selecting me for a recent community award as I continue to advocate for my local community people and for international protection from ethnic cleansing and acts of violence due to racial conflict, hate and discrimination.

South-Eastern Metropolitan Region racing

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:36): It is fun to be able to attend and socialise at local racing events in the South-Eastern Metropolitan Region, like the Ladbrokes cup in Cranbourne and the greyhound racing at Sandown. The local community are also looking forward to the greyhound racing being able to return to Cranbourne in the near future.

Social media age limits

David LIMBRICK (South-Eastern Metropolitan) (10:36): The growing libertarian movement has won the battle against the federal government's MAD – misinformation and disinformation – bill, but free speech continues to be under attack. In Victoria we face another battle against the equally mad social cohesion laws; however, the proposed social media ban for children under 16 is not just a bad idea, it is an insult. The federal government, with our state government's support, is effectively

accusing people whose kids are on social media of being bad parents. I have children under 16 who I allow to access social media in a limited way. Like other parents, I know what my kids can handle. I know that not every interaction will be positive, just as it is in the playground, but all of this is an essential part of learning to deal with people. The proposed ban also insults our kids by assuming the worst about them. My kids used social media to relieve the terrible isolation forced upon them during the pandemic. They use it to follow popular science YouTubers and learn about a wide variety of topics. My children also use it to play games with their friends. There is nothing wrong with any of this; these are normal activities for a teenager. Like many thousands of Australian families, I will also be looking at virtual private networks and Starlink if these laws do pass.

Construction, Forestry and Maritime Employees Union

Georgie CROZIER (Southern Metropolitan) (10:38): There are some very concerning reports today in the *Age* newspaper in another excellent article written by Nick McKenzie around the CFMEU and the enormous concerns about Victoria's so-called Big Build projects with what has been reported around the corruption, intimidation, bullying and criminal behaviour that is going on on these taxpayer-funded projects that have cost Victorian taxpayers tens of billions of dollars in waste, mismanagement and overruns and poor project management and oversight. That has been under the purview of the then minister, now Premier, Jacinta Allan, who has done nothing about this – done absolutely nothing about it – for 10 long years. We are in this position where we have got people that are named in this article who have got very unsavoury connections with various individuals, but what is concerning is this quote:

On paper, Leavitt was employed through union-backed labour hire firms, such as Top Up and OCC, and was ultimately paid by the Victorian taxpayer.

The Greens do not get away with this either. They are supported by the CFMEU. In fact Greens leader Adam Bandt defended his party's embracing of the CFMEU, which was only in August this year. This is really concerning, that the Greens are being supported by the CFMEU. The political party of the Greens has that support, and I would think that is a huge concern to the people of Prahran.

Treaty

Anasina GRAY-BARBERIO (Northern Metropolitan) (10:39): I was humbled to attend the opening of the treaty negotiations on Wurundjeri country at Darebin Parklands. What a joy to witness mob from across generations and country united in this historic moment. I left the parklands reflecting on the deep connection that our First Peoples have with culture, country and community and the importance of preserving language and identity and the shared history of First Peoples all across the world. As a new member to this government, I am led by First People and the importance of decolonising our systems. This is the power of treaty and of a vibrant community that stands together, speaking truth to the past, listening deeply in the now and walking towards justice. The journey to this moment has been hard fought for, and while there is plenty more ahead, I stand with you as the oldest living culture in the world – strong, fearless, together. May the mana hold you in this process.

Council elections

Evan MULHOLLAND (Northern Metropolitan) (10:40): I would like to congratulate John Dougall, the new mayor of Mitchell Shire Council, and Cr Bob Cornish as the new deputy mayor. Also, congratulations to the Liberals for the Melbourne city ticket led by Mariam Riza, and congratulations to Owen Guest on his election. It was great to see, at least on primary, the Liberal Party both above the Greens and, I think, triple the Labor Party's vote, so a great result there, and it is great to see a majority centre-right Melbourne City Council.

Syro-Malabar Eparchy of St Thomas the Apostle

Evan MULHOLLAND (Northern Metropolitan) (10:41): I was blessed to attend the consecration of the new Syro-Malabar Eparchy of St Thomas the Apostle St Alphonsa Syro-Malabar Cathedral in

Epping last week, alongside His Beatitude Mar Raphael Thattil and Major Archbishop of the Syro-Malabar church Bishop John Panamthottathil, Father Varghese Vavolil, Archbishop Peter Comensoli, Cardinal-designate Bishop Mykola Bychok and all the clergy and faithful. Congratulations to the Syro-Malabar community on a truly momentous day.

Lebanese Kataeb

Evan MULHOLLAND (Northern Metropolitan) (10:42): It was also a pleasure last week as I joined my friends at the Lebanese Kataeb, Australia, to celebrate the martyrdom of Sheikh Pierre Gemayel and all the martyrs and commemorate the occasion of the 88th anniversary of the Lebanese Kataeb. Congratulations to George Hallal and the executive committee.

Felicitations

Evan MULHOLLAND (Northern Metropolitan) (10:42): I also want to wish all my constituents in the northern suburbs, especially my large Christian communities, a very merry Christmas, which is very important to my constituents, celebrating the birth of our Lord and Saviour Jesus Christ.

Police conduct

Aiv PUGLIELLI (North-Eastern Metropolitan) (10:42): I am deeply concerned about the gross overuse of police powers following the Land Forces protests. Since those protests many people have been arrested, with multiple raids on people's homes. In one raid police entered a student's home without a warrant and arrested her while she was getting out of bed. An officer watched as she stripped down to get dressed, claiming this was to prevent her from jumping out the window. Another young person, who was arrested on day one of the protests and prohibited from attending the following day described that police:

... had a drone sitting pointing at my bedroom window virtually the whole day to make sure I was there.

This extensive use of police powers has a chilling effect, and I will call it what it is. It is blatant intimidation from the cops in a flagrant attack on the right to protest in this state, sanctioned of course by this Labor government. People deserve better than this.

Ringwood East Traders Association

Nick McGOWAN (North-Eastern Metropolitan) (10:43): Recently remarks were aired in this place with respect to a meeting I was invited to attend as a support person for Helen Johnston, the president of the Ringwood East Traders Association. This is her statement in response:

For 18 months, I've volunteered with the Traders Association to push for CCTV reinstatement on Railway Avenue, despite LXP's clear resistance. After extensive delays, a meeting was arranged to work out the bumps ... while the draft agreement was incomplete, my solicitor advised me to attend solo, confident I could discuss the traders' requested amendments.

Knowing time was critical, I attended alone since no other committee members were available and to provide support I invited Nick McGowan, who has shown active interest in Ringwood East. However, in the foyer the LXP staff expressed their frustration that I had not brought my solicitor. Nick intervened saying it's not to be 'stacks on' Helen, advocating for fairness and a calm approach. I am unsure which member of your staff felt threatened as the only other female part of this discussion was the solicitor, who was more than comfortable having a discussion with Nick. At no time did I see him become aggressive, he was disappointed and surprised by their adversarial behaviour towards me. In fact after the meeting he stood outside with me waiting for me to calm down and encouraging me NOT to do a live social media post detailing my frustrations working with your government big build project.

Government performance

Gaelle BROAD (Northern Victoria) (10:45): Labor has been leading Victoria for the past 10 years, so I thought I would share some highlights. Victoria has the highest state debt in Australia, skyrocketing to nearly \$188 billion and resulting in interest repayments of over \$26 million a day or more than \$1 million per hour. We pay the highest taxes in Australia, and Labor has introduced 56 new

or increased taxes since 2015. Our roads are falling apart, as they fill over 700 potholes a day. Labor have dropped their housing targets, and over 61,000 Victorians are on the waiting list for social housing. Energy prices are soaring as Labor pursues a ban on gas. Our health services are under pressure, with long surgery waitlists and ambulance ramping. There are ongoing issues with V/Line trains and bus services and a lack of public transport in regional areas. Labor has relaxed bail laws, and youth crime has increased by nearly 29 per cent. There are over 1000 vacancies in the police force, and members are walking out at breaking point. The CFA has a fleet of ageing trucks, and the SES runs on the smell of an oily rag. Our schools are under increased pressure, with over 1400 teacher vacancies, and there are issues with the VCE for the third time in a row. Labor closed the native timber industry and want to lock up our public forests and negotiate cultural heritage and land agreements behind closed doors. Labor likes to control our lives, and Victoria desperately needs a change of leadership. We are now 100 weeks away from the next state election in November 2026, and the choice will be up to you.

Business of the house

Notices of motion

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (10:46): I move:

That the consideration of notices of motion, government business, 278 to 770, be postponed until later this day.

Motion agreed to.

Bills

State Taxation Further Amendment Bill 2024

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (10:47): I rise to speak on the State Taxation Further Amendment Bill 2024. From the outset I would like to indicate that we are not opposing this bill, but we will move amendments to try to, once again, fix up Labor's mess. In relation to both the Premier and her leadership over the last decade as a senior member of the Andrews government as well, the critical question needs to be asked: can Victorians trust this Labor government when it comes to managing our economy? When we look at the current state of the Victorian economy – I have said it before and I will say it again – it is an absolute mess. It is a basket case. In no uncertain terms it is a complete and utter bin fire, this economy under Labor. We are currently facing the highest taxes in the country – the highest business taxes, the highest property taxes – and the most crippling debt, which stands at \$188 billion, the highest of any state in Australia.

What that means for our future and our children's future is that we are paying \$26 million a day every day just to service the interest on that debt. \$26 million could sure buy a lot of things in my electorate. In a matter of a few weeks maybe you would be able to just get on and duplicate Yan Yean Road in the seat of Yan Yean and Donnybrook Road as well, which is important. We would not need 80-kilometre speed limits on the Hume Freeway, which have massively impacted our transport industry as well. This is what it means: when the Labor government wastes, it will tax – it will increase taxes. We know that it will increase taxes because there have been 55 new or increased taxes. When Labor waste, they always introduce new taxes. Somebody has to pay for that, and it is Victorians that are paying the price right across the state. Instead of investing in things that could alleviate the burdens Victorians face every day, we are pouring literally millions into just servicing the debt that has grown bigger and bigger under Labor.

After 10 Labor budgets all we have is debt and fairytale talk about the Suburban Rail Loop, which is stealing much-needed funds from my region to go into a tunnel in the eastern suburbs. When I ask, as I have asked several times this year, about when Broadmeadows train station, one of the largest transport hubs in Victoria, is going to get an upgrade and get off the RACV's worst train stations list, I get told that – even though Frank McGuire promised it, by the way – that train station upgrade is happening but as part of the Suburban Rail Loop North, which will not get to Broadmeadows, if all their timeframes are to be believed even, until 2052. That is the contempt with which they treat people in the northern suburbs of Melbourne. But they are building an unfunded \$40 billion rail line in the eastern suburbs that the federal government has not committed to. That is literally like going to an auction, outbidding everyone else on a property and then going in and saying you have just got to speak to your mortgage broker – 'I'm still yet to go to the bank to sort out the finances.' That is what they have done with Victorians' future. That is going to mean we cannot invest in critical infrastructure around the state like Donnybrook Road, like Yan Yean Road, like the Pakenham community hospital, like the Melton hospital, where I assume they will have to build a second fence around the existing fence they put up a week before the last election saying 'Melton Hospital coming soon'.

You have run out of money. We see the Labor briefing that the Suburban Rail Loop is sucking up the funding for all available projects. We see the reports about ministers and MPs staying behind after their caucus to speak to the Premier and the Minister for Transport Infrastructure about their criticism of the Suburban Rail Loop, but the members opposite are still too cowardly to call it out publicly. They will get on the blower to a journalist and repeat what happened, and we saw some interesting comments from the minister for infrastructure admitting to Labor colleagues that this project is all about politics. It is all about winning seats in the eastern suburbs. This project had its origins, we know, in a locked room at PwC down the road at tax evasion city. Then it was called the Suburban Rail Loop. It was called Australia's biggest public transport project. Then they kind of dropped that line and went back to Suburban Rail Loop for a while. Then just before the last election they went to SRL Airport. Wow! That assumed we were getting both the SRL and the airport rail. Instead we have got neither. We definitely do not have airport rail. They had to weigh up, 'Do we build this eastern suburbs suburban rail tunnel or do we build the airport rail?' They chose the eastern suburbs rail tunnel over the airport rail, embarrassing all those Labor northern and western suburbs MPs that were out there with corflutes and with DLs before the election saying, 'Labor's delivering an airport rail.' How embarrassed would you feel if you were the Labor MPs in those areas? I know the member for Niddrie should be very embarrassed. They should be very embarrassed by the way in which Jacinta Allan has let them down. You wish they would say it publicly. But now the SRL is no longer SRL Airport. I wonder how much it took to design that logo.

Anyway, they have moved on. It is now Australia's biggest housing project. I say to the Premier: you cannot put lipstick on a pig. This project is no longer popular. It does not have support. When I go out into the growth areas – I get around my community a lot – and I attend my regular weekly listening posts or markets, the Suburban Rail Loop elicits a response that would be quite unparliamentary for me to repeat here today. I encourage state members of Parliament to actually go out to regular markets and listening posts, because you do not see them, particularly not in places like Wallan. You just do not see them, because people have had a gutful of this state Labor government. They cannot even drive on their roads safely, and yet the government is pouring billions of dollars into a gold-plated rail tunnel in the eastern suburbs while literally everyone else misses out – everyone misses out. The whole state misses out because of Jacinta Allan's vanity project. Just last week the Australian Bureau of Statistics confirmed Victoria has had the highest unemployment rate in the nation for seven consecutive months. For seven months Victorians have been paying the price for 10 years of this Labor government: unemployment on the rise, wages stagnating, people across the state struggling to find meaningful work. This is not the Victoria that we deserve.

You might have read Tim Pallas's *Australian Financial Review* column this week. I know we are a few months away from the comedy festival, but if you need a good laugh have a read of the Treasurer's

Australian Financial Review column: ‘Victoria is an economic powerhouse’ – really? Let us just have a look at some of the things that he said. He said:

... Victoria has created more jobs –
new jobs –

than any other state ...

I repeat: for the seventh month in a row Victoria has had the highest unemployment rate in the nation. The unemployment rate is the most relevant statistic as jobs are created simply due to a larger population –

Ryan Batchelor: There are more people participating in the labour market in Victoria by a long way compared to New South Wales, Mr Mulholland.

Evan MULHOLLAND: It might be a bit below, Mr Batchelor, but it does not benefit individual Victorians. Victoria has recorded the second-highest population growth in the past year behind WA. If Victoria had not created new jobs, our unemployment rate would be even higher. Those opposite might not understand economics, but because Victoria has had the second-highest population growth, the unemployment rate is the most relevant statistic. He has also said that Victoria has had the strongest economic growth with real gross state product at 27.4 per cent since Labor came to power. We should be interested in the individual living standards of individual Victorians. It is not the size of the overall economy that is important, it is the size relative to population. Since Labor has been in power the Victorian population has grown by 18.6 per cent. Victoria has achieved an increase in GSP per capita of 10.6 per cent, less than New South Wales and South Australia. In 1999–2000 Victoria’s real GSP per capita was 1.7 per cent above the national average. It is now 11.5 per cent below the national average. Worse yet, Victorian gross household income per capita has fallen below the national average and every state except South Australia. Victorians are obviously struggling under the weight of Labor’s increased taxes.

Mr Pallas also said that a US-style debt ceiling would mean cuts and closures. Labor has literally no way to pay off Victoria’s crippling debt. Labor actually plans to keep increasing debt relative to GSP until 2027–28, after the next election. Debt will increase to \$228.2 billion by 2028, according to the Auditor-General. Victoria had a debt ceiling in place until 2018 when it was scrapped by the Labor government. The Liberals and Nationals will legislate a charter of budget honesty, including a debt cap, so that Victorians have confidence that government will end the waste and deliver what really matters to them. We have had independent economists like Saul Eslake backing us up on that in regard to a debt ceiling. We see some ridiculous comments like, ‘The state has delivered the largest infrastructure program ever.’ I saw they trotted out Steve Bracks as well to make similar claims. What we know is they have allowed the CFMEU, bikies and organised crime to run riot on worksites at taxpayer expense. We saw another article in the *Age* today by Nick McKenzie detailing further allegations. I wonder when the government is going to release the final Wilson review. My guess – and I reckon the betting odds are about \$1.10 – is it will be around Christmas Eve or in between Christmas and New Year. You would get pretty good money for that. They are not transparent. We know in several areas there is grey corruption, but particularly when it comes to our construction sites, and there has been well over \$40 billion of blowouts.

The Metro Tunnel is the latest bungled major project to see blowouts. Originally budgeted at \$9 billion, the project is now estimated to cost \$13.87 billion – a blowout of nearly \$5 billion. We know the Suburban Rail Loop has already blown out – originally pitched at \$50 billion during Labor’s 2018 election campaign. Obviously PwC are not as good at numbers as they are at evading tax, and this is what happens when you do not rely on your departments – not even the department secretary knew about the Suburban Rail Loop one. But what can we expect from this Labor government? I mean, it is estimated the SRL East and North will cost up to \$216 billion; the first stage will cost around \$40 billion, and it does not even have federal funding for this project. I have seen them come

in one after another. They will come in with their speech from Anthony Albanese and quote him saying, 'It's the most exciting infrastructure project in Australia.' Except he said that as opposition leader and has not said a peep about it as Prime Minister. Labor MPs in Labor's caucus – some of whom might be in this room but most of them in the western suburbs – are right to question it and are right to question what happens if the Labor government is defeated at the next federal election. The Labor government signed billions of dollars in contracts, and I am sure, Acting President Galea, you would much rather see those billions of dollars not wasted but going to important projects in your community, as would the members opposite – we definitely do on this side of the house. But Labor cannot manage money, and of course Victorians are paying the price.

This bill attempts to make access to bulk-billing appointments easier for some patients, and I acknowledge as much, but it does not go nearly far enough. It applies to general practice, not to allied health professionals, which means that services like physiotherapy, podiatry, psychology and even dental care still remain subject to this punishing health tax. This remains a significant issue, and I know right now that the burden of this health tax will force many medical professionals to either raise their fees or close down altogether. I was recently at one healthcare facility in Roxburgh Park for Christmas carols, and they are a great allied health provider. They provide NDIS services, aged care services and home care services, but of course they are affected by the health tax in a big way. They were very pleased to hear that the Liberals and Nationals have made a commitment to repeal the health tax in full. It ought to be repealed in full. This is going to move more people to emergency departments. If you are in Melton, are you going to go to the fence they have put up, saying 'Melton Hospital coming soon'? This is a bad tax, but of course when Labor waste – and they have wasted a lot – they increase taxes. There are 55 new or increased taxes. It is Victorians that are paying the price, and this is the way that they are paying the price every time they go to a health service. We will be moving some amendments to this bill to try and make it better. As I said, we are not going to oppose it. I am happy for those amendments be circulated.

Amendments circulated pursuant to standing orders.

Evan MULHOLLAND: I will just go through and explain our amendments. On clause 1 they amend one of the purposes of the bill to reflect the amendments that seek to amend the Payroll Tax Act 2007 to provide a full exemption as opposed to a partial exemption, as is currently included in the bill, from payroll tax on a GP's wages. It amends the bill to provide that a GP medical business's wages are exempt for the purposes of collecting payroll tax, not merely partially exempt. It removes the formula for determining partial exemption of a GP's wages from payroll tax. It updates the clause numbering to reflect the removal of subclause (2). It removes redundant definitions as a result of the removal of the partial exemption formula for the rest of the amendments. You would think that would be something that this chamber would support. I know Dr Mansfield has spoken about these issues as well, and I urge my crossbench colleagues to support these kinds of amendments.

This kind of stuff happens when we have got a government that cannot manage money. Labor have been in power and Jacinta Allan has been sitting around the cabinet table for 10 years now while they have wasted billions and billions of dollars, and now they have turned Victoria into an economic basket case – so much so that you have got Labor MPs at war with each other, being told to cap the amount of funding for their electorates and that they are not getting their pet projects. Ministers have been told to cut down their budget bids. They have been hit with a truck named reality in regard to this. It is quite clear that the Treasurer Tim Pallas, who created this mess, is not the one to fix it. Jacinta Allan sat around the cabinet table creating this mess. She let the CFMEU run riot on construction sites, fleecing taxpayer dollars, extorting and using illegal coercion, which has led to over \$40 billion in budget blowouts on infrastructure projects, so she is not the one to fix it either. After 10 years of Labor all Victorians are paying the price. A Liberal and Nationals government in 2026 will clean up the mess. In Prahran we will start the change we need in order to get Victoria back on track.

I just want to run through some comments about the Victorian economy. We know Saul Eslake is a respected economist that has worked with all sides of politics throughout his career. He said that Victoria:

... now ranks alongside South Australia and Tasmania as “cellar-dwellers” in terms of relative economic performance ...

...

Victoria’s per capita gross product has declined from 1.7 per cent above the national average in 1999–2000 to 11.5 per cent below the national average in 2023–24, ahead of only South Australia and Tasmania.

...

... Since the turn of the century, labour productivity in Victoria has risen at an average annual rate of 0.8 per cent per annum, the slowest of any state or territory, and well below the national average of 1.1 per cent per annum.

I want to quote the *Australian Financial Review*:

Victorian households are further behind on their mortgage payments than those in any other state, passing Western Australia for the first time in at least seven years, according to new data published by S&P Global Ratings on Wednesday.

...

Victorian postcodes take out five of the ... top 10 locations for mortgage arrears ...

Unfortunately, about a place where I spend a lot of time, it says:

The ... northern suburb of Craigieburn topped the list, with almost 3 per cent behind on their repayments, while Burnside, Pakenham, Point Cook and Hoppers Crossing were also in the top 10.

I have been to all of these places recently and am out and about in all of these communities. I tell you what, things like the GP tax, they know about; things like plunging everything into the Suburban Rail Loop instead of providing cost-of-living relief, they know about; and things like budget blowouts, they know about. Things like CFMEU corruption and illegal coercion on construction sites, damn well they know about it – ask anyone who has driven on Mickleham Road or Craigieburn Road if they know about CFMEU intimidation tactics.

Another report says:

... economist Saul Eslake, in a recent audit of Victoria’s economy for *The Australian Financial Review*, found household income had fallen below that of Tasmania for the first time.

Richard Welch interjected.

Evan MULHOLLAND: Behind Tasmania. The report continues:

“It ought to be embarrassing for Victorians that it now has lower per capita income than Tasmania ...” Per capita gross product has declined from about 2 per cent above the national average 25 years ago to 11.5 per cent below.

It is little wonder so many businesses are thinking twice about Victoria, and this is a sad state of affairs. We should be a state that people want to invest in, that people want to come to. We should not be embarrassed to be Victorians anymore. I am a proud Victorian, but it is embarrassing to be Victorian under this government. We need to restore pride in our state, which means we need to increase investment in our state. I want to note another comment, as the report continues:

Brian McNamee, chairman of Melbourne-based biotech giant CSL –

who I actually visited recently in Broadmeadows –

told *The Australian Financial Review* that fund managers had said to him Victoria was “uninvestable” given the scale of what they saw as reckless fiscal mismanagement.

'Uninvestable', Victoria is. It goes on:

This view aligns with that of Australian Industry Group boss Innes Willox, who believes Victoria "has given itself a reputation as a notoriously difficult and unattractive place to ... do business".

We have seen so many examples of this. Certainly there are the manufacturers of the northern suburbs who talk to me quite a bit about the government's energy policies surrounding the use of gas, and communities across Victoria are concerned about the government's hostility to gas projects. It is hostility to business in general, because on that side of the house what experience have they had with running a business? What experience have they had with setting up a business? What experience have they had employing people – employing people in your own business, running a business, to understand them? They do not understand them. They see hardworking business owners as a piggy bank, so they can collect it all to go into things like the Suburban Rail Loop in the eastern suburbs. They see mum-and-dad property investors as a piggy bank and through their massive land taxes have basically set a de facto one property per person policy here in Victoria. Propertyology and other investment firms are telling investors in Victoria, 'Don't you dare invest in Victoria; it's not a good investment,' and people are selling up here and investing in Queensland and investing in South Australia. It is the same with manufacturers and big civil firms, which are getting calls from ministers and secretaries of other governments saying, 'Come over to our state,' because they realise that Victoria is a basket case. Businesses can be poached from Victoria and treated a lot better interstate than they are here.

This is why I say Victorians do not want to be embarrassed to be Victorian anymore. Victorians want to be proud of their state. I love Victoria; I love this state, but Victorians do not want to be embarrassed to be Victorian anymore, and we are under this government – with \$188 billion of debt and with businesses fleeing the state. It is shameful the way this government has taxed Victorians with 55 new or increased taxes, and it has made Victoria uninvestable. 'Uninvestable' is what Brian McNamee from CSL said – similarly, Innes Willox. It is really hard to invest in Victoria. New taxes are not the way to go. Victoria needs to have pride in itself again, but it cannot under this Labor government. After 10 years, if there is anything we know about this government, it is that they cannot manage money, and Victorians pay the price of their incompetence and mismanagement. It is a shameful government. Tim Pallas has created this mess and Jacinta Allan has created this mess – and they are not the ones to turn it around.

David LIMBRICK (South-Eastern Metropolitan) (11:17): I also rise to talk on the State Taxation Further Amendment Bill 2024. Again I find myself in an uncomfortable position. I thank the Treasurer's advisers for their consultation with my team on this bill, but I find myself in the uncomfortable position that we have the third government tax bill in a row that I cannot really oppose. This bill does a lot of things. Some of them I do not like. I will start with one that I do not like. It is the removal of the exemption for friendly societies from certain duties. Apologies to my ex-colleagues in this sector, but this will be a rather minor impost, in my understanding. The main significant thing of this bill of consequence which will have a positive effect is the clarification of payroll tax arrangements for GPs in Victoria. Effectively it will give payroll tax exemptions to GPs, with strings attached. A string is that the proportion of their patients that are tax exempt must be bulk-billed. I understand that the opposition has amendments to make this exemption universal, and I signal that I would be supporting that amendment. However, the net result of this will be effectively a tax cut, and therefore I cannot oppose it – so well done to the government.

But I agree with my colleague Mr Mulholland that this state is in a dire financial situation with debt rising out of control. There are very few opportunities for the state government to raise new taxes. They have gone hell for leather with land tax, and that is turning out to be a bit of a disaster. It is disincentivising residential investment for rentals. In the south-east I have spoken to many factory owners who are finding enormous increases in their land tax bills, and they are looking at scaling back operations or moving interstate. Some of them are even looking at shutting down, which is extremely sad. As has also been mentioned by Mr Mulholland, as that is happening in conjunction with inflation

pressures and energy costs for these manufacturers, many of them just cannot survive, which is a very sad thing. I am very supportive of our manufacturing industry in Victoria and I wish we would see more investment in manufacturing in Victoria, but the government does make it very, very hard.

The government cannot raise lots of new taxes, because really they have sort of hit the other side of the Laffer curve for a lot of these. We have seen it with the port tax that they tried a while ago, which was going to result in less tax revenue when they raised that tax. We saw it with the federal government when they tried to raise taxes on tobacco excise. They are actually losing tax revenue because we are on the other side of the Laffer curve. Many of these taxes you simply just cannot raise any further. They will dampen economic activity to such a degree that you will not actually get more tax revenue.

So how do we deal with our economic situation? The government has to cut spending. I would like to offer a constructive suggestion to the government. Rather than smack them around and stuff like that, I will offer my services. I think that what Victoria needs – and I know that my colleague Mrs Deeming has spoken about this – is a DOGE. We need a department of government efficiency, and I put it on the record right now that I will volunteer my services. I will not ask for any extra pay in excess of my salary. I know the government do not want people attacking them, because if they make big cuts they get all sorts of people upset. They get the unions upset. All sorts of people will be upset. Well, I will volunteer. I will be the bad guy. I will work with the Treasurer and his staff – he has very good staff – to come up with ideas to make this state more efficient.

I note that the very interesting thing that has happened with the DOGE in the US when Elon Musk has been talking about this is he has talked a lot about 80 per cent. Those people who have been in business would know about the 80–20 rule. For those unaware, the 80–20 rule says that 80 per cent of the value of your enterprise comes from 20 per cent of the effort, and then the rest, the 80 per cent, makes only 20 per cent of the value. Therefore, to maximise efficiency you can maintain high productivity by retaining the 20 per cent that actually provides that productivity. I suspect that if we look at it in a lot of detail there are a lot of productivity gains to be made in the public service in Victoria. The idea that they are running highly efficiently and without any waste is fanciful. I imagine even the government would agree with me on that – that there are lots of areas that could be looked at.

I note also that the government is looking at getting out of certain businesses, which I think is a good thing. I said yesterday that I have no idea why the state government is in the broccoli and cauliflower business. It seems rather anachronistic, and I am glad that the government is looking at getting out of that business, because it makes no sense. In fact this is a good example of the government trying to do too much. They cannot really do it that well when they try and do too much. I would urge the government to focus on the important stuff – focus on law enforcement, focus on delivery of roads and health services and these other basic things – and with all the other stuff that they do, try and get out of it, stop doing it, because a lot of times it is really not necessary. Broccoli and carrots – why are we in the wholesale vegetable business? It just does not make any sense at all. It should not be a function of the state government to have anything to do with that, and I am glad that the state government has recognised that.

I have got some other ideas that might be able to save money. I do not think the government has been thinking about this one, and so I will put it forward as a constructive suggestion: train stations. I know that they are developing some of the train stations as activity centres or they already are – ones like Box Hill and Glen Waverley. I am actually a big fan of the area around Glen Waverley. If you go down to Kingsway on a Saturday night, it is actually a really great place. It is better than going out in the city actually. It is pretty safe. There are lots of nice restaurants and clubs and everything. But there are a lot of train stations around the city where all you see is an empty car park and a couple of bored-looking PSOs. The only economic activity you will see, if you are lucky, is a vending machine, although you often do not even see that. This just seems like such a waste to me.

I did a lot of study on this on my last trip to Japan; I actually made a video about it. Lots of people recognise the Japanese train system as the best in the world, but what they do not realise is that the

reason that it is the best in the world is because it is fully privatised and the government has very little to do with it. A lot of people are also surprised at how they make their money. The train companies do not make their money out of train tickets. In fact they barely break even, and in some cases they make a loss. What they really make their money out of – and I am sure the government knows all about this with the SRL – is real estate, both commercial and residential. What they do is they set up a new train station in an area with little development, like some of the train stations with empty car parks and bored-looking PSOs, and they develop them. I would urge the government to look at this, because I imagine there are lots of companies that would be interested in developing train stations and putting commercial things there or apartments or all sorts of things. If you go to Japan and look at the train stations there and what they have around them, they build entire economic centres around the train stations. As you go home from work you can buy a gift for your family. You can buy some takeaway on the way home. There might be a little bar; you can stop in with your mates and have a drink and all sorts of things on the way home – much better than a Coke vending machine at exorbitant prices. I think that this would be a good idea, and I think that there would be companies that would be interested in investing in this sort of thing. So I think that that is a good thing.

Another constructive idea – and I know this is sort of in the decision-making process at the moment; I have spoken about this many times and I spoke about it yesterday – is the Hydrogen Energy Supply Chain project in the Latrobe Valley. I strongly urge the state government to get on board with this, because I think it is going to be a fantastic project. It will result in billions of dollars of investment in Victoria. It will result in a new energy production facility here, which we need more of, and also an export market. Of course the Treasurer will be happy that they will be getting lots of new taxes. They will even be getting some brown coal tax, I think, from that one. Also they will be getting payroll tax and all sorts of other taxes that I am sure the Treasurer will love. But on top of that we will be getting foreign investment and new production facilities in this state, which is exactly what we want. We need foreign capital in this state. We need people to invest here. I agree with Mr Mulholland – I want Victoria to be a place to invest, a place where people want to come and live, a place where people want to set up factories, want to set up energy production facilities and want to set up service businesses. This is what we want in Victoria, and high taxes will not create it.

I know we are not talking about many of these taxes today, and I wish we were, but it is good at the very least that we are not going to send doctors bankrupt here through making them pay extra payroll tax. I give credit to the Treasurer that he has used his powers to waive taxes for GPs that may have discovered that they are liable for these taxes that they did not believe they were liable for. I give credit to the Treasurer for that, and I also give credit that they are coming up with a solution, although I do not like the strings being attached. It is unfortunate that with everything that the government do they try to push and control and manage everything and stick their fingers into every sort of activity. I wish they would just step back and let the market work properly – how it is meant to. Nevertheless, they are still allowing a proportion of doctors' patients to be seen without paying payroll tax, so that is a good thing. The Libertarian Party will not be opposing this bill.

John BERGER (Southern Metropolitan) (11:29): I rise to speak on the State Taxation Further Amendment Bill 2024. This bill sets out a plan by the Allan Labor government to make sure Victorians are put first always – not foreign companies and not those who would otherwise try and shove aside hardworking families. This amendment bill also makes changes to the state's land tax, which has helped Victorians weather the pressure of the housing market better than other states. The reality is clear. CoreLogic found just a couple of weeks ago that Melbourne continues to be a leader in fighting the global pressure on housing markets.

Year on year the price of any kind of dwelling in Melbourne has dropped nearly 2 per cent. That makes Melbourne one of only three cities keeping housing prices down for first-time home buyers, with Hobart coming in second place at 1.2 per cent and Darwin basically breaking even, being down 0.1 per cent. We are building more homes, and we are doing it faster. We all know about our landmark housing plan, and this bill adds to it, because we know we have a lot of work ahead of us. This is the direct

impact of the state's land tax reforms, which redirect investment towards productive assets and projects such as in the commercial and industrial sectors of our economy, where there are land tax exemptions. That is probably also why Victoria's economy is one of the strongest in the nation. It is thanks to the hardworking Victorian people, the people in my community, that we have stronger economic growth in real terms than New South Wales, Tasmania, Queensland and Western Australia. This is because of good, strong investment in the productive corners of our economy from firms both domestic and foreign. This bill also will amend state taxation legislation to introduce an additional surcharge levy on property and land subject to land tax specifically for foreign purchasers. This clarifies certain legal and legislative arrangements which have conflated the role of national and state taxation regimes, ensuring that it is clear who is responsible and that foreign purchasers are certain of their obligations.

This bill also includes provisions to exempt medical practitioners and centres from payroll tax – to a point. This will help ensure the financial viability and stability of smaller general practices with a large number of staff. Payroll tax is incredibly important to the state's finances. It contributes about \$10 billion a year in revenue for Victoria or just under 12 per cent of this year's projected gross state product. This is no small amount. Keeping a strong and consistent revenue base is crucial to a healthy budget. It is good economics, and it is good governance. Do you know what I think cuts back access to universal healthcare for ordinary Victorians? Cutting \$5 billion to \$6 billion in funding from regional hospitals. That is exactly what those opposite promised to do within two years when they were led to a resounding defeat by the member for Bulleen. But the opposition will fold their arms and turn a blind eye to their own policy agenda and then wave their fingers at the payroll reform for general practitioners. This taxation amendment is not aimed at cutting away at universal health care, as a member in the other place alluded to, but at amending our taxation settings appropriately to reflect the needs of the economy and the needs of the people.

As we head into next year it is important to know the current budget delivered by the Treasurer some months ago projected the state's return to an operating surplus of over \$1 billion. In that scenario it is clear the answer is not to extensively wind back our state's few tax revenue sources but to modernise them for current circumstances. A clear example is our reforms to stamp duty and land tax in regard to industrial and commercial property sites. This Allan Labor government acted decisively to ensure it reformed the state's taxation system to promote more economic activity while ensuring a healthy stream of state revenue. That reform pulled away the inefficient duty on transactions for commercial industrial properties and replaced it with a low-level levy on the valuation of the property. That obviously has some strong benefits – namely, it does not distort the market for new commercial properties as much and provides the state with more secure revenue that is not based on how many commercial properties were sold that year. Similarly, we will strengthen our tax base with these amendments to make sure they do not overly hamper economic activity but also provide the state with a strong, consistent revenue base to continue functioning.

This amendment bill will further reform land tax in regard to what kinds of properties are up for taxation. Previously it was crystal clear that land tax was to apply to investment properties and clearly excluded space for primary residential properties, which was not to be taxed in a similar way. This further amendment bill changes that to allow for the family holiday home not to be subjected to this levy. This means that if the home is occupied by a family or family member for at least four weeks of the year, then it is not subject to the same charges as someone leasing out a property as a primary income source. Another important change in the amendment bill is the exemption of housing properties used for the relief of poverty from broader land tax charges. That would reference a property or a string of properties that are not residential or investment homes. It would be applied to homes which are by their nature and purpose designed for helping those in poverty.

Think of charities, shelters and other similar projects that are not there to make money or to draw rent and revenue. Their purpose is to provide shelter of some kind to those struggling to turn anywhere else. It is these sites that provide a sanctuary for those who are the most in need and who are looking

for anywhere to sleep at night. These sorts of properties will now be exempt from the land tax and charge. It will allow them to continue to do the work that looks after so many lives in so many ways, shapes and sizes. There are so many well-spirited, good-intentioned people in Victoria, all who give up their time, their labour and their energy to make sure that others also have a place to call home. This amendment bill will make sure that organisations like that are not ultimately taxed on their land valuation and forced to move. If the land in question is not yet developed for that purpose, the charitable organisation with custodianship over the land to be used for future development can seek an exemption from land tax for two years. There are of course nuances to this. The presiding commissioner, for example, will have the authority to apportion the land so that parts are exempted and parts are subject to land tax with prior requirements, such as instances where half of a property is used for charitable purposes and the other half is used for non-primary residential.

This is a comprehensive bill which makes the necessary amendments to all factors. They touch all different aspects of our state revenue sources, and they uphold the two fundamental principles I have already set out today. They will promote economic activity on the one hand, and on the other hand they will ensure the taxes bring in revenue on a consistent basis with lower fluctuations compared to a blunt force like excise duties. It is a wideranging piece of legislation that will, I am sure, provide positive yields and benefits for the community, particularly my constituents in Southern Metro. The Allan Labor government is investing in my community with new housing projects and investments into health, rail and education, all of which are possible through the sensible economic management of this government.

When the coalition were in government, they ran deficits in Victoria and ultimately fell apart, struggling to legislate through either house. Prior to the pandemic this Labor government had surpluses and invested heavily in our communities, with big projects transforming Melbourne, and of course we did all of that while cutting taxes. We have cut and reduced taxes 64 times since coming into government and maintained these strong services. The coalition, on the other hand, had to increase our taxes 24 times, only to still fail at snagging a consistent surplus under their belt. So before those opposite stand up and lecture us on taxation policy, they should just sit back and have a bit of self-reflection. If I fumbled the state's finances that poorly, I would not be lecturing a successful government on how to best manage a surplus.

These tax amendments are considered reforms which take communities' interests into account and make the right decisions that guarantee a stable and stronger future for our state. Whether it be exempting properties with charitable status, assisting those in need of poverty relief or exempting someone's non-commercial holiday home, this bill excludes the state's land tax charges for more types of properties. It also makes amendments to payroll tax provisions for medical clinics, such as for GPs with a number of staff on hand. This is a more considered approach than managing our whole system at the most immediate local level, by having reforms in place which will allow these GPs to remain commercially viable. The coalition as usual will kick up a fuss about all of the changes to the taxation arrangements in this state, but I would not give it the consideration they expect. We have delivered the strong outcomes Victorians expect, and our state government will continue to act in their best interests. These tax reforms are moderate and considered, and they take into account the needs and concerns of the community and respond to them adequately to ensure people do not feel punished.

We can also act to direct investments in productive parts of our economy. The Allan Labor government and the Andrews Labor government before it have transformed Victoria for the better. It feels quite far in the past now, but when we were first elected in Victoria it was very much a different place. Car manufacturing was on the way out and the coalition slumped the economy. The naysayers were telling us we could not remove level crossings. They were saying that this, that or the other could not be achieved realistically, and in every case we defied expectations and delivered on what matters. We are on track in Melbourne to house the same number of people by 2050 as London does today. I am sure many of us have visited London at least once. For those who have not, I can assure you it is going to take us a lot of hard work, but if we take to it we can have the right outcomes. We will not get there

overnight. It will take some meaningful, incremental steps to set us in the right direction. Our land tax arrangements are a powerful way of directing capital investment to the places that matter, free of stamp duty for commercial properties, and ensuring businesses are freer to grow in Victoria by having provisions in place.

As well as prioritising Victorian homebuyers over foreign property magnates, we are giving Victorian renters and first-time homebuyers the attention they need right now. We know it is tough to secure yourself some housing and to keep a roof over your head. The Premier has said on numerous occasions that her priority is to make sure millennials get to fulfil the same dream as people like me – to own their own home. But we cannot do that if people are consistently being undercut or overbid by foreign property owners. That is why the government has these provisions in place. They do not ban people from abroad from investing here, but we incentivise people to invest in Victorians first. That is why these reforms are so important. At their core, they put Victorians first and they invest in what really matters to them. The tax system encourages investment in their jobs, their communities, their local infrastructure and their schools, and the list goes on.

We are modernising our tax base so that we can continue to deliver on these important investments and give Victorians a better future, which is important. We have a steep task ahead of us. I think it is important that we act now to make sure the settings are in place to compound this in the long run so Victorians are prepared for that future. These are reasonable amendments and reasonable policies which deliver what we need as a state – they deliver a more secure and consistent revenue base and encourage investment where we need it. That is the record of the Allan Labor government, and I am proud to support it as we continue to deliver on what matters to everyday working families. I commend the bill to the house.

Melina BATH (Eastern Victoria) (11:42): I am pleased to rise to make a brief contribution on the State Taxation Further Amendment Bill 2024, noting that the Nationals along with the Liberals are not opposing this bill. It contains some improvements to the system, but it certainly does not go far enough. One of the key issues that this bill addresses is that it formalises Labor's payroll tax on general practitioner clinics, but it only introduces a partial payroll tax exemption on bulk-billing for GPs. We wish to see that extended, and we have prepared an associated amendment for that. This is a tax amendment by Labor – with this partial payroll tax exemption – that apparently up until now did not exist. We heard the Treasurer and the Minister for Health in the past repeatedly say there were no changes to payroll tax for GPs, yet this bill in the house today suggests otherwise.

I remember last year reading that the Royal Australian College of General Practitioners were highly concerned and highly distressed, naturally, for their members but also about what this would mean for service provision – for health care – in Victoria. Indeed my focus, and that of the Nationals, is always on rural and regional Victoria. The tax grab was described at the time by the Royal Australian College of General Practitioners as 'the biggest existential threat to general practice' in Victoria. That is an indictment of a system that is under stress at the best of times. There was great concern that if they were nearing retirement age, this sort of taxation retrospectively applied would push people into early retirement.

In many of our regional centres, there is only one doctors clinic. You are very, very lucky in a town if you have got two or more, depending on the size, but many absolutely struggle to find doctors to serve their communities. They are like gold – they are an incredible asset. We were in Emerald the other day at an upper house inquiry into climate change resilience – I know my colleague Mrs Broad was there – and we heard from a doctor who was from Monbulk. He has been there for I think 16 years. He does not live on the mountain – in the town – but the community spoke very highly of him and his work, and of course it is reciprocated. He spoke so intensely of care, not only for the physical wellbeing of his patients and the community but also for those connections that they form over many years. That is just one small example. It is shocking in this government's addiction to taxation that that person is an example – I am not saying that he is – of someone who would be a huge loss to the community should early retirement be the only option. Indeed one of my Gippsland GPs – and there have been many that

have come into my office and written to me over time, particularly last year – was going to be forced to close due to this tax burden. Therefore, what does that mean as a flow-on effect to our emergency departments and also in terms of health outcomes for Victorians?

If I go and think about Wonthaggi and some of the GP practitioners down there – of course it is a really big centre; it is really a vibrant place – there are limited GPs. I know recently a number of constituents wrote to me and spoke about how the emergency department is often flooded, overloaded with patients. Why? Because they actually cannot get into their GP, and the waitlist is so long that a case that might have been a reasonably benign or a non-critical case, after waiting for a number of weeks to get into a GP, can end up being quite critical and having to go to emergency. Anything that a government would do to put a further impost on GPs is just unthinkable.

Here we have a bill that is going to provide for a partial exemption, and I note that my colleague Mr Mulholland will move on behalf of the Liberals and Nationals amendments for a full exemption for payroll tax on GP wages rather than the partial one, and I ask the house to support them. If you want to be fair dinkum – given some of the healthcare concerns that we have, as I have just outlined, in this state – then provide that certainty and provide a full exemption. The bill also proposes some other changes in relation to repealing tax exemptions for friendly societies and ensuring an enforceable foreign purchases additional duty. It also provides provisions for land tax exemptions for alpine resorts and transitional exemptions for a holiday home after an owner's death. I note in recent times media articles about the fact that the government may well be looking to sell off both the Lake Mountain and the Mount Baw Baw government-owned facilities into private hands. Again, this shows that the government is not only strapped for cash but in a diabolical state.

Let us talk about what this government has done. Let us talk about its 55 new or increased taxes in the past year, and I think that is the exact opposite to what the former speaker was portraying. This of course is incredibly impacting the cost-of-living crisis that we have and the burden that Victorians are facing. Let us look at the balance sheet. Often how do you judge a state's finances? By looking at two measures: state debt and gross state product. Indeed we have heard, unfortunately, a revised magnitude of projected debt by 2028 – I think the Victorian Auditor-General's report came up with the revised estimate – of over \$200 billion, with a 'b', by 2028. Of course that would be more than \$26 million per day, more than a million dollars an hour in interest repayments. \$26 million per day would provide 128 ambulances. In fact if we look at the yearly salaries, it would be over 300 nurses' annual salaries, over 500 Victoria Police annual salaries – and boy, are they being ignored by the government at the moment – and over 300 paramedics. What does this equate to, this forward projection of \$200 billion? It is 22 per cent of our gross state product, our GSP. That is well above the average of other states at 11 per cent. I have spoken with our fantastic and well-loved former Leader of the National Party, Peter Walsh, who has often said that when they were in government back between 2010 and 2014 there was a consideration in the Treasury and certainly in the government of the day that gross state debt should be not too much higher than 6 to 7 per cent of GSP. Yet now we have got a debt that is just ballooning to alarming proportions. I am now a grandmother, and it is my granddaughter's grandchildren that will have this burden for us.

I also want to briefly speak about the housing issue, the importance of housing in our regions and the fact that this government is certainly nowhere near cooe of coming up with 800,000 houses over the next two years. Indeed we know it is around 57,000, I think, built this year. Certainly closing down a timber industry does not aid that, with higher importation costs and poorer quality into the bargain. But of those 55 new and increased taxes, 29 of them – 29 over the past 10 years – are property-based taxes. One of the taxes that we have seen is the land tax threshold reduction. This government has reduced the land tax threshold from \$300,000 down to \$50,000. I note that this change has certainly caused a financial impost and a financial hardship for many people facing that land tax bill for the first time. It is around that \$500 to \$1000 mark. The Treasurer Tim Pallas actually admitted that every Victorian household would have an extra \$1300 based on this tax. Victorians are being punished for this government's own mismanagement at a time when they can least afford it.

We have also seen increased land tax rates. So alongside the lowering of that threshold the government has increased the land tax rate above the \$300,000 threshold, and this has added a further burden on property owners, contributing to this cost-of-living crisis. We have a significant rental crisis, and I know my colleague was talking about this only the other day – I think it was you, Mr Mulholland – and also Mr McCurdy was talking about the change in rental bonds and the fact that they had gone down in the last 12 months by 6000 rental bonds. Of course the cost of each rental bond had gone up, so that says that, sadly, mum-and-dad investors are leaving the market. They cannot afford to cope with these additional taxes. They are leaving the market, so not only are the lines getting longer to view an open-for-inspection rental property but they are becoming more expensive. How can people rent and afford to put away money to save for their own home? It is becoming more and more challenging for Victorians to own their own home.

The introduction of stamp duty on off-the-plan purchases has made it more expensive for people to buy new properties. I was speaking last week with property developers, and they were highly passionate and had a lot of skin in the game. They have been there for a long time, and they were pulling their hair out in relation to some of the imposts that this government has put on them and on the market and therefore on regional developers and potential house buyers over the last 10 years. They spoke about development costs; land taxes, as I have gone into; and the negative impact on the market. Less homes are being built in our regions. For many people, rather than paying for a house and land package where about 35 per cent to 40 per cent of that package of house and land happens to be tax – tax, tax, tax – what they are doing is buying old homes, for example, in Wonthaggi, and one of the property developers was speaking about this, and renovating them. That is great, but it is still then taking them off the market. They are not putting the focus on new homes; they are taking them off potentially a rental market. Again, we saw that in the statistics.

Also, they raised the fact that this government is ignoring some very important stakeholders, like the Real Estate Institute of Victoria. They feel that they are being shut out. They have skin in the game and they have knowledge, yet this government says, ‘Don’t talk to me.’ It is not on track in relation to the housing statement – a statement by any other name. I will leave my contribution there. In doing so, as I said, the Nationals will not be opposing this bill. We ask people to support the Liberals and Nationals amendment. It is a very sensible one. It is actually focusing on supporting GPs, not only in the city but all across Victoria and in regional Victoria.

Tom McINTOSH (Eastern Victoria) (11:56): I rise to support the State Taxation Further Amendment Bill 2024. I want to thank my colleague Mr Berger for his contribution before. I note that the bill will fulfil a commitment made by the Allan Labor government to provide an exemption from payroll tax for payments to contracted GPs and to employee GPs who are providing bulk-billed consultations from 1 July 2025. I have during this debate listened to some of what has been offered by those opposite. It has been full of negativity, as can be expected from the coalition over there. They have been absolutely true to form. They have talked about a variety of particular economic items. Of course they failed to mention where unemployment was the last time the Liberals were in power. We know that they will slash jobs if they are ever given the opportunity to run this state, we know that they will cut services, and we know the impact that this will have on Victorians. When last in government those opposite did not deliver any major infrastructure. It was never an intention, it was never something they thought of, because they have no values, no policies and no plans to deliver anything for Victorians.

I do not even know why they are here. They do not even believe in government. Their Reaganism and Thatcherism in their uni student days has brought them to this place. The Institute of Public Affairs delivered Mr Mulholland into this place. I do not know if they write his notes. Mostly what we hear is about how talented you are and how hardworking you are, Mr Mulholland, but why don’t you put your money where your mouth is? We know you think you are leadership material. Why don’t you run for Prahran and put your money where your mouth is? You are that confident; run for Prahran. See how you go, mate. We will absolutely back you. We will absolutely see how you go.

Mr Mulholland, if that fails, if they have a remake of *Edward Scissorhands* I reckon you would be the perfect fit. We know you will cut, cut, cut if you ever get your hands on the lever, you lot. You do not care about education and the massive investment this government is making in early education, in primary schools and in high schools – you could not care – or the new hospitals we have built, the pay and conditions for our healthcare workers, or what we are doing for women’s health. You lot could not care about that one iota – or about the investment we have made in infrastructure, public transport, roads or rail. You lot would not touch it. You would cut, cut, cut.

Georgie Crozier: You’re desperate.

Tom McINTOSH: You are absolutely desperate, because you have got no plans, no policies and no values to put forward to Victorians – nothing to present to Victorians – because you are full of negativity, nastiness and divisiveness. You will divide Victorians, because that is all you are capable of, all you are confident of. Victorians deserve the investment in them to ensure they have the jobs.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Triple Zero Victoria

Georgie CROZIER (Southern Metropolitan) (12:00): (765) My question is for the Minister for Emergency Services. Minister, last week Triple Zero’s computer-aided dispatch system crashed, forcing staff to resort to pen and paper. Today, Triple Zero’s annual report revealed a deficit of \$81 million, with call taking, dispatch and data and information being cut by over \$38 million. Is the government putting the lives of Victorians at risk because it has simply run out of money?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): You have covered a few topics there, Ms Crozier. What I can say at the outset is that I am incredibly proud of the workforce at TZV. They do an incredible job year in, year out. They have one of the most difficult jobs there is. I sit down regularly and plug into the calls that they receive. They do not know what they are getting until they pick up the phone. They cannot see what is going on. They have got to ask the right questions and rely on those from the public. In relation to how many calls they receive, just for some context, during the period of 2023–24 TZV answered 2.9 million calls. That is around one every 11 seconds. It is an extraordinary amount of people that rely on Triple Zero – 7890 calls a day. In relation to the specifics of the deficit that you talked about, I do just want to correct the record in relation to that and explain that. They recorded an \$80.98 million deficit in 2023–24 largely due to the transfer of emergency services communications contracts to the Department of Justice and Community Services, which presents in their annual report as a loss.

In relation to the investment in TZV, we have invested millions of dollars in TZV. We have supported them to recruit more and more staff. In 2023–24 the total headcount increased by 50 from 1424 to 1474. There are around 1275 people in that organisation that are able to answer the calls when they come in. As you can appreciate with the numbers that I was talking about, they are receiving more calls now than they did during the COVID period. The amount of people that are relying on TZV each and every day is at COVID levels. It is the new normal. This is an amazing workforce. They have the support of the government. They have the investment that they need, and very, very soon I will have more to say about the CAD system that Mr Mulholland asked me about yesterday, which will be a vital investment in the future of this amazing organisation.

Georgie CROZIER (Southern Metropolitan) (12:03): Thank you, Minister. Can you guarantee that Triple Zero’s CAD system, as it is referred to, will not crash again during the busy summer months, when Victorians are most at risk from emergencies such as fires, heatwaves and drownings?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:03): Ms Crozier, I cannot give that guarantee. No-one would be able to give that guarantee. That is why –

Georgie Crozier interjected.

Jaclyn SYMES: It does not keep crashing. Yes, there was an outage last week that you have indicated on 20 November that lasted for 2 hours. There were around 700 calls during that period. They are trained to revert to a manual system to ensure that Victorians still get the service they need. We have invested and announced that we will be releasing the tender in relation to a new CAD system. Can I guarantee that the system will not crash? When it went down last week, we had not had any issues in the 18 months prior to that. I want to make sure that we are supporting the workforce, investing in the CAD system as it exists so it can continue to serve the Victorian community whilst we build the brand new one, which will be fit for purpose and ensure that the future of that organisation is even stronger than it is today.

VCE exams

David DAVIS (Southern Metropolitan) (12:04): (766) My question is to the Minister for Skills and TAFE. Minister, as you know, the VCE includes a broad range of studies, including 27 VCE VET programs. Many of these are fully integrated VET programs within the VCE. As you are also aware, the 2024 VCE examination process has been a fiasco, with breaches of security and a consequent loss of integrity and trust. It has been reported that 12 VCE VET subjects, amounting to 44 per cent of VCE VET subjects, were compromised by students having access to exam questions prior to the exam. So I ask: on what date were you first informed about this debacle, and what actions did you consequently take?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:05): Again, this is another example of those opposite asking questions about the skills and training system and not having a clue, otherwise they would not ask the question. The answer is that those courses are within the jurisdiction of the Minister for Education, not the Minister for Skills and TAFE. If you were actually interested in vocational education and training, you would know that.

David Davis: On a point of order, President, I very carefully referenced the authority's own material. I made the point that many of these fully integrated VET programs are within the VCE, but the minister still has responsibility for VET programs, their delivery and the integrity of those programs. She cannot step away from responsibility. The administrative orders are very clear. Even the government's own documents indicate that the 27 VET programs –

The PRESIDENT: I do not think it is a point of order. I think you are just using this opportunity to repropose your question. The minister answered the question.

David DAVIS (Southern Metropolitan) (12:07): It is an absolute outrage that this minister is seeking to avoid responsibility. She should have known. She should have been across this subject, and I ask: can you explain to the house the impact of the VCE VET fiasco on individual VCE VET students, specifically what the nature of the compromise of the VET subjects was and how the debacle will be rectified?

Harriet Shing: Finishing the year on a high, Mr Davis.

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:08): On a high, Minister Shing, and consistently ill-informed about skills and training and vocational education and training in this state. As I have answered in the substantive question, this whole area is under the portfolio of the Minister for Education, and it is hardly surprising that you cannot ask me a direct question about this, because it is not in my portfolio.

David Davis: On a point of order, President, it is totally and utterly inconceivable that the minister was not informed about the debacle with the VET subjects that she administers. She ought to be sacked. She is responsible for those VET subjects, and she should have taken some action.

Members interjecting.

The PRESIDENT: I could not hear a lot of that, but I am not putting it down as a point of order.

Ministers statements: racial discrimination

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:09): Yesterday the Minister for Treaty and First Peoples and I had the great honour of launching the nation’s first anti-racism strategy, a long-term plan to prevent and address racism and discrimination in Victoria and ensure Victoria is a place where everyone is safe and respected. For too many Victorians, racism remains an everyday reality. The last few years have been particularly challenging for our social cohesion and our multicultural and First Peoples communities. The COVID-19 pandemic was the catalyst for an increase in overt racism towards our Asian and Chinese communities. It also laid bare the racial inequalities in our economy. First Peoples communities were subject to vile abuse and racism as a nation divided over the Voice referendum, and the conflict in the Middle East has polarised many in our community. We have seen unacceptable increases in antisemitism and Islamophobia, and disturbingly we have seen a new wave of far-right extremists and neo-Nazis that have been emboldened by this division. There is no easy solution to the complex issues before the community, but the anti-racism strategy demonstrates our commitment to dismantling racism at every level. The strategy sets the expectation that every Victorian, every government body and every institution has a responsibility to prevent discrimination and racism. I want to be clear: eliminating racism in Victoria is not the responsibility of First Nations people and multicultural and multifaith communities. But their lived experience has shaped the practical steps that need to be taken across government and the community.

Members interjecting.

Ingrid STITT: And it does speak volumes that I am being heckled about this topic today in the chamber. I want to thank the co-chairs of the anti-racism taskforce Sheena Watt and Nick Staikos, all the members of the taskforce and the many hundreds of Victorians that helped shape this important strategy.

Vocational education and training

Melina BATH (Eastern Victoria) (12:11): (767) My question is to the Minister for Skills and TAFE. Minister, why is your government forcing a busload of Wonthaggi Village High School students to travel for an hour and a half to Frankston TAFE to complete the VET component of their VCE VM due to no in-person TAFE training being offered in the town?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:12): I thank Ms Bath for her question. This is a question that has been raised with me previously. I have advised the house that Chisholm Institute and TAFE Gippsland are undertaking a study at the moment and are undertaking consultations with the Wonthaggi community to determine what the ongoing skills needs are in terms of the local economy but also of course of individuals and their families, and that will be provided to me shortly. I look forward to that. In addition to that, can I say that the VET in schools program has been very successful in Wonthaggi.

Members interjecting.

Gayle TIERNEY: So no-one is allowed to make a comment about anything, is that right? This, coming from those opposite that believe that TAFE is a dirty word. These are the people that believe TAFE is a dirty word.

David Davis: On a point of order, President, the time is for questions, not for the minister to attack the opposition, despite her struggle to understand what she is responsible for with TAFE.

The PRESIDENT: I uphold the point of order in terms of previous rulings that answers should be responsive and should not be attacking the opposition. I will call the minister to the question.

Gayle TIERNEY: We do absolutely support regional TAFEs. We have got over 70 per cent of our students going to regional TAFEs. We have spent over \$2 billion in capital works since 2014 on regional TAFEs, and it is very much part and parcel of our agenda. That is why I have also made sure that TAFE CEOs are on our regional partnerships so that when there are conversations about the future of our regional towns, our regional cities, we are absolutely in the front seat of that car in those conversations determining what pathways need to be available for our students.

This, coming from an opposition that shut down 22 campuses, and 15 were in regional Victoria. If you want to talk about TAFE Gippsland, give me 10 hours because what you did to Gippsland was absolutely criminal. It took this government to get in there and absolutely make sure that we could rebuild TAFE right through Gippsland. We rebuilt Morwell. We have rebuilt a whole range of facilities, including Sale, not to mention major upgrades at Bairnsdale and Traralgon. This is a government that is absolutely committed to access and delivery of TAFE, vocational education, in regional Victoria. As I have said, there is a study going on in terms of Wonthaggi, because we are on to it. You never were.

Melina BATH (Eastern Victoria) (12:15): I note the minister's response. Minister, this is a municipality of 45,000 people, and it has no face-to-face TAFE classes. When will the Bass Coast return to face-to-face TAFE class?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:16): There are a number of arrangements that are in place that Ms Bath is absolutely aware of. If she was not, then she is misleading the house. The fact of the matter is that there is a study that is being undertaken. I look forward to receiving it, because we have got a fantastic track record when it comes to vocational education and training right across the state but particularly in terms of regional Victoria. Those opposite that have got any connection with Gippsland should be ashamed, because you drove vocational education and training into the ground from one end of Gippsland to the other. It was an absolute embarrassment. You should be able –

David Davis interjected.

Gayle TIERNEY: I do not run exams.

Parental incarceration

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:17): (768) My question is for the Minister for Children. The flagship recommendation of the 2022 inquiry into children affected by parental incarceration was for a new unit to be set up within the Department of Families, Fairness and Housing with a specific mandate to respond to the needs of approximately 7000 vulnerable children in Victoria with a parent in prison. As Minister Erdogan inferred to my colleague Ms Copsy during question time earlier this month, there are recommendations from this inquiry that sit within your portfolio. The government's two-page response does not address these recommendations directly or reference any family services designed or delivered specifically for the children and families of people in prison. Minister, which inquiry recommendations are you responsible for acquitting and what progress has been made towards implementing them?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:18): I thank Ms Gray-Barberio for her first question here in question time and take this opportunity to congratulate her on her election to this place. I look forward to many more questions and acknowledge the inaugural speech that you gave last night. It certainly indicated your passion and commitment to issues in my portfolio, and I look forward to engaging with you on those.

Parental incarceration is an issue that has concerned me significantly since I was at university myself and did one of my assignments on how we ensure that we keep families together even when they are incarcerated and how we do everything that we can to, particularly through the work done in some of our women's correctional facilities and programs, ensure that we are working to maintain those

connections between children – sometimes children who are in the child protection system but not always – and their parents in custody. I note that Minister Erdogan did provide a response that went to the whole-of-government response in relation to this inquiry. I also gave evidence at the Yoorrook Justice Commission that this is an issue that we continue to work on in relation to Aboriginal families, and work remains underway on some of those programs. I look forward to being able to update you on that and provide you with information about that as that progresses.

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:19): Thank you, Minister, for your response. My supplementary question is: one of the inquiry's findings was that the child protection system does not systematically record when children in its care have an incarcerated parent, and that this means it does not adequately recognise or respond to children affected by parental incarceration. What work has been done since the inquiry to improve the way the child protection system works with the correctional system to ensure these children's needs are accounted for and met, and what further work is planned?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:20): I again thank the member for her question. For children who are involved in child protection and who do have a parent in the corrections system, the Department of Families, Fairness and Housing does work as part of that child's case management plan, where it is in the best interests of the child, to facilitate those connections between the children and the parents. The range of supports can include things like counselling programs to develop, re-establish and strengthen family links and ties. The supported play and visitation program as well is another key program which we seek to provide for, which seeks to increase opportunities to engage children with their parents who might be incarcerated. Parenting programs as well for parents will support both the implementation of those existing programs but also hopefully at some point family reunification, and the family preservation and reunification services work intensively with those families to try and maintain connections and/or build connections as well. There is a lot of work that is happening in order to ensure that we can successfully reunify and safely reunify a family post incarceration.

Ministers statements: regional housing

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:21): This government is committed to the economic development of our regions. We know many regional businesses need workers. Regional workers do not just need decent jobs, they need places to live, and that is why I was pleased to recently open round 2 of the Regional Worker Accommodation Fund. Round 1 is already backing key industries like health, agriculture and tourism to ensure more businesses have the key workers they need to thrive, from the new one-bedroom units to support healthcare workers in Kyabram to 1300 extra beds across the three alpine resorts, making it even easier for geographically isolated tourism businesses to ensure that they can bring in the workforce that they need to operate year round. Round 1 is driving nearly \$250 million in combined public and private investment to deliver more than 20 housing and accommodation projects across regional Victoria. And what better place to make this announcement than at the recent Victorian Country Press Association's annual conference, because nobody understands the needs of our local communities like our local papers. Regions that have not yet received a Regional Worker Accommodation Fund grant or have strong shovel-ready ideas in partnership with local businesses and industry are strongly encouraged to apply in this second round. Round 2 opened on Monday 18 November and closes on Friday 31 January next year. For new projects inspired by the first round or for those who missed out in round 1, this is your opportunity. This means more rural and regional communities will have housing, skills and workforces that they need to thrive.

Residential planning zones

David DAVIS (Southern Metropolitan) (12:23): (769) My question is to the Minister for Housing. Minister, I refer to the government's announced intention of developing a high-rise, high-density zone in the City of Stonnington and including areas of the cities of Monash and Glen Eira in a zone with a

central activity centre of 12 to 20 storeys and a surrounding catchment area with as-of-right development up to six storeys proposed, and I ask therefore: is it the government's intention to develop public housing in the zone, and if so, how many dwellings will be devoted to public housing?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:24): Thanks, Mr Davis, for enabling me to talk about the Big Housing Build and the work of the housing statement and the work as that relates to the allocation of \$5.3 billion of Victorian money in addition to the funding which we have received from the Albanese government following nine years of inaction by your mates up in Canberra. But what I do want to say is that unfortunately – and you did ask a question of the Minister for Skills and TAFE earlier; perhaps it would serve your purposes and your professional development to get some skills and training on the general order – this is in fact a matter, as it relates to central activity districts and to precinct development, that sits with the Minister for Planning.

What I will do, however, Mr Davis, because we are all feeling a bit generous at this time of the year as we continue our groundbreaking work to manage and to address the challenges of the cost of living and of population growth, is go into some of the detail. I do want to correct a couple of your assumptions in that work that you have put into your preamble. Do not go and say that it is a straightforward question, because you did indulge in what I thought was about 450 words of preamble before you got to the nub of what you were after. When you talk about 12 to 20 storeys, there is one example of 20 storeys – one example – and that is in Ringwood. That was in fact approved by the council. That is a local government matter.

David Davis: On a point of order, President, this was a very specific question about one zone, the one that is in Stonnington, Monash and Glen Eira. This is about one zone. It is not about Ringwood, it is not about North Essendon, it is not about Moorabbin; it is about the Stonnington, Monash and Glen Eira zone. It is one question on one zone.

The PRESIDENT: The minister is being relevant to the question.

Harriet SHING: Thank you very much, Mr Davis. Clearly you do not like the answers to the questions that you are putting, not just in this place but those that are put by the current member for Brighton in the other place. When we talk about activity districts and centres, when we talk about growth and when we talk about density, we are talking about a fairer share. This is something which causes you collectively to wince because it offends you to actually contemplate the idea that there will be more growth in your suburbs. Just a couple stats, if I may: what we have seen across the areas that you and the member for Brighton are so keen to look at identifying –

David Davis: On a point of order, President, on relevance, this is nothing to do with Brighton. It is to do with Stonnington, Glen Eira and Monash – one particular zone. I simply ask: will there be public housing that she is responsible for in that zone – one zone?

The PRESIDENT: The minister is being relevant.

Harriet SHING: Let us have a look at growth. In the three areas slated for greater density there was a 24 per cent increase in density, as distinct from Melton and Wyndham, which saw an over 400 per cent increase in planning and density.

David Davis: On a point of order, President, I have asked a very specific question about one zone, the zone that is about Stonnington, Glen Eira and Monash. It has nothing to do with Melton. I put it to you that that is 60 kilometres away, a very long way away, and it is nothing to do with this. It is about one zone. Will there be public housing – your responsibility – in that zone?

The PRESIDENT: I believe the minister is being relevant to the question.

Harriet SHING: So, Mr Davis, we are talking about Stonnington. Come on down to Bangs Street. Come on down to the work that we have done to announce additional social housing to meet the needs

of people who want to live in the area and who want to return to the area as part of a right of return. As we work to deliver housing – unlike you, who seem to have an obsession with needing the right iPod, the right iPad, the right technology and the right sneakers to find somewhere to call home that you actually want to protect as leafy, green affluent suburbs – we will continue to work with people to make sure social housing is provided across the board.

David DAVIS (Southern Metropolitan) (12:29): That was an extraordinary response from a minister who is clutching at straws here; this is quite desperate. I have been very clear about one specific zone. Stonnington, Monash and Glen Eira is one zone that has been announced by the government. All I am asking, and I will ask it in perhaps a different way, is: does the government have a target for the number of public housing dwellings in the new skyscraper zone and surrounding catchment area in Stonnington, Glen Eira and Monash?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:29): Thanks, Mr Davis. You obviously watched *Blade Runner: The Director's Cut* and decided that we are going to turn into some form of Hong Kong in the 23rd century. Nothing could be further from the truth. What I am going to confirm for you, because again, it is important that perhaps you depart from this kind of litany of misinformation diatribes that you have brought to this place and every other discussion you have had – including on social media – which nobody really engages with because it is so fraught with inaccuracies, is that we are already building social housing in the areas that you have identified, and we are doing that because it is the right thing to do. We are doing it because people deserve to be able to live in areas that meet their needs and aspirations. Just this morning –

David Davis interjected.

Harriet SHING: You do not want to hear about social housing. You do not actually want to hear about it.

David Davis: On a point of order, President, this was a question about whether there is a target, so if the minister can tell us: is there a target?

Harriet Shing interjected.

David Davis: Yes, it was. Do you want me to read it again? That was the question. It is a good question. Does the government have a target for the number of public housing dwellings in the new skyscraper zone and surrounding catchment area?

The PRESIDENT: I believe the minister was relevant to the question.

Harriet SHING: Mr Davis, if you actually cared even one scintilla about social housing, you would know already that as part of the Big Housing Build we are building homes in this area. We will continue to do so, and you will continue to – (*Time expired*)

David Davis: On a point of order, President, again, it was a question about a target, and she still has not responded on that matter.

The PRESIDENT: The minister's time has expired.

Skills plan

Renee HEATH (Eastern Victoria) (12:31): (770) My question is for the Minister for Skills and TAFE. The Labor government's Victorian Skills Authority has stated that 373,000 more skilled workers are required across the state by 2025. That is in just over one month. At the current rate of course completions, how many skilled workers in Victoria fall short of this target under your so-called skills plan?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:32): There are a couple of things that I want to address. The first thing is that

Victoria is not alone in terms of having skill shortages. Skill shortages are across all jurisdictions in a whole variety of industries, but it is not just even in Australia, it is also the case right across the world. So if people are thinking about just importing tradies from overseas, well, there are some difficulties there, because in those home countries they have the skill shortages as well.

The other point is that in terms of skills shortages and how we rectify that, this is not a job for the government alone. It requires everyone to be involved. I said in my speech on the first Victorian skills plan a couple of years ago that we need to work in cooperation and collaboration. This is something that is absolutely missing from those over there. They are not interested in that. They oppose tripartism, and they oppose recognising that we all need to join forces. The other thing I say to them is: can you imagine what dire situation this state would be in if we had not rebuilt TAFE, if we had not introduced free TAFE and if we did not have an 18 per cent increase in TAFE enrolments in the first quarter of this year?

This is a government that has done almost everything possible to ensure that we have got delivery, and of course we are working on making sure that our completions are also improved. This is a government that is absolutely committed to public provision of vocational education and training in this country. But not only that, we are about aligning the delivery to what is needed in the local economies for the first time ever, I would claim. We are building a system that is more responsive to what is needed in the labour market. But we have also made sure that there are provisions for those other areas, like the arts, so that they can stay, maintain and thrive.

This is a government that is absolutely committed to making sure that everyone has got a chance to participate. We have seen over 110,000 women come back into the training system. We have seen record numbers of people from CALD communities, First Nations people and people with disabilities. This is the importance of having public provision of vocational education and training. But it is also about making sure that we have got the architecture, whether it be the Victorian Skills Authority, which provides us with the data and talks with the National Centre for Vocational Education Research, Apprenticeships Victoria or of course the Office of TAFE Coordination and Delivery. And with all of that we are building a system, a robust system, that is on the balls of its feet to respond to the different challenges that we face.

Renee HEATH (Eastern Victoria) (12:35): I thank the minister for her response. Minister, when will you meet your own target of 373,000?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:35): Unfortunately, the member just did not listen to my answer. What they are now trying to say, what they are now trying to pin, is that because there is a skills shortage and it has been quantified, somehow it is the government's fault. We have taken on the responsibility to rebuild the system that they smashed, and we will continue to build a very strong TAFE and VET system so that we can fill those needs. Those opposite do not take any responsibility for what they did when they were in government, and now they are trying to pin all skills shortages on this government. It is outrageous and ridiculous, and you should go back to school. Maybe go to a TAFE.

Georgie Crozier: On a point of order, President, that was an extraordinary outburst from the minister. She failed to answer the question.

The PRESIDENT: What is your point of order, Ms Crozier?

Georgie Crozier: The point of order is that at the end of question time we will be raising it to have it reinstated, as she failed to answer it and continually sledged the opposition.

Ministers statements: emergency services

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:37): I am delighted to rise today to speak about the support we are giving our frontline emergency services workers so they can continue to keep Victorian communities safe each and every day and night. As

we go into the festive season, we know that demand for our emergency services workers always increases, and it is our 000 call takers and dispatchers who notice first. As I just indicated, sometimes it is more than 8000 calls a day that these amazing people are taking. I visit them regularly; I speak to them regularly. It gives me the motivation every day to want to ensure that the best service is provided so that we can do everything we can for every single Victorian to support them in making sure that our emergency services are best placed.

Mr Mulholland, unfortunately, I was not quite in a position yesterday to give you the details, which I can give you today, because we finalised the paperwork in relation to Triple Zero Victoria's next-generation computer-aided dispatch system, or the CAD. I am sure people are really interested to hear a major milestone has been hit. After a competitive procurement process, we have officially appointed our vendors, a consortium of Hexagon and Fujitsu. The \$253 million project will deliver a next-gen CAD with the latest technology to create a reliable and secure system for our emergency services. It will improve decision-making and productivity for our call takers, it will ensure it is integrated seamlessly across our other emergency services and it will support the workforce well into the future. It reaffirms the Allan Labor government's strong history of investment to strengthen Triple Zero Victoria. We have brought on more call takers, ensured better training, established stronger governance and significantly improved the response times in that organisation. Most importantly, we have ensured that Victorians get the help they need when they need it.

TAFE teachers

Evan MULHOLLAND (Northern Metropolitan) (12:39): (771) My question is to the Minister for Skills and TAFE. As the protracted two-year pay dispute with TAFE teachers drags on, TAFE teachers are quitting and the union representing them has stated there is no hope of attracting new TAFE teachers – a failure of this Labor government. Given the Victorian Skills Authority had already flagged a shortage of TAFE teachers across Victoria's TAFEs, how many TAFE teaching positions are currently vacant?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:40): Yet again we have a situation where those opposite ask questions and all they do when asking questions is expose themselves as being not in touch or on top of this portfolio. The fact of the matter is that the remarks that the member made in respect to the AEU dispute are very old, extremely old. In fact there has been positive and very strong progress in the negotiations to the point where bans have been lifted, like the release of results for students. So we are pleased with the progress and we look forward to hearing further from the parties that are involved as they explain –

Evan Mulholland: On a point of order, President, on relevance, I have waited a while; I would ask you to bring the minister back to my actual question, which was: how many vacancies?

The PRESIDENT: I believe the minister was relevant to the question.

Gayle TIERNEY: The member raised the dispute at the beginning of his question, so I was only providing a similar context to alert him to the fact that there has been progress made in terms of those industrial negotiations. I know that there are lots of conversations going on with members of the AEU and members of the VTA. In terms of the membership, obviously staffing has been tested like every other area of industry and indeed the teaching workforce, not just across the state, not just in TAFEs but all across the nation. This will continue to be an issue that needs to be challenged, and we will continue to do everything that we can. For example, we put the TAE, which is the prerequisite qualification for someone to teach at a TAFE, on the free TAFE list and we have seen an absolute uptake as a result of that. When I went out and made the announcement of the location of the Sunbury TAFE, the TAFE teachers who were there had actually undertaken those TAFE qualifications and are making sure that they are teaching at another TAFE at the moment and waiting to transfer over to the Sunbury TAFE. So this is an ongoing process. We have offered scholarships in the past and we have also ensured that there is work being done at a national level for a blueprint for the workforce for vocational education –

Evan Mulholland: On a point of order, President, on relevance again, the minister has had a long diatribe, but this was a specific question about how many TAFE positions are currently vacant. She has not gone near that.

The PRESIDENT: I believe the minister is being relevant to the question.

Gayle TIERNEY: In terms of the actual numbers, that sort of detail is very difficult. I would not have that on me at this point in time, and it varies on a daily basis and on a weekly basis. But obviously like all organisations – we have got 12 standalone TAFEs – they have got their own HR systems. Those HR systems would be aware of what their recruitment process would be, and I am sure that they will.

Evan MULHOLLAND (Northern Metropolitan) (12:43): With Victorian TAFEs facing a shortage of over 2000 TAFE teachers, I ask once again: will the minister rule out shutting down some TAFE campuses?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:44): Thank you, President, but moreover thank you, Mr Mulholland. What a gem. He talks about 2000 teachers. That is the exact number that you sacked when you were in government. Isn't that a convenient conflation of figures and histories? How dare they come in here and ask me about shortages, not to mention campuses, when they shut 22 campuses in this state. What I can do is assure the member that we have no plans to shut campuses. In fact I have made announcements about two brand new campuses in the last six months.

Fire medical response program

Rikkie-Lee TYRRELL (Northern Victoria) (12:45): (772) My question today is for the Minister for Emergency Services. The new fire medical response program began on 27 November. This involves several CFA units in our region of Northern Victoria, trained to provide expert assistance at certain medical emergencies, including reports of cardiac arrest. Can the minister explain more about this program and its life-saving work?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:45): Thank you, Mrs Tyrrell, for your question. I know you are a huge supporter of the CFA, so thank you for your interest in the fire medical response program. The CFA has worked closely with Ambulance Victoria (AV) on this program. It is a joint initiative between the two agencies and is really designed to ensure that CFA brigades, who are highly trained, are able to be dispatched simultaneously to cardiac arrests with their nearest ambulance. As you indicated, there are some brigades in our electorate that have put their hands up, and it is an optional program. The Euroa captain Damon Rieusset said that the decision to join the program was an easy one and a chance to make a life-saving difference in rural and remote communities. We know that our CFA volunteers are amazing community people. They really go above and beyond to respond to those in need. This is really about picking up on that motivation and ensuring that they are supported and trained to respond.

What will effectively happen is that, through their work, TZV and AV will be able to identify appropriate instances where the CFA can be notified as a first responder to join the ambulance response, which is particularly welcome in rural and remote areas, where obviously there are often more CFA stations around, which might be able to respond more quickly. As I said, it is an optional program. There has been a lot of interest in it, and I do thank those brigades that have put their hand up in relation to the program. I am more than happy to get you some more information, particularly as it rolls out. I am interested in hearing about the experiences of the brigades. It is anticipated there will be around 10 responses per brigade per year, so it is not something that we are expecting to be a daily occurrence, but it is a wonderful addition to the emergency response collaboration here in Victoria.

Rikkie-Lee TYRRELL (Northern Victoria) (12:47): I thank the minister for her response. While the nine currently signed-up CFA units is a good start, does the government have plans to expand the program to all units in Victoria?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:48): Thank you, Mrs Tyrrell. Yes, there are nine brigades that are about to go live, then I have got a list of another 19 that will be next. I can give you, perhaps after question time, that list. There are about four in our joint electorate that you might be interested in. The CFA tell me that there is continued interest from other brigades. As I said, it is optional. This is for brigades that want to add this to their responding capability and service to their local community. It will not be for every brigade, and certainly, as I said, it is not an expectation, but there is huge interest in it. As I said, we have got nine on the books, 19 to go, and I suspect that there will be more.

Ministers statements: LGBTIQA+ community

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:48): This year has been a truly monumental one for our vibrant and diverse LGBTIQA+ communities around Victoria. While we have celebrated many achievements, LGBTIQA+ communities have faced a rise in hate speech, vilification and violence. I acknowledge the tireless work of the Attorney-General and also the Minister for Multicultural Affairs for LGBTIQA+ people of faith in advancing anti-vilification reform to ensure that all Victorians can live freely and safely. It was wonderful to see representatives of our diverse communities gather this week in support of this work and anti-vilification legislation, and I thank them. Here in Victoria, equality means no-one is left behind. This reform protects women, people living with disabilities and our multicultural and multifaith communities, including LGBTIQA+ people of faith. Getting caught up in harmful and divisive debates about the validity of people’s identities causes real harm and contributes to LGBTIQA+ people experiencing poorer mental health and whole-of-life outcomes compared with non-LGBTIQA+ communities. We are committed to continuing the work to ensure that LGBTIQA+ people can live safely, wholly and freely, and we are proud to have prohibited harmful change and suppression practices and removed barriers for trans people to access birth certificates that reflect their gender identity. We will continue to remove discrimination against LGBTIQA+ people through critical reforms that promote social cohesion, education and connectedness to ensure that all Victorians can live authentically and without fear. There is no room for vilification, hate speech or discrimination against LGBTIQA+ people in Victoria. Under the Allan Labor government there is no room and there will never be any room for Nazis. If only those on the opposition benches could say the same thing.

The PRESIDENT: That ends ministers statements and question time. I am not asking any ministers for written responses, but I will take points of order.

Renee Heath: On a point of order, President, the minister failed to answer my supplementary question, and I ask that it please be reinstated.

The PRESIDENT: I am happy to review that.

David Davis: On a point of order, President, during the question I asked the Minister for Skills and TAFE, she walked a million miles away from any responsibility for VET subjects in the current VCE environment. It is my contention that the minister has misled the house on her responsibility, and I want to draw your attention to the annual report –

The PRESIDENT: No, Mr Davis –

David Davis: I just want to read a section –

The PRESIDENT: No. I have invited you for a point of order.

David Davis: She has not answered the question –

The PRESIDENT: No. I have invited you for a point of order if you believe that the minister did not answer the question. This is a point of debate.

David Davis: She did not answer the question, because she said she was not responsible –

The PRESIDENT: That is an answer.

David Davis: But actually the annual report of the Victorian Curriculum and Assessment Authority says she is. It even refers to her in the report. It says here:

The VCAA Board is primarily responsible to the Minister for Education. It is also responsible to the Minister for Children, Minister for Skills and TAFE ...

It actually goes further; it goes much further. It draws out her own name. It has a biography of her in there and her responsibility, and the delivery of VET and VCE courses is clearly something she has an interest in and responsibility for.

The PRESIDENT: Mr Davis, I have said this before. An answer can be that the minister says it does not fall within her responsibility, so she answered it.

David Davis: On a point of order, President. In the governance and organisational section it says:

Minister for Skills and TAFE

...

The Hon. Gayle Tierney MP

The PRESIDENT: Dr Mansfield on a point of order.

Sarah Mansfield: On a point of order, President, I have two unanswered questions on notice that are overdue: 1665 and 1666.

The PRESIDENT: Can I get a minister to give a commitment to follow those ones up? Minister Shing said yes.

Sitting suspended 12:54 pm until 2:02 pm.

Constituency questions

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (14:02): (1298) My constituency question is for the Minister for Environment. In 2021 the government, following the recommendation delivered two years prior, promised to legislate the creation of the central west national parks, which include Wombat–Lerderderg National Park in my electorate. These parks are vital for protecting biodiversity and addressing the climate emergency. Greater gliders, brush-tailed phascogales and rare orchids, like the striped greenhood, are at heightened risk due to delays in protection. The long-promised parks will safeguard them while also boosting nature-based tourism and economic opportunities in Northern Victoria. The government has confirmed in letters to my constituents and publicly that it intends to introduce the legislation before the end of this year. However, as I stand here on the last sitting day, there has been no action. My constituents want to know when the minister will commit to introducing this crucial legislation.

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (14:03): (1299) My question is to the Minister for Children. How are the Allan Labor government's Building Blocks grants improving kindergarten buildings in the Bayside LGA? Last week I visited St Mary's Pre-school in Brighton East for their 65th birthday and to have a look at their brand new outdoor play area, which has been completely upgraded thanks to a new \$200,000 grant from the Allan Labor government. It was great to be joined at this inspection and celebration by the member for Brighton and the federal member for Goldstein, both of whom thought that Labor's investments had done a great job of improving the outdoor space at this wonderful facility in Brighton East. But they are not alone. Right across the Bayside LGA Labor has been investing in local kindergartens: the Hampton Community Kindergarten, St Peter's Kindergarten, North Brighton Children's Centre, the Grange Road Kindergarten, Livingston

Kindergarten in Highett, the Olympic Avenue Kindergarten in Cheltenham, Friendship Square in Cheltenham – the list goes on. Labor is investing in our kindergartens right across Melbourne.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (14:04): (1300) My question is for the Minister for Environment. Will the minister fund urgent clean-up and maintenance works at Reedy Swamp in the Lower Goulburn National Park? The Shepparton–Mooroopna Urban Landcare Group are a small but dedicated group of volunteers who give their own time to conserve and care for native fauna and flora around Greater Shepparton. They are distraught at the serious neglect of Reedy Swamp in the Lower Goulburn National Park by Parks Victoria. Fences are in disrepair, tracks are not maintained, illegal logging is removing crucial tree coverage, feral cats and rabbits run rampant, weeds have spread rapidly after the floods and rubbish is dumped in the park on a weekly basis. The local Parks Victoria branch is not sufficiently resourced to address these issues. The senior ranger has not been replaced, and staff members are down from five to one. This comes amid reports that the Allan Labor government will soon create two more national parks and fire another hundred Parks Victoria staff across the state. It is pointless creating new parks when you cannot even manage the ones Victoria already has.

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (14:06): (1301) My question today is for the Minister for Roads and Road Safety. Since the October 2022 floods the quiet town of Barmah has found itself part of a major truck route to and from Echuca to Moama. Locals are concerned that truck drivers have worked out that in bypassing McCoys Bridge on the Murray Valley Highway at Kotupna and instead travelling through Barmah they save time travelling to and from the major regional centre. With a current speed limit of 60 kilometres per hour, locals are extremely concerned about the safety of both residents and motorists with the increased amount of heavy vehicles travelling through the town. My constituents believe that a lower speed limit of 50 kilometres per hour through the centre of town would be safer for motorists and pedestrians. To improve safety for my constituents who reside in Barmah, I ask on their behalf: will the minister commit to directing VicRoads to investigate the safety concerns regarding the 60-kilometre-per-hour speed limit zone through the township of Barmah, with a view to lowering the speed limit to a safer speed for all road users?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (14:07): (1302) My question is for the Minister for Roads and Road Safety. Many constituents in my electorate in Mill Park and Bundoora have written to me about the state of Plenty Road, Bundoora. Outside the regular potholes that plague roads across Victoria, the Bundoora section of Plenty Road has been independently rated as Melbourne’s most dangerous road. We see an urban planner’s nightmare of confusing traffic lights and intersections, and roadside maintenance is non-existent, with high grass obstructing sight lines. It is, sadly, only a matter of time before we see another fatality on this road. Victorians deserve better, and as we often say, one fatality on our roads is too many. Thus my question to the minister is: have you been briefed on the traffic situation on Plenty Road, Bundoora, and if so, why has there been no action from the government to fix Melbourne’s most dangerous road?

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (14:08): (1303) My question is for the Minister for Education. I recently met with a school council representative from Moomba Park Primary School in Fawkner. This vibrant and diverse school community is desperate to source funding to improve their school. Built in 1968, the school has scarcely been updated in the last 50 years. While a great new early learning centre was recently built on the grounds, the primary school’s buildings are crumbling, the roof leaks in the rain and students refuse to use the toilets, such is their state of disrepair. A flexible learning space that caters to their large contingent of students with additional needs is unsafe

for much of the year because of inadequate heating and cooling. Neighbouring schools Fawkner Primary and St Matthew's have seen significant investments, yet Moomba Park falls behind. The school is stretched to its limits. A rebuild is urgently needed to bring it up to standard. Minister, will you commit to funding a rebuild of Moomba Park Primary School and urgently address these critical infrastructure issues?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (14:09): (1304) (1304) My constituency question is for the Minister for Environment. As part of fire preparedness and fire mitigation measures, the bushfire royal commission recommended a 5 per cent rolling target of fuel reduction burning and mechanical reduction in a mosaic pattern. Under Labor's flawed Safer Together policy, over the last 12 months there has been less than 1.4 per cent achieved. With an above-average bushfire season forecast and high fuel loads in my Eastern Victoria Region, last week I met with constituents in Gippsland, and they discussed a whole range of issues, including those mosaic burns. One of our concerns is about what toolkit the government has and if it is adequate. My question to the minister is: can you guarantee that Eastern Victoria Region will have sufficient firefighting aircraft coverage this fire season?

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (14:10): (1305) My question is to the Minister for Planning. I read from an email I received from a constituent, James:

I live in Bentleigh in the catchment area of the proposed Moorabbin Activity Centre (the area 800m from the Moorabbin Activity Centre ...

He is 39 years old, and he bought his home in 2019 with the expectation that it would remain NRZ1 – neighbourhood residential zone schedule 1. He has made representations to the local member Nick Staikos, on a number of occasions he has spoken to his office. He was assured the discussions were –

David Davis: Staikos has gone to ground.

Georgie CROZIER: He has, because he was assured that Mr Staikos had been conversing with the Minister for Planning on the matter. He has not had any response back, and he really wants to see some action on removing the Bentleigh NRZ1 from the Moorabbin activity centre plan. He is very concerned about this, so I ask: could the minister provide a response to the concerns, as raised with her via by Mr Staikos, around the NRZ1 in Bentleigh?

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (14:11): (1306) My question is for the Minister for Health. Minister, it is now 2223 days since the government promised a hospital in Pakenham. In 2021 the government used its compulsory acquisition powers to claim the site in Pakenham. Since then there have been multiple court actions by former owners, including a case referred to in the media just last month. Minister, there are now some demolition works finally starting on the proposed site – six years after it was promised, by the way – so these are the questions I have. Has the government concluded the action brought by previous owners of the site that was compulsorily acquired? What was the final settlement and when was it reached? And what are the current projected costs for this long-overdue hospital, including any payouts to former site owners?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (14:12): (1307) My question is for the Minister for Planning, and it concerns the high-rise, high-density skyscraper zones that are proposed in 10 locations, at least, in our suburbs and also the 25 activity zones that have been nominated now – no doubt 25 more to go. I draw attention particularly to the petition that has been tabled in this Parliament. Approaching 4000 people have signed that petition against these zones, calling for a pause on those. The minister replied this week to the petition. The sad thing is that the response by the minister raises

many more questions than it answers, and it is very unclear what will trump what where the minister has said they will allow as-of-right development of 20 storeys in the centre and six storeys in the walkable catchment area. So my question to the minister is: will the minister guarantee that the planning amendments that are implemented by Labor for its high-rise, high-density skyscraper zones will not dilute, weaken or diminish the effectiveness of heritage protection and that the heritage protections will trump absolutely the new density zones and the new rules? It is a case of: will it be the density or will it be the high rise?

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (14:13): (1308) My constituency question is for the Minister for Roads and Road Safety, and it relates to the deathtrap roundabout at Dalton Road and Settlement Road in Thomastown. I have had countless constituents contact me with concerns about many accidents and near misses at this dangerous roundabout, which will only get worse with the completion of the North East Link. Even the Labor member for Thomastown knows this. Despite being a member of the government, in 2022 she presented a petition to her own Labor colleagues – in April 2022 – wanting action on this roundabout. The absence of progress on this roundabout is a symptom of the large neglect of infrastructure in the northern suburbs. It is no wonder the member for Thomastown in the other chamber said that the infrastructure is just not there in her electorate, and even if it was there, it would take ages to build. I ask the minister to urgently investigate what safety upgrades can be delivered at this roundabout.

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (14:14): (1309) You can imagine my surprise when at a school assembly on Monday, after we presented some awesome students with Aussie of the Month awards, lo and behold, who was there but the level crossing removal authority. What were they there to do, I hear you ask? That is a really good question. They were there to present the award winner – and not to belittle for one moment but in fact to champion the award winner, because they did a sensational drawing – who had entered into Level Crossing Removal Project drawing competition for a turtle. This is, if you are not familiar with this story, the turtle the state government paid for using taxpayers money at Ringwood East train station even though they will not provide a toilet. But it gets better. Guess what, the turtle has been installed. In installing the turtle, the government have now installed it so low that actually they cannot put the legs or the head on the turtle, so they are going to have to get the crane to come back, lift the turtle up and put its legs on its head, because they are worried kids are going to go under the turtle and get stuck. My question to the Minister for Health is: was she ever consulted on the absence of a toilet for Ringwood East train station when it was designed, implemented and built?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (14:15): (1310) My electorate office is on the Princes Highway in Dandenong, and I am constantly upset by the sight of homeless people. Many appear to be new migrants with limited English skills. My question is to the Minister for Housing, and I ask: Minister, since there are over 2000 Greater Dandenong residents who are homeless, which means they are sleeping rough with no stable place to live, can you assure Dandenong council that the government's recent commitments to increasing the stock of housing – including fast-tracking access to new greenfield sites within the urban growth boundaries, stamp duty concessions to encourage investment in new developments and unlocking of government-owned land near train stations – are not just pre-election rhetorical statements of misinformation? Since the last census homelessness has increased by 53.7 per cent in Dandenong, with Dandenong noted as having the greatest number of homeless people in Victoria: 2366 homeless people have been recorded in this area.

Western Victoria Region

Joe McCRACKEN (Western Victoria) (14:16): (1311) My constituency question is for the Minister for Emergency Services. Minister, I have had some hardworking farmers contact me recently. They are paying thousands of dollars in fire services levy every time they have to pay their rates. One constituent of mine at Lake Goldsmith, south of Beaufort, reported that his most recent fire services levy increased by 35 per cent. These are the same farmers that time and time again turn up and volunteer when fires threaten homes, livelihoods and properties. But they are getting absolutely fed up with being slugged time and time again with the fire services levy, and they see no return – old equipment, old tankers and no thanks from the Labor government. Minister, will you advocate to the Treasurer, the Minister for Local Government and the Premier to consider giving a discount on the fire services levy to CFA volunteers? These people are literally putting their lives on the line to save lives, making their community a priority. It is about time we make them a priority.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (14:17): (1312) My question is to the Minister for Small Business. I spoke to small business owners who are beyond exhausted and worried about the direction this government is taking, which has seen Victoria's debt skyrocket. It has gone from \$22 billion in 2014, when the Liberals and Nationals were in government, to nearly \$188 billion in 10 years under Labor. Vital taxpayer funds are being used to pay over \$1 million every hour in interest instead of the services our growing state needs. After the release of the Auditor-General's annual financial report, the Australian Industry Group in Victoria said it served as a warning about the cost of mismanaging the economy, which has already depressed business investment in the state. A Bendigo business owner recently told me that Victoria is now a no-go zone that has seen many local business owners sell or leave the state. Small businesses provide jobs, contribute to revenue and deliver services in rural and regional communities. But in the last year over 150,000 small businesses have closed their doors in Victoria. What action is the Allan Labor government taking to reverse this trend?

The ACTING PRESIDENT (John Berger): We have reached our total of 15. However, in the spirit of Christmas I will grant two more.

Western Victoria Region

Bev McARTHUR (Western Victoria) (14:18): (1313) How very generous of you, Acting President. My constituency question for the Minister for Environment concerns the devastating impact of the Mount Arapiles management plan on Natimuk. The loss of local medics, teachers and other professionals who moved to Natimuk to be close to the crags will be incalculable. Tourism will be devastated, and not just hospitality. Open Spaces Publishing has sold 140,000 climbing guides over 30 years. Devastated owner Glenn Tempest announced its closure last week. He wrote to the Premier:

I can't even put into words just how gutted this makes me feel ...

...

Mt Arapiles has been a part of my life for 50 years ...

Mt Arapiles changed my life, and the lives of possibly hundred's of thousands of people.

He told me:

... the despair felt across ... Natimuk is beyond words.

Our beautiful little town is on the front line of ... an attack on our rights to access public lands.

Minister, will you match the coalition's commitment to reverse this senseless attack?

Western Victoria Region

Jacinta ERMACORA (Western Victoria) (14:20): (1314) My constituency question is for the Minister for Children. Minister, I know that the government is conducting round tables with parents

and carers about how to improve families' access to services and supports to help their children thrive. I also note that the government recently ran a survey to gather feedback on maternal and child health services from parents and carers. Given the government's evident commitment to supporting the health and wellbeing of parents, carers and families in raising happy and healthy children, Minister, I would ask: how is the Allan government's investment in maternal and child health services benefiting children in my electorate in Western Victoria?

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (14:20): (1315) My constituency question today is to the Minister for Consumer Affairs. I have heard from multiple people from my electorate in the north-eastern suburbs who have tried and tried to get through to Tenants Victoria on their phone lines, and they just cannot get through. My question is: will you offer a targeted consultation in the North-East Metro Region with renters and local residents to ensure that their feedback improves this system so that when they call regarding rental issues for help someone will answer? I know that these services are under a huge amount of pressure to provide support to renters, who continue to face unlimited rent rises, unreasonable bond docking and landlords who ignore repairs and ignore maintenance, but these renters need support. When renters need to be able to access important information on their rights, looking online by themselves does not always help. Sometimes they need to speak to someone directly on the phone to get help. Please support Tenants Victoria so that they can do this.

Bills

State Taxation Further Amendment Bill 2024

Second reading

Debate resumed.

Tom McINTOSH (Eastern Victoria) (14:22): It is about 2½ hours since I left off, so I will just recap a couple of points that I was making. I will not quite bring the energy I brought before question time, because I am sure those opposite will not want to hear it. They will not want to hear about their negativity, their slashing and the cuts that they will make if they ever get the opportunity. I did acknowledge the contribution Mr Berger made before the lunchbreak as well and appreciate that, and I recommit my support for the State Taxation Further Amendment Bill 2024. I touched on the fact that it fulfils a commitment to see the exemption from payroll tax for payments to contractor GPs and to employee GPs for providing bulk-billed consultations from 1 July 2025.

The government announced back in May that the Allan Labor government was working with other Australian jurisdictions to support our general practitioners to provide more bulk-billed primary healthcare consultations for families. Following extensive consultation with the primary care sector and work to align settings across the country, the government announced that all Victorian general practice businesses will receive an exemption from any outstanding or future assessment issued for payroll tax on payments to contractor GPs for the period up to 30 June 2024. I will come to some of the government's other measures on payroll tax, in both reducing and discounting payroll tax for our small businesses in the regions, later in my contribution. A further 12-month exemption from payroll tax for payments to contractor GPs through to June 2025 will be available for any general practice business that has not already received advice and began paying payroll tax on payments to their contractor GPs on this basis. This exemption is being provided through the Treasurer's existing *ex gratia* powers and will be applied in this way under any Labor government.

There are a number of things I want to touch on, which I briefly got to touch on before the break but was cut off due to question time and cut off due to incessant noise from those opposite. I do not think they like hearing the truth, and when they hear it they do not want to engage. The economy of this state is something that we on this side acknowledge is incredibly, incredibly important and needs to be sustainable and here to deliver for individuals, for families, for the people that make up our communities across our great state. It is important that we are investing in the infrastructure and the

services that Victorians need through the entire journey of their life, whether it be early education, primary school, high school or skills and jobs – skills and jobs, which we again heard a lot about in question time. It is good to see the opposition raising TAFE. It is good to know they know it exists for something other than just being cut and shredded.

With our healthcare system we need to ensure, again, from the start to the finish of people's lives that they have a world-class health system that they can reach out to and depend upon to go about their lives. We must ensure that through this education and through this healthcare system we have got people that are skilled and fit and able to actively participate in our workforce, enabling them to support their family, their loved ones, and contribute to their local communities. That keeps our economy driving forward. To have this economy driving forward we need to be able to connect our communities and we need to be able to connect our state, whether that is on our roads or on our rail and whether that is personal, public or freight transport. We need to be able to bring the whole thing together, and that is exactly what this side goes about doing day in, day out – ensuring that can happen.

We need to ensure that all this can happen under a sustainable environment. I have just come from the Parliamentary Friends of Landcare event, the first event, a packed room with people from across Victoria who engage with their local Landcare groups or local friends of various environment groups, whether it be estuaries or whatever it might be, to manage and care for their local environment, because Victorians, indeed Australians – and as we heard, Landcare started in Victoria and is now around Australia and in other parts of the world – feel a deep pride and passion in caring for their local spaces.

When you put all that together, we look at creating a thriving state for people across Victoria to live in, to love, to thrive in, to be their absolute best in. Whether we are talking about individuals, families or indeed businesses, we on this side are proud of what we have been able to do for businesses with the payroll tax free threshold, lifting it to \$1 million, nearly doubling it from when those opposite were last in power. Fifteen per cent of all taxpaying businesses will not pay a cent, because our small businesses play an incredible role in our state, whether it is their connectedness to their local communities, whether it is mums and dads working in their local community, whether it is kids growing up around the business and getting to learn and understand or whether it is those businesses providing to their local communities. I am absolutely proud that we are supporting them with those tax-free thresholds – a bit of a mouthful, but we are getting there. I am also incredibly proud that in the regions it is a quarter of the metro rate, at 1.2 per cent, to support our regional businesses to also thrive.

It is a far cry, what the Labor government has done to invest in our regions, invest in the services and invest in infrastructure to set the foundations and the settings for regional local businesses to thrive. When you build the infrastructure in our towns, people stay. When the services are there, people stay. People can age in place. People can grow in place. Families can work in place. With the investment we have made into kinder and with the investment we are making into our childcare centres, parents – predominantly mums – can get back to work. They can take on that job in the local health service that does not get left unfilled. They can earn money to contribute to the family, which sees the excess money go into the community and keeps the community ticking together, and – another thing that those opposite do not like – they can put money into their super to ensure their retirement.

Our kids are going through the schools that we have invested in in the local towns, and there are so many primary schools and high schools that I get to visit throughout Eastern Victoria that have had significant upgrades and new buildings to ensure that that infrastructure is there and that our kids go in and are proud and our teachers go in and are proud to deliver a world-class education in this state. What that does, from three- and four-year-old kinder and primary school to high school, is bring through the next generation of Victorians to participate in our workforce in the most meaningful way possible. It sets up not only our community and our social fabric for people who can be their best, but it sets up our economy for people who can be their best.

It is our people that make us competitive. Although the Liberals would like to rip up pristine agricultural farmland and frack it, it is our people that make us the best. An *Australian Financial*

Review article today – just to pick up on fracking – says there are 20 per cent reductions on energy costs going forward in electrification, and what is the solution of those opposite? Tens of billions of dollars of nuclear power plants.

Members interjecting.

Tom McINTOSH: I have had to skip forward due to the interjections. I wanted to keep going a little bit forward through health. I will come back to health. Just to pick up on energy: those opposite, instead of seeing home owners and businesses with generators on their roofs, and batteries and electric vehicles – which I know are very frightening to you all – would rather ship oil from the other side of the world, paying foreign nationals who are potentially against our national security interests. You do not want to see farmers generating electricity off their land and diversifying their incomes, because of your ideological obsession, your ideological hatred of renewables. You are obsessed and you are hate filled, and that negativity is driven by the National Party out of Queensland. You are not allowed to come up with your own policies.

I do have a glimmer of hope that with Danny O'Brien taking on a leadership position he will protect the generations of jobs and the tens of billions of dollars of investment in offshore wind off Gippsland – because if it was up to you guys, that industry would not even exist. And what is your answer? It is tens of billions of dollars of nuclear reactors that do not have a workforce, and you are lying to workers. You are lying to current energy generation workers, because the jobs that you lot promise will not exist for decades. They will not exist for decades, and the businesses and the households in this state will not have the affordable, reliable clean energy that we are putting in the pipeline. If it was up to you lot, you would leave an absolute gap.

In our healthcare system we have our investments in hospitals all around this state and our investments in the pay and conditions of particularly those predominantly women that work in that industry around our state. Whether it is education, whether it is health or whether it is the infrastructure connecting it all, we have invested in it. And every step of the way, you have opposed, because you believe in nothing. You believe in nothing, you promise nothing and you deliver nothing other than negativity and divisiveness. That is why I am proud to be in this government and proud to support this bill.

David DAVIS (Southern Metropolitan) (14:33): I am pleased to rise to make a contribution to this particular bill, rising as I do after the strange and offbeat presentation we have just heard. The State Taxation Further Amendment Bill 2024 is a bill that the opposition will not oppose, but we have serious concerns about it. The payroll tax changes go a tiny notch in the right direction but fundamentally do not deal with the problem that is being imposed by this government. It is a tax on health, it is a tax on doctors and it is a tax on dentists and on physios and it is being passed all the way through to the patients. It is actually making health care more expensive and less affordable. That is what it is doing.

The Duties Act 2000 changes are a series of changes that we will have a bit to say about in a moment, but there are more land tax hits on a whole range of matters, hitting people who have provided for their own wealth. What I would say is all of this comes in the background of the state's growing debt, the state's growing financial enfeeblement, the state's growing position relative to other states and jurisdictions. The Auditor-General has blown the whistle on this government in his report *Auditor-General's Report on the Annual Financial Report of the State of Victoria: 2023–24* tabled last Friday. This is a very important report, and I would say to people across the Victorian community that it is dry and frightening reading but people should read it because it dispassionately, thoughtfully and with great authority lays out the problems that the state now faces. It says:

In this report, we share outcomes of our audit on the state's financial report and share our independent perspective on the state's financial outcomes and risks to fiscal sustainability.

They make the point they have seen the general government sector incur another operating loss of \$4.2 billion. This brings accumulated losses over the last five years to \$48 billion – \$48,000 million in

losses. It deals with the fact that there are serious operating losses because the public sector has not been managed well. It deals with the issues around the major projects.

Now, it is true that additional debt was incurred with COVID, but I am here to tell you, and the auditor's report from 2020 made this very clear, the state had entered a period on 31 December 2019 where we were already in the negative. That, importantly, is BC – before COVID. So that is what is going on here. Let us just rehearse for those who may not know it what has happened. The Baillieu–Naphthine governments worked hard to ensure the state had a strong fiscal position, and that is where we were. The tables in this report show the responsible management of the Baillieu–Naphthine governments. Let us just do this little trip down memory lane, because it will be instructive for some newer members. We left government with the state in a very secure financial position. The state also had a debt cap in place, an agreed debt cap across both sides of the Parliament. It was in 2018 in the week before the state election that the then Premier Daniel Andrews and Treasurer Tim Pallas stood before the media and in effect tore up the fiscal responsibility that had been a model on both sides of politics. They said, 'We're going to increase the debt to GSP from 6 per cent to 12 per cent.' Later, when COVID came along, they ripped out the debt cap and did not want to have any protections for bad fiscal management into the future. But you can never forget that press conference where Daniel Andrews and Tim Pallas stood in front of the pack and said, 'We're going to tear up the agreed debt cap. We're going from 6 to 12 per cent.' Of course the rest is history.

They rocketed off as they laid out big project after big project. The problem with these big projects – some of them are good projects, some are less well thought through – is they are all mismanaged. Every single one of them has come in either over budget or over time – or generally both – and more than \$40 billion has been squandered in cost overruns. So even a good project that has been thought through should be managed properly, and the waste and incompetence of this government in allowing these projects to flush into huge overruns has been extraordinary and is the central cause of what has occurred in this state. Incompetent, ineffective control of these major projects is leaving Victoria in a very difficult position into the future.

Our position with respect to other states has deteriorated massively. Those who want to check can go to page 24 in the Auditor's report, figure 12. He looks at the gross debt of Australia, Australian GGS – general government sector – by state as a percentage of nominal GSP. What you will see is Victoria, after 2018, rocketing up under Daniel Andrews and rocketing up under Tim Pallas, the worst Treasurer in Victoria's history. What you will see is that Victoria's debt by the end of the estimates period will be bigger than those of Queensland, New South Wales and Tasmania combined. And yet we were in a sensible position. We had debt to GSP at about 6 per cent previously. Then after Labor took the brakes off and said, 'Look, Mum, we're going free downhill, we're going no hands, and off we go,' we have been going downhill, and the debt is going up and up and up. People should be very aware of where this sits. The graph at figure 10 in the Auditor's report, 'Growth of Victoria's gross debt', shows for the whole state of Victoria that they will have taken more than \$250 billion out at the end of the 2027–28 period. That is the sign of a failed Labor government, a Labor government like all Labor governments: in the end they cannot manage money, they cannot control the books, and they bankrupt people and they bankrupt the state. That is actually what they are doing. They are seeking to bankrupt the state through their incompetence – buying votes here, buying votes there and unable to control the fiscal levers, allowing the state to careen into a terrible position where we will have debt which will hang like a smelly albatross around the neck of Victorians for decades into the future. Whatever government comes in, it is going to face the legacy of Daniel Andrews, Jacinta Allan and Tim Pallas.

I also want to be clear here. Some people say, 'Oh, poor Jacinta Allan. She's come into government, and she's inherited this terrible mess.' Well, it is a terrible mess, that is for sure, but she was one of the architects of it. She was the architect of it. She is up to her collywobbles in causing the debt. That is what she has done. She is the one who had oversight over all the projects – she is 'Miss Major Major Major Projects' – getting bigger and bigger and bigger as the debt coming out of each of the projects washes through the system and smashes Victoria's finances. That is Jacinta Allan's record.

She is the one who presided over the failure to control these major projects. I could go through the list, but I do not actually think it is necessary.

We even saw today the tabling of the updated position on the Metro Tunnel. We see that there is again slippage in time. We have got massive debt, already much greater out of the Metro project. The Metro has a very good value. We actually supported a version of the Metro, a different one, and we understand the theory behind the Metro and what the government is trying to achieve. But that does not absolve it of its responsibility to make sure the project runs on time and on budget. It is its job as a state government to actually get in and manage the projects, to cost them properly in the first place and then to manage the projects. It is not a licence to say, 'Oh, we're a Labor government. We can do whatever we like. We can waste billions of dollars of state money' – hard-earned taxpayers money – 'and we can waste that to the nth degree.' I say that is what has happened here. I do urge people to sit down and read this report from the Auditor-General. He has done very important work.

I think it is also important to realise that the Treasurer is wriggling here. He is trying to look for some hook or some way to explain what has happened to Victorians and Victoria. The truth is that in recent years under this government, income per head and income per household have been falling. People are getting poorer, and we saw this with the Saul Eslake figures that came through in recent days where he looked at this very carefully – a very thoughtful and respected economist. Now Victoria's income per head is lower than Tasmania's. I do not think that that has been the case since about the 1840s. Victoria has always been a more successful economy, had better income per head and better income per household, but the end result of Labor's incompetence and its waste and its profligate behaviour is that our income per head and income per household is falling, and the taxes are going up. The taxes are going up and up and up. The regulations have got worse. If you doubt me, go and read the Victorian Chamber of Commerce and Industry report from about 18 months ago. They tabulated the regulations across the different jurisdictions and singled Victoria out as the one with the most impactful and excessive regulations, so there is significant work that needs to be done there.

At the same time we have seen not just the fall in income per head and the rising debt but also declining services. After 10 years of Labor, the waiting lists are higher, much higher than they were. When we left government there were about 38,000 on the waiting list. There are mid-60,000s now on the waiting list. If you look at the ambulance response times, they have deteriorated. If you look at the transfer times in hospitals, the deterioration is actually quite severe. I just read some figures on the Alfred into *Hansard* earlier in the day, and they are a disaster. They are a disaster because if you are waiting to get into hospital and you have to wait longer, your outcomes deteriorate. They looked at, for example, the shocking deterioration in the performance of the wait times in the emergency departments. These are real problems and a deterioration in the performance. So not only are we going into debt, not only are our taxes higher, but our services are deteriorating too. The same is true in education. The same is true in transport; there is no evidence that we are getting better results on transport. In fact, there is a lot of evidence in the results that our train punctuality and so forth has deteriorated quite significantly over the 10 years of Labor.

So bad service results, high tax, high debt and deteriorating living standards – that is what we are actually facing. Victoria's living standards are going backwards. I pay tribute to the work that the *Australian* did in recent articles this week, from last weekend onwards, which looked at Victoria's position. You can see Australia's position deteriorating under a Labor government federally, but Victoria's position has deteriorated with respect to other states in Australia too. So this is a disaster. It is all due to Daniel Andrews, Jacinta Allan and Tim Pallas. That trio should hang their heads in shame. They should be run out of the state and asked to never return after what they have done to our state, after the damage they have done to our state, after the tragic amount of damage that they have done to our state. It is shocking.

Sarah MANSFIELD (Western Victoria) (14:49): I rise to speak on behalf of the Greens on the State Taxation Further Amendment Bill 2024. I will say at the outset, we will be supporting this bill. We are broadly supportive of the changes that are contained in this bill. The one area that I just want

to make some comments on is the changes to the GP payroll tax situation. It is well overdue that something was done about this issue. It first came to a head last year. In August 2023 in Victoria the State Revenue Office released a ruling that outlined that payroll tax applies to most general practices, and that ruling was to apply retrospectively and prospectively and apply to a number of other health professionals.

It is important to understand that most medical practices are private businesses. They have independent practitioners that generally operate as sole traders who pay a proportion of their billings to the practice in exchange for use of the facilities and support from staff like nurses and receptionists. This is what is really important I think to understand in this context: the longstanding interpretation of payroll tax laws right across states and territories, all across the country – and these interpretations were supported by professional financial advice received by general practices – was that payroll tax laws did not see GPs as employees. That did not apply to the typical arrangements in a group general practice that are commonplace right across the country. Then there were several court cases that tested this longstanding interpretation, and they determined that payroll tax applies in most medical practices because of the nature of the way GPs work together in those practices. While they are not technically employees, the way they function – for example, they might work out a leave roster between them to ensure that their patients continue to receive care or they might work together to ensure that someone is checking someone else's results if they are not in the practice on a particular day – and those team practice protocols meant that under the eyes of payroll tax laws they were seen to be functioning more like employees than sole traders. When these court cases occurred, understandably there was quite a lot of distress and uncertainty in general practices right across the country, because suddenly the way that they had been operating and their business models were being questioned. It was uncertain whether payroll tax did or did not apply to what they were doing.

Other states and territories recognised that these cases presented a genuine practical problem on the ground for general practices and sought to provide some clarity for general practices quite quickly. A lot of them acted very swiftly to at least put in a pause on the application of payroll tax and limit retrospective application – some states went as far as to quickly say, 'It's not going to apply to general practices', like Western Australia – but all the others dealt with this much more swiftly than Victoria. When we tried to raise this issue with the Treasurer the response we were met with was, 'Nothing has changed. The law has never changed. Payroll tax laws are exactly the same. Nothing to see here.' While, yes, the law had not changed, the practical interpretation of it had changed, and I think that was a very disingenuous response. General practices that were trying to engage in good faith to resolve this issue and get some certainty I think really were done a disservice over quite a long period of time.

One of the really difficult things was that several practices reported receiving massive bills for retrospective liabilities. Many others started getting quite concerned that they were going to face something similar – they had not yet received any kind of bill but were concerned they might. I heard that some practices were considering closing because they were so uncertain about their future. When we think about what is going on here, for primary care there is not really a public option. People have to go and see private general practitioners. It is how you access primary care in this country. I think creating that much uncertainty in the sector was really an unhelpful thing to have occurred.

The other thing that I think has been quite concerning has been the fact that if general practices are now being seen as, 'Well, if you function in this way by working together, working as a group to provide good clinical care, making sure you have leave rosters, making sure someone's always on call, checking each other's results' – things that result in good-quality patient care – and that is then used to define you as an employee under tax laws, there is suddenly a perverse incentive to stop those team-based practices and to stop working together, in order to not be seen as an employee, and to act more like a sole trader that just comes in and out, does their own thing and does not actually work as part of a collective. That is again not something that I think we should be working towards if we care about good quality patient care. That depends on health practitioners working together, functioning together. It is a different sort of situation to other private businesses; nonetheless, they are still essentially sole

traders that are coming in and doing their own thing. But there is a necessity in providing good patient care to at some level work together. Again, there is protracted uncertainty around these laws. The sense that perhaps nothing was going to change in Victoria has created these perverse incentives and I think really undermined good patient care as a result.

The other concern with this is that at the same time as all of this was going on the federal government was trying to implement measures to increase bulk-billing rates because, as we have seen, bulk-billing rates have been declining quite significantly, which impacts on people's ability to afford and access health care. The Greens' position has always been that we want everyone to be able to access – ideally publicly funded – all levels of health care, including primary care. I would love to see publicly funded GPs providing free health care for everyone who needs it, wherever they are. I think that is a model we should be getting to. But at the very least, given the fee-for-service system we have, we need to see greater rates of bulk-billing. Bulk-billing is not sustainable for a lot of practices anymore given the stagnation of Medicare rebates over a long period of time. They are not reflecting the costs of delivering health care. The federal government had recognised that, was trying to increase bulk-billing rates and introduced a number of incentives. On the other hand you have this sudden change in interpretation of payroll tax laws, completely undermining that and potentially leading to practices having to increase their costs, which would then be passed on to patients. It is important to highlight all these things because it has taken a long time to address these problems that have been expressed.

I am heartened, however, to see that in this bill before us today the concerns of general practitioners have been listened to. Some certainty seems to have been provided. I understand that not everyone will be happy with the way that this has been resolved, but I think the proposal to exempt from payroll tax bulk-billing consultations is not an unreasonable one. At the very least it will ensure that those measures that were put in place by the federal government to incentivise and increase bulk-billing rates are not undermined. It also means that the more a practice bulk-bills, the lower their payroll tax liabilities will be. There is debate about whether the model chosen in Victoria is the best one. Other states have done similar things, but they have actually applied a threshold amount. If you reach a certain threshold as a practice of bulk-billing, say 70 per cent, your practice will be exempt from paying payroll tax if you bulk-bill 70 per cent of your consultations.

There is an argument to be made that in some ways that helps to address this issue of the perverse incentive to not work together, check each other's results and cover each other's leaves of absence, because a practice can have some certainty. If they reach 70 per cent, they do not have to pay payroll tax. They will not be treated as sole traders in the eyes of the law. That said, I understand there are counterarguments that if you hit 70 per cent there is no incentive to bulk-bill anymore. Under this model that Victoria has proposed there is an incentive to keep bulk-billing beyond, say, 70 or 80 per cent or whatever the threshold might be set at. I am concerned still that there may be an incentive for some practices that would just prefer to avoid payroll tax altogether. They may still want to avoid being seen as functioning as employees, and they will continue to try and not work together and not provide collective care. Again, we are supportive of this. I think it is a reasonable thing to do. We certainly want to see more bulk-billing appointments available for people, but using payroll tax exemptions in the long run is not a sustainable way to promote bulk-billing. Even though I have a deep personal dislike for the whole fee-for-service, private-billing model – I was terrible at it – even I recognise that practices cannot cover their costs if they bulk-bill everyone, unless they really rush a lot of people through to get high throughput, and then they do not get good-quality clinical care. There needs to be I think a much bigger scale overhaul of general practice funding. It is something that has been talked about for years and years.

Lots of people have different views about how this should be done and the best way to fund general practice, but I certainly believe that a pure fee-for-service model such as the one we have is driving up costs. I do not think it is fit for purpose given how general practice is delivered, the complexity of patient care and the increase in the number of people experiencing chronic disease and mental health conditions – things that require long consultations and multiple consultations over a long period of

time. I do not think the fee-for-service model delivers the best outcomes for patients in the long run. It also means people are having to pay more out of pocket. There needs to be a bigger scale overhaul of general practice funding. Obviously that is not something that this tax bill is going to be able to address, but I think what has been done to address the concerns around payroll tax is a reasonable compromise. We will see what the outcomes are.

It will be really important to keep talking to stakeholders to see what impact this is having on the ground. We need to be very mindful of any potential perverse incentives that are created, particularly around, as I said, working collectively as a practice and working together. If we are still seeing that being undermined and group practice kinds of protocols that lead to better patient care not functioning as well because practices are trying to avoid payroll tax, that should be something the state government takes on board. It should go back to the drawing board and revisit this issue if the mechanism it has proposed is not really working for practices on the ground.

I understand that the Liberals have some amendments. Although I have some sympathy for these in that they would exempt practices entirely from paying payroll tax, it is a very broad exemption applying not just to general practice but to all other private health businesses. It is not as clear what the impact of the tax ruling has been in some of these other circumstances. In many of the cases there are public options available. It goes beyond what I think one of the core issues was in this case, which was payroll tax in general practice. For all the reasons I have outlined, it was a particular problem in those settings.

I think what the government have come up with is a reasonable compromise, but I would really urge them to continue to work with the general practice sector and keep talking to peak bodies and stakeholders to make sure that this is working for them on the ground. I will have a couple of questions in the committee stage. I particularly would like the government to assure us that payroll tax liabilities will not be applied retrospectively and that some time will be given for practices to adjust to these changes. As I outlined at the start, despite the actual tax laws – nothing is changing about the tax rulings or the tax laws – the interpretation of them very dramatically changed after several court cases. I think the right thing to do to ensure that practices can keep functioning with some certainty is to make sure that nothing is applied retrospectively and that, going forward, there is a bit of time given, just so the practices can get used to this new interpretation. There will in fact be new laws if this bill passes. I will leave my comments at that. As I said, I will have a few questions in the committee stage.

Richard WELCH (North-Eastern Metropolitan) (15:04): I rise to speak on the State Taxation Further Amendment Bill 2024, with emphasis on the ‘further’. I thank Dr Mansfield for her contribution – it was very sensible – and Mr Davis for his contribution. I was a little bit concerned about Mr McIntosh’s contribution. It started before lunch and at that time was sort of not imaginative but sensible, but after lunch it was highly odd and emotional. I think I may need to speak to parliamentary services catering, because the only thing that happened between then and now was the Landcare event. I am concerned, out of an abundance of care and concern at this time of year, that he does not drive home after that. There may have been something in the food, because afterwards his speech was slightly unhinged, referring to all sorts of ideological things.

At the end of the day numbers are not ideological, they are black and white, and in a lot of cases red. There are some values about numbers. There are some truisms about numbers when it comes to the economy and the state in particular, and one is that you cannot tax your way to prosperity. The more you tax the more you disincentive commercial action, and the more you disincentive people from taking risk the more you remove people’s reward for effort and the more you suck money out of the private sector so that it is not circulating and creating enterprise. You cannot tax your way to prosperity.

Perhaps even more senseless than that is the idea that you can borrow your way out of debt – that is equally impossible. That also reaches certain tipping points where it is not just senseless, it is reckless. We are the highest taxed state in the nation. This government certainly has a tax policy, but it absolutely has no agenda for genuine tax reform other than tax and spend. There is no agenda for

productivity measures. The most dire element of tax reform required in this state is tax reform that addresses our lack of productivity, because the only way we are going to get out of this intergenerational debt is to grow our way out of it. We cannot tax our way out of it and we cannot borrow our way out of it, we can only grow our way out of it. If the tax reform agenda is only 'Tax more so we can spend more', we are in deep, deep – probably irreversible – trouble.

There are no productivity measures in tax reform. The measurement of this is that since 2014 our spending in the state has gone up by 59 per cent but our growth has only gone up by 29 per cent. Those figures should be the other way round. If you are increasing productivity, you grow more than you need to generate –

Georgie Crozier interjected.

Richard WELCH: Yes, 142 per cent in debt. That is the drag on our productivity. Now we are at the point where the debt burden on the state is reaching a tipping point. We are now borrowing to pay for day-to-day operational costs. We are borrowing \$80 million a day to cover operational costs. That means there are less funds for infrastructure, and there are less funds for productive infrastructure – the kind of infrastructure that will generate wealth, that will generate productivity. In fact instead we are putting that capital into non-productive assets that do not generate productivity and do not generate wealth for the next generation. Not only is there no tax reform agenda for productivity, the actual uses of the tax-and-spend agenda is spending money on nonproductive capital. We have valuable state capital tied up in concrete underground going nowhere. The budget process is now not worth the paper it is written on, because there is more off the books than on them, or as much, and we are now tinkering and changing and amending and amending again all of the assumptions out of that budget.

It is not just us saying it. The market understands this. Anyone who understands the market understands this, but Saul Eslake, the respected economist, his analysis is we have fallen as a state from the most powerful and prosperous and the richest state for most of the past century to now near the bottom of all states in Australia. What a fall; what a calamitous fall for us. The former auditor Bob Officer said there's precious little in that analysis you can disagree with. The chairman of CSL Brian McNamee has been told by leading fund managers in Victoria that Victoria is 'uninvestable'. We have fallen productivity, we have debt and we are also uninvestable. This is a perfect storm. This is a calamity heading our way. There is one dimension to this calamity that has not been raised often – and I think it is about time it started to get some attention – and that is the state's refinancing debt cliff. We are substantially in debt. What should be understood is there is \$70 billion of debt that needs to be refinanced in the next two to three years and there is a budgeted amount of additional debt of \$50 billion that will need to be financed in the next three or four years. That debt at the moment, that \$70 billion, is at bond rates of between 3 and 4.3 per cent. To refinance that debt at a 10-year bond rate, we are looking at having to offer those bonds at over 5 per cent. That is \$120 billion of debt being refinanced at a higher level than what we are already financing it at. That \$26 million a day we are spending on interest – it is not just the fact we have to keep paying that, and it is not just the fact that the state's credit rating is at jeopardy, meaning that it could go high. It already has by effect, because the market is telling us people do not want the Victorian Treasury bonds because we are a bad bet. That is calamitous. That interest rate that we are paying per day – \$26 million – is just the beginning of it. Every day we are burning that money instead of putting it into frontline services or into sensible investment in productive enterprise or productive capital.

What is this government's solution? This bill, where we are pulling back some of the tax that had been added on – we are just taking back something that has already been done – is really shuffling deckchairs on the *Titanic* at this stage. It is trivial in that sense. It is a backdown, let us be clear about that, because the idea of taxing GPs was very, very unpopular. This government may not be sensitive to economics, but it is hypersensitive to votes. When something appears to be unpopular and it may cost votes, it will back down, like it backed down on duck shooting – that was unpopular, so they backed down on that. The injection room was going to cost votes, so they backed down on that. Increasing the legal age to 14 was unpopular, so they backed down on that. But I tell those across the

chamber, the Labor Party, there is not enough money in the state for you to buy votes at the next election like you did at the last one. Because what you did then was you leveraged the state. You leveraged the state with your promises. You leveraged the state with your energy policy. You leveraged the state with your infrastructure policy. You are all spent out. There is nowhere to go for you anymore.

We have a broken budget process, where more is off the books – or as much is off the books as on the books – and much is hidden behind layers and layers of bureaucracy, hidden under statutory bodies. We are now in a nearly weekly reliance on Treasurer's advances just to fund ongoing day-to-day operations. It occurs to me that because we are paying operating costs by debt, every time those across the room say, 'Oh, we're investing in this,' let us be very, very clear: no, no, no, no, you are not investing; you are leveraging. You are leveraging the state. You are leveraging the taxpayers: the men, women and children of Victoria. You are leveraging our future so that you can have a press release. They have geared this state to the point of bankruptcy. That is always wrong in principle. In terms of taxing GPs and taxing an already struggling health service, particularly health services in regional areas, this was always wrong in principle. It was almost a breach of the social contract. It was always wrong in principle, but it proved so bad in practice that you have had to amend it. Practices would have closed. And because the extent of your backdown, your revision, is so limited, practices will close, and we will have a reduction in the provision of health services across Victoria and regional Victoria. This will be a consequence of what you are doing. This bill goes nowhere near far enough to address that, and that is why we have put up really sensible amendments to actually do something for the good of Victorians – we actually want to not tax them into oblivion and not tax these practices out of the marketplace.

Again, I guess it is no surprise because there is no comprehension of what the larger picture is economically in terms of our debt cliff. There was no really minor picture of what this was. When the Department of Treasury and Finance was asked about the imposition of this tax, they were asked: how many GPs are employees as opposed to contractors; how many trainees; how many private clinics do not fully bulk-bill; what is the proportion of clinics which only bulk-bill and where are they located? There were similar questions that would be fundamental to the analysis of this tax. The Department of Treasury and Finance said it does not have access to that information. They do not have access to clinic-level data and so the question arises: on what basis did they do the modelling? How do they know? They do not even know the consequences of this tax because they have not done the modelling. Now, (a) it is reckless, (b) it is incompetent, (c) it is economically illiterate to be doing that and probably shows the classic disregard of this government. You would say 'You don't know the value of money' if you were talking to a six-year-old. You do not know the value of money.

The amendment is good, the amendment is very good, and I would have thought in a week where we have had incredible incompetence – let us call it a stuff-up – in terms of the VCE exams and the admission via this bill that you made a terrible mistake in taxing GPs at all, that there would be a little bit of humility and a bit of reflection on the other side of the room. Maybe over summer some perspective will occur. The only thing left to ask really is: when will you pause the SRL? Financially and in terms of a tax and debt, when are you going to choose the moment to drop it? I am going to predict it is either going to be some time over the Christmas break or maybe just before the federal election or something like that. It is only a matter of time before it is going to happen, because within your own ranks you are in disagreement about it, and certainly in terms of the public. They get that you have made it so that the state cannot afford the Suburban Rail Loop and you have made it so because your tax policy is written in crayon by economically illiterate people who do not understand that the future wealth of this state and the future ability to provide services to this state – certainly health services – are dependent on having a growing economy in which you have a vibrant private sector that is not taxed up to the eyeballs. But you do not understand this, and that is why we have to keep reforming and tweaking and correcting and adjusting what should have been a bill that came out with the budget, a comprehensive tax plan for the state. But you do not have it. You do not have a comprehensive tax plan for the state. In fact the only people who do and will are the Liberal and

National parties. Come next year and come the two years after the next election, we will be showing the leadership that this state needs to grow our way out of this situation.

Georgie CROZIER (Southern Metropolitan) (15:19): I rise to speak to the State Taxation Further Amendment Bill 2024. I was actually just listening very intently to Mr Welsh's contribution, and what an excellent contribution it was on this very important bill that we are debating and the matter at hand. He is someone that understands economics very well. He has managed and run businesses not just nationally but internationally and has a huge grasp of what we are talking about here. I think he explained the situation of Victoria's debt and the impacts to not just the taxpayer of today but the taxpayer of the future. As he said, you cannot tax your way to prosperity. This debt that the government has saddled Victorians with is enormous, and it is going to have a massive impact on the services that state governments are there to provide. That is not going to bode well for Victorians, because the outcomes are getting worse and those services will decline, and we are seeing that with cuts in services like health.

This bill amends a number of acts. It amends various state taxation laws, and there are a number of acts that it cites – the Duties Act 2000, the Land Tax Act 2005 – but the Payroll Tax Act 2007 is the issue I want to speak to around the health tax that the government has imposed. They have been hell-bent on going after GPs, dentists, allied health professionals and those that work in medical practices because the state is in such a dire financial situation. If there was any proof of how serious this issue is, it should have been clear to anyone who was listening to question time today and listening to the Premier's answers to very basic economic questions put by the opposition. It was bereft. She was bereft of the ability to answer very basic economic questions. I think it is and should be a concern to every single Victorian that the person who is in charge of the state and in charge of the situation that we are debating today – taxation, debt, investment, business confidence, business investment opportunities – has not got much clue. She did not know the answers. She was seeking assurances from the Treasurer, who was scuttling through papers trying to get to the answers for the Premier. That should be a concern for every Victorian.

We are the highest taxed state in the nation. The debt has risen since Labor have come to office by an extraordinary 742 per cent. Interest repayments are up by 327 per cent. We have had 56 new or increased taxes to Victorian households and to Victorian businesses. That is why we are in the mess we are in. The only reason that there is a payroll tax exemption for GPs is because the Liberals and Nationals, together with the AMA, the Royal Australian College of General Practitioners (RACGP) and the Primary Care Business Council, ran a campaign to highlight how ridiculous and how desperate the government was to be taxing health. They put a tax on health. It has never been done before. The Treasurer said, 'Nothing's changed. We've always had a payroll tax.' Yes, medical clinics do have payroll tax on the admin staff and on the nurses they employ, but not on GP contractors – those people who come into the clinics and use those rooms to conduct primary healthcare services and provide medical care to patients. It was a desperate tax grab. It was a desperate measure by a desperate government because we are in desperate times financially. They have said, 'Okay, we're now going to exempt GPs,' so that is what this does. It introduces a payroll tax exemption limited to general practices who offer bulk-billed services, and it will be effective as of July next year. This partial exemption comes in response to, as I said, our campaign. There are just those issues that I have spoken about before. But what I am concerned about is that it does not go far enough, because that exemption applies to those GPs who offer bulk-billing.

But members of the opposition are getting emails – and I am sure members of the government are getting the same emails that we are getting – from GPs who are very articulate and point out what is actually the reality of what they are dealing with. They talk about the cost of doing business. These are suburban GPs. These are GPs that are running their own practices or in partnership in practices. That is something that Labor do not like; they are ideologically opposed to that. But these are practices in the suburbs and in towns right across Victoria, and they say to us the cost of doing business – like rents, wages, consumables, electricity, water, medical equipment, phone and internet connections –

continues to go up year on year. The costs of doing business are going up, and the government then starts to put a tax on them. They say most clinics in Victoria operate on a 3 to 5 per cent profit margin. But the payroll tax in Victoria would have been 4.85 per cent, and in regional areas it is 1.2125 per cent according to some of these GPs that have written talking about the cost to them. It is very expensive and is becoming more expensive to do business here in Victoria, as we know, with all those rising costs, so when you have got a tax whacked on you it has got to be passed on to the patient. Of course that then means that they have to increase their fees to patients. What does that do? That puts more pressure on a patient or a family member in a cost-of-living crisis. What does that do? That forces more people into the emergency departments or, concerningly, they do not access primary care at all. They do not go to the doctor, because they cannot afford it.

As Dr Mansfield quite rightly said, and she knows because she has worked in the area, you want to give good-quality care. This will put pressure on churning through the patients, transactional medicine, and that is not good care. Dr Mansfield from her previous life as a doctor in this area knows only too well that is the last thing a doctor wants to do. They want to be able to provide good primary care to the patient so that they can get the medical management, care and support that they need. But if you are running at a loss or you cannot make ends meet, then that is going to cause that to occur.

Mr Mulholland has circulated amendments that the opposition has put forward, and that is off the back of a private members bill that I introduced in terms of scrapping the government's health tax. That is not just for GPs; it applies to those other allied health professionals that operate in medical clinics too – the dentists, the physios, those people that are actually providing care and services to patients. The government does not recognise that and does not see it as an issue. It is a big issue. In this state the shocking wait times for people needing and requiring dental treatment are getting bigger and bigger. That is nothing that this government can crow or be proud about. Their record on dental care is pretty shocking. There is even more concern about the wait for specialist appointments getting longer too. When you have got people that need to be going and seeing dentists in these clinics and they are not exempt from this payroll tax the government is putting on healthcare professionals like dentists, then again that is going to put more pressure on those individuals. What do they do? They are going to have to pass on those costs to patients. Concerningly, some are talking about leaving the state. That is not good for anyone. I want to commend the Crisafulli government in Queensland because the very first thing they did when they won government just a few weeks ago was they scrapped this health tax in Queensland for everyone – exactly what we are proposing. That is why I think it is terribly important that the amendments that we have put forward are supported, because of the issue around primary care.

The federal minister Mark Butler understood what was going on, because at the height of the Minister for Health and the Treasurer saying, 'Nothing's changed. You're all just making it up; nothing's changed,' well, that is not what the Royal Australian College of General Practitioners was saying. They had never had so many GPs come to them and ask for assistance because they were getting these massive bills from the State Revenue Office. They were huge bills – hundreds of thousands of dollars, retrospective – and it was just a component that was going to make these clinics unviable. Some were considering closing, early retirement or moving out of the state. As I said before, that is not good for anyone, least of all Victorian patients. But what Mark Butler said was:

Payroll tax is a matter for states but I am very worried that the historic investments we've put into Medicare, in response to calls from state governments, will be lost to increase payroll tax obligations by general practices ...

He understood this health tax was bad. I have no doubt he picked up the phone and rang up the health minister and the Treasurer and said, 'What the hell are you doing? Scrap your payroll tax. This is not helping my efforts in terms of trying to get more people to be able to be bulk-billed,' because it was putting more pressure on the GP clinics. Labor do not understand this. They have not got a clue. We are in such a dire situation. All they were after was a tax grab. This was just another tax grab. This is one of the 56-plus taxes introduced by Labor – an appalling track record.

It is hard to contemplate just where this state is going when you reflect on the enormity of the dire financial situation that we are in. It is no wonder the Treasurer was so desperate to go after anything he could find, including GPs. They have realised that is a bad idea. They have come late to the party, they have put this exemption into this bill and they are not giving the exemption to other allied health practitioners that they should. That is why our amendment is so important, and I would urge people to understand that, because this is just part way. It is not going to stop. There are, as I said, general practitioners out there that need the mix of being able to bulk-bill those patients that can least afford it – the vulnerable, the pensioners, the ones on Department of Veterans' Affairs cards, all of those people that they obviously understand need to be bulk-billed – but also being able to manage their business and provide health care and being able to bill others in a different fashion. If they are going to be taxed because they cannot get to that threshold that the government is demanding, then that is going to put pressure on their ability to operate.

I say again, this is a bill late to the party because of the campaign run by the Liberals and Nationals, the RACGP, the AMA, who were dead against what the government was doing, and others who were very vocal. They understood exactly the implications. They did the background, and they had the figures. They knew how many Victorians would be pushed into emergency departments and how much it was going to cost the government overall. This was just a stupid stance the government took – a pig-headed stance by the Treasurer – for a long time. I am very pleased he has come part way. He has not come the full way. The government needs to support our amendments so that we can fix his mess that he has got us into.

Wendy LOVELL (Northern Victoria) (15:34): I rise to speak on the State Taxation Further Amendment Bill 2024, which amends the state taxation laws. It formalises Labor's payroll tax on general practitioner clinics, but it does introduce a partial payroll tax exemption for some bulk-billing GPs. It repeals tax exemptions for friendly societies, broadens exemptions for property and land tax exemptions and institutes provisions to align with recent federal reforms for foreign purchasers. This is a bill on taxation, and Labor are very good at introducing bills on taxation. We have seen a number of bills in this Parliament since the Allan Labor government came to power. We have actually seen around 20 tax bills in that time. We saw in the 58th Parliament there were seven bills to do with tax; in the 59th Parliament eight bills; and here we are in the 60th Parliament, just halfway through, and we have already had five taxation bills. So the number of bills is increasing, because that is just two less than there were for the entire 58th Parliament. We are only halfway through, so we are on track to have a record amount of tax bills introduced in this Parliament.

Why do we think we would be on track to have a record amount of tax bills? Well, Victoria is in dire straits. Our debt is up. The half-year report released last week shows that state debt is set to increase to \$187.8 billion. That is a 742 per cent increase under Labor. This is typical of what happens under Labor governments. They drive up debt, they send the state broke and then people vote Liberal governments in as the receivers to fix the budget again. The unfortunate thing for us on this side of the chamber is that we always inherit a budget in deficit and a state in crisis. We have to fix that budget first before we can get on with actually giving back to the Victorian people the types of services and infrastructure that they deserve, and then the cycle happens again – they vote Labor back in, Labor destroy the budget and destroy the state again and then we are voted back in to try and fix Labor's mess. I think that perhaps after the mess this Labor government has got them into, the Victorian people might learn not to re-elect a Labor government.

The interest repayments in this state are up by 327 per cent under Labor. \$9.4 billion is spent on interest repayments. That is \$26 million a day, or more than \$1 million an hour. Imagine what we could be doing with that money if we were not having to pay it out just in interest payments. Of course Labor has increased taxes significantly. We have seen 56 new taxes introduced under Labor, and we see the tax grab has increased by 173 per cent to \$45 billion. Payroll tax is up by 138 per cent to \$11.7 billion; land tax is up by 494 per cent to \$9.3 billion; and stamp duty is up by 160 per cent to \$10.2 billion. After a decade of Labor, Victorians are paying so much more in tax than they were a decade ago. As

I said, they have already been hit with 56 new or increased taxes, each one of those putting more pressure on family budgets and businesses during the cost-of-living crisis, because Labor cannot manage money and they cannot manage projects, so Victorians end up paying the price for Labor's incompetence.

Our state debt is out of control. In 2014 Victoria's state debt stood at \$22.3 billion, but after 10 years of Labor's mismanagement that figure has exploded, and by 2028 Victoria is on track to hit \$187.8 billion, a staggering 742 per cent increase. Under Jacinta Allan and Labor, Victoria is drowning in debt with no believable plan to reverse this. This reckless fiscal policy is burdening the future generations of Victorians, who will be left to pay the bill for decades to come. This unsustainable interest burden is really going to impact on future governments and their ability to deliver and on future generations of Victorians. In 2014 Victorians were paying \$2.2 billion in interest on state debt, but by 2028 that figure will balloon to \$9.4 billion – as I said before, more than \$26 million every single day, or more than a million dollars an hour. This 327 per cent increase in interest payments means that less money is available for essential services like health, education and infrastructure. This government is responsible for that.

Victoria's crushing tax regime is destroying family budgets. Families are finding it harder and harder to find the rent at the end of the week or to pay their mortgages or even to put food on the table, and they are finding it harder to provide for their children. More and more schools are running breakfast programs and even lunch programs because children are coming to school without food, because people are really feeling the crunch on their family budgets, which has been created because of Labor's incompetence in managing Victorian finances. It is not only families that are feeling this pinch; businesses are also feeling under attack by Labor as these increasing taxes are impacting on their ability to keep the doors open and to keep Victorians employed.

The property sector is really feeling the burden of increased taxes under Labor. Labor collects around \$21.5 billion in property taxes annually, and it is driving investors away. Investors' confidence in Victoria is so low that they are more likely to invest in every other Australian state before considering Victoria. I was actually given that advice by my own accountant not so long ago when I was looking to invest some of my superannuation money. They suggested that I invest interstate rather than in Victoria, because I would be hit with the increased taxes in Victoria. I said we have 56 new taxes; let us have a look at the history of this. In 2014 Daniel Andrews stood on the steps of Parliament out there and said, on the eve of the election, that there will be no new or increased taxes in Victoria. Well, that was a broken promise. That lasted 2 seconds.

Joe McCracken: A big lie.

Wendy LOVELL: Yes, Mr McCracken, perhaps you are right. Perhaps he did just tell a huge fib when he stood there, knowing that he intended to increase taxes, because it did not take him very long to start that. The very next year there were three new taxes, in 2015. In 2016 we had four additional taxes – we are now up to seven. In 2017 there were six additional or increased taxes – now up to 13. In 2018 there was an increase of one, to 14. In 2019 there were an additional 10 new or increased taxes – up to 20. In 2020, during COVID, there were nine additional or increased taxes – we are now up to 29. In 2021 there were 10 additional or increased taxes – we are now up to 39. In 2022 there were another two – up to 41. In 2023 there were a further 10 – up to 51. And in 2024 there have been five new or increased taxes, to bring us to a total of 56 new or increased taxes in Victoria.

Let us have a look at some of the ones that have impacted on the property sector. Windfall gains tax: I have had families who have come to my office in the country – they are farming families – who do not intend to subdivide their land. They are just struggling to try to make ends meet on a farming property. But they have suddenly been hit with a bill for windfall gains of \$100,000 because, through no fault of their own, some planning scheme amendment has been done, which means they have to pay this tax. They do not want to subdivide their land. They do not want to make money out of subdividing the land and selling it off. They actually want to farm their land. The \$100,000 could tip

them right over the edge to having to actually pack up and leave a generational family farm because Labor have introduced the windfall gains tax. We have also had the vacant homes tax. We have had the tax on vacant properties. We have had an increased tax on homes on contiguous blocks. We have had increased fire services levies over a number of years. We have had increased absent landowner surcharges. We have had affordable housing taxes. We have had an increase on landholdings over \$1.8 million. Stamp duty has increased in a number of areas – on property transactions between spouses and on general property transactions. There has been a new stamp duty introduced for off-the-plan purchases. We have had expanded land taxes on holiday houses, we have had expanded land taxes on unimproved residential land and of course we have had the short-stay rentals, holiday and tourism property taxes.

What Labor and the Greens do not realise is that their policies are actually making it harder for people to rent houses in Victoria. People are selling their investment properties because they cannot afford to pay all these taxes. We need a strong private rental market in order to house everyone who needs to be housed in Victoria. Not everyone qualifies for social or public housing, and not everybody wants to live in social or public housing. But not everybody can afford to buy their own home, so we need a strong private rental market. We should consider that the government cannot afford to house everybody who needs to rent a home as well, so we do need that strong private rental market. Yet the government's policies and the Greens' policies are driving investors away from providing private rentals in this state.

Let us talk just a little bit about the short-stay rental and holiday and tourism property tax. That is going to really impact my area of Northern Victoria because we are on the border with New South Wales. This is going to drive tourists interstate, because if they stay in a short-term rental on the Victorian side of the border they will need to pay this tax. If they stay on the New South Wales side or on the South Australian side of the border they do not need to pay that tax, so those twin border towns – like Cobram–Barooga, Echuca–Moama, Yarrowonga–Mulwala and Albury–Wodonga – that are really just one community are going to lose tourism dollars interstate because of this tax. This is something that this government, which is so Melbourne-centric, does not understand about regional Victoria. We had similar impacts from things that they introduced during COVID, when gyms were open in New South Wales but not in Victoria. The gyms were advertising, 'Come across the border and do a class at our gym, because we're open,' and our Victorian gym owners were distraught that their businesses were closed. They were being destroyed because people were going elsewhere to get their products.

This government need to understand that they need to become fiscally responsible. I think if they were to talk to us in the Liberal Party, we would actually be happy to help them, because we believe that Victorians need help long before 2026. We need a new government in 2026 to really fix this budget. But in the meantime, the Labor Party should come and talk to us about how to be fiscally responsible and how to actually put together a budget that will benefit Victorians. It should share the true state of Victoria's finances with all Victorians so they know just how badly Victoria is doing under Jacinta Allan, who has been there for the entire 10 years of this government as a senior minister, Deputy Premier and now Premier. She is responsible.

Joe McCracken (Western Victoria) (15:50): I am pleased to speak on the State Taxation Further Amendment Bill 2024 because it gives me an opportunity to speak about the excessive, burdensome and discriminatory tax regime in the state of Victoria. I first want to touch on the health tax, which has been an absolute blow to the health sector in Victoria. Labor's health tax has taken a baseball bat to the health sector, with doctors, particularly those in regional Victoria and those in my electorate of Western Victoria, having rightly resisted yet another burden placed on them, which also places the health system even further into crisis. This bill proposes to further discriminate against regional health providers, especially private providers, who do not provide bulk-billing services. They are discriminated against because the bill provides exemption for those who subscribe to bulk-billing, and those who do not are not eligible for the tax exemption under this legislation. Many of these providers that are not eligible are in regional Victoria, and they cannot afford to subscribe to

bulk-billing, so this move is in effect an attack on regional doctors and healthcare accessibility. It puts care access at risk and is typical of this city-centric government, which does not understand country people and does not care about fair access to health. It is a very clear indication that Labor hate health access in country areas.

The federal minister for health Mr Mark Butler has expressed concern at the Victorian government's approach as potentially undermining Medicare. He said:

Payroll tax is a matter for states, but I am very worried that the historic investments we've put into Medicare, in response to calls from state governments, will be lost to increase payroll tax obligations by general practices ...

He then went on to say:

I'll ... urge the Victorian Government to look very closely at that model and see whether we can get a level of national consistency around those arrangements that will allow us to focus on the strengthening Medicare reforms that we've put in place.

I am not sure if the state Labor Party agrees with their federal counterparts – it seems like there is a bit of a division on many fronts these days – but I at least get a sense from those opposite, who always say that they are the party of Medicare. Well, it does not look like that is the case if they are deliberately undermining Medicare. It is more like Medi-do-not-care at this point.

Treasurer Tim Pallas in a letter to the Royal Australian College of General Practitioners, the AMA, the Australian GP Alliance and the Primary Care Business Council said:

As Treasurer I have previously used my "ex gratia" powers to reduce or waive tax liabilities for organisations facing insolvency where it is in the public interest to do so ...

This Government has no interest in any GP clinic closing their doors, and I would be inclined to use my ... power to prevent that happening were any GP clinic to become insolvent as a result of a payroll tax liability ...

What does that mean? I guess what it means is that I can send all the GPs and all the doctors in my electorate of Western Victoria, and indeed all country doctors, down to Werribee to the Treasurer's office, and they can say, 'Oh, look, we're really going to close our office. How about you give us an exemption?' According to this, the Treasurer is going to do that. I wonder if he will actually come good on that promise. I doubt it.

Land tax has also been an incredibly burdensome issue for many country Victorians, and it is a complete disgrace that the state government have changed the arrangements around this. We have seen many Victorians slugged unfairly, and I have had constituents in my office literally in tears over the changes that been made and implemented by this uncaring Labor government. Ross, who lives in the Geelong area, copped a massive increase to his land tax bill – almost a 100 per cent increase – due to the changes imposed by this nasty, unkind Labor government. This has forced Ross, who is a carer, to get another job just to pay off land tax debt. The debt was triggered because the threshold fell from \$300,000 to \$50,000, and that is where it kicked in for Ross and his arrangements to be triggered.

Jenny, who is another constituent of mine near Ballarat, copped a land tax bill for, get this, her garden – yes, her garden. It was almost \$1000. Although she had lived there for a number of years, she received a land tax bill because her garden was on another title and because of the changes that were brought in where land tax kicks in at \$50,000 and not \$300,000 – it triggered a bill for her. Now, you can imagine the shock, fear and anxiety that rippled through her household – a pensioner faced with having to pay \$1000 in land tax. She was absolutely distraught. I have advised Jenny to go to the State Revenue Office to find a solution. Jenny, like many Victorians who have suffered the shock because of this change, has at least come forward, and we have been able to at least get her on the right path to a resolution. But how many have slipped through the cracks because they have not gone to their MP? They have been shocked, and they have been scared to come forward. They have just tried to find some way to pay it back. How many have slipped through the cracks?

The next one I want to talk about is the death tax that the government have decided to bring in – the cruel death tax, the vindictive death tax on the state’s probate measures, which penalises those in vulnerable situations. The death tax has increased current arrangements, in some cases by 650 per cent. Even worse is that the cost cannot be absorbed by the estate; it has to be paid up-front by the family out of their own pocket, the family that have just lost a loved one. The family have to pay it out of their own funds once they pay for a funeral and all the other arrangements around that. It is incredibly cruel, it is incredibly unkind and it is incredibly nasty. But of course those words characterise many of the actions from those opposite as well. Why you would want to hit someone while they are down is beyond belief. It is incredibly, incredibly bad and also shows how desperate the government are to claw money back under these measures.

But there are plenty of other destructive measures that I could talk about as well. The windfall gains tax is an attack on those wanting to buy a house. It inadvertently, I think – the government do not realise it – increases the cost of buying a block and buying housing, because of course those who own a block have been slugged holding costs, which is effectively what this is, and they have to pass it on to those who are going to buy the land, which is the end consumer. There is the schools tax, which attacks those who want an option other than a government school – an independent school or a Catholic school or another religious institution. There is also the Airbnb tax – the holiday tax. It is like you guys hate people taking breaks. It is just awful, let alone the plethora of regulations imposed on business, households and workers. The party of workers hates workers; they attack them every day.

All this results in an economy which is struggling, on its knees and looking sicker day by day. Debt is increasing to over \$228 billion, according to a warning issued by the Auditor-General, with interest repayments set to be over \$1 million per hour – \$1.2 million, it looks like it is going to be, every single hour by 2028 – \$1.2 million every single hour. Now, imagine what we could do with that money. It is just wasted because of those opposite. Our credit rating continues to be at risk while the Treasurer goes overseas and attempts to assuage the concerns of ratings agencies. The debt recovery plan – what a joke that name is – is really just a political recovery plan, because if you look at the figures, there is no debt being repaid. It is being incurred at a rate far worse than we have ever seen in the state’s history.

Do not get me started on major projects like the Suburban Rail Loop, on which the government seem incapable of managing the cost blowouts – so badly so that they cannot even fund an airport rail link. Now, if you go to Sydney and look at the airport rail link, they have had it for a number of years now, and it is absolutely fantastic. Victoria is almost considered a joke. Melbourne is meant to be an international city, but those opposite have stopped that from happening. An airport rail link is at least one step in helping that happen. But no, we cannot fund that because we have wasted it all on the SRL. What an absolute disgrace. It is a simple truth that Labor hate to face. They cannot manage money, they cannot manage public finances and they choose to ignore the very obvious warning signs. It is the Victorian public that has to pay the price in the face of the second looming economic collapse of this state imposed by Labor. It is an absolute shame, and you should hang your heads in shame because of the damage that you are inflicting on the Victorian community and the Victorian economy.

Nick McGOWAN (North-Eastern Metropolitan) (16:00): It is a great pleasure to be here. It is a great pleasure to talk about one of my favourite subjects, and that is the Labor Party’s incompetence. It really is not my favourite subject. I would much rather talk about chocolate, but they have not yet taxed chocolate, and knowing this government –

Renee Heath interjected.

Nick McGOWAN: Do not give them ideas; Dr Heath, that is true. I would not want to disturb the children in the room by letting them know that this Labor Party here could well tax chocolate before they leave this chamber. If that happens, you know never to vote for Labor in your life, because they will be the ones who will have taxed chocolate. After that they are going to tax fun. They might even tax amusement parks – Disneyland. They could even tax Disneyland. The only way you can possibly

prevent this is if you vote Liberal. I hate using this somewhat as a pulpit, through the Chair of course, but nonetheless the principle is the same.

What is happening in this poor state is – I have to choose my words somewhat advisedly here – it is like they have been given all their spending money, all their allowance, their pocket money, for a week; they got \$10, but the bad news is they have spent \$100. That is all right because one of them has snuck in and they have got the parents' credit card and some of the cash, and they just keep spending it. They keep buying and buying more things. It is like they have gone to Toyworld and then they have gone to Hungry Jack's. They get one slurp of that slurpee and taste the chocolate and the vanilla and think, like, 'I'll have another one. In fact make it a big one. And we'll take the upsized meal, because why not? We'll just keep getting bigger and bigger and better and better.' They never have to worry about it because, guess what, they are never going to pay for it. Younger generations are going to pay for it. Unfortunately, in the state of Victoria that is what is happening today. The government is spending so much money.

You might say there are some things we can spend on and it is not a bad thing. We can spend on assets. An asset is something that you actually have for the future, which you might be able to sell or you might be able to leverage to borrow more money or create a bigger economy. This can be a good thing. However, this government are so incompetent; they are so bad. I have been around a while – as you see, I am somewhat of a dinosaur – but nonetheless, these guys are so bad that they are actually –

Harriet Shing interjected.

Nick McGOWAN: We have been joined by the minister. If you are not aware, this is one of our favourite ministers in this chamber, and I am glad she has joined us at this time. She is the Minister for Housing, and I know that she is embarrassed by the performance of her own government. I do not blame her one little bit – and I will not put words in her mouth, because I know that she loves her Labor Party – but nonetheless she and I are both aware that they are now managing to equal the incompetence in terms of economic management of a previous Labor government which happened many, many years ago. In fact they were so bad, they brought this state to its knees, and they were two weeks off defaulting on public pay cheques. What that meant was that those who worked for the public service, in two weeks time, were not going to be paid. The government had that little money. They had no money left. They had spent it all. They had sold everything they could sell – almost. They had driven this state into such a pit of economic despair that they had to actually be thrown out of government. That is what happens in a democracy – we throw them out – and this government is at about the right time now too.

Michael Galea interjected.

Nick McGOWAN: Mr Galea over here says he is not ready. I think in two years he will be more than ready. I think it will be ripe for the picking in two years time.

I should share with you, boys and girls and the chamber, through the President, some inconvenient truths. The Reserve Bank of Australia met recently. They are not my favourite, the Reserve Bank of Australia, to be fair. I am not much of a fan of theirs at all. Nonetheless they met.

Renee Heath interjected.

Nick McGOWAN: That is right; they met on 5 November – I heard you say that. They decided to keep the cash rate – that is the cost of money, basically – at 4.35 per cent, which historically is actually high for recent history. In terms of my lifetime it is sort of in the ballpark, I suppose. Anyway, the RBA, the Reserve Bank of Australia, did not rule out the possibility of a future cash –

Ryan Batchelor interjected.

Nick McGOWAN: I will tell you more. That is okay; I get this all the time. I only have 20 minutes. The government need so much information, they need so much advice, that they can only turn to the

opposition for new ideas, fresh ideas and the sorts of ideas that will generate the next generation like yourselves. I can only hope that by the time you get here and take all of our jobs – and I hope that is sooner rather than later given the performance opposite. As soon as you do that, I can only hope you do a much better job than they do. So let me give you some salient tips. Save as much as you can. Generally speaking, spend less than you derive in income, and if you are going to spend more than you derive in income, make sure that that income is actually spent on things that are an asset or are going to derive future income or grow the pie. Now, you will hear politicians –

A member interjected.

Nick McGOWAN: Grow the pie. When I say ‘grow the pie’, we all know we cannot actually grow a pie. A pie does not grow unless it is put in the oven and it cooks. Nonetheless, when people say ‘grow the pie’ what they actually mean is enlarging the size of the economy, which brings me to taxation, which is –

Harriet Shing: On a point of order, Acting President, I am just wondering whether Mr McGowan wishes to table the recipe for the pie that he has just referred to in his contribution.

The ACTING PRESIDENT (Jacinta Ermacora): There is no point of order.

Nick McGOWAN: I welcome the point of order. I will submit it to the chamber and I will submit it to the minister, as she knows I am only too willing to do. I will provide at the end of today’s business and the end of today’s sitting the ingredients and the recipe to my humble pie. That will be coming your way very soon, Minister, and thank you for the request.

Members interjecting.

Nick McGOWAN: It is a humble pie. It is always a humble pie. Back to the RBA, because of course I try to keep on subject from time to time. The RBA did not rule out the possibility of a future cash rate rise.

Michael Galea interjected.

Nick McGOWAN: It is like a New Year’s resolution; it is just early. It is just a couple of months early. That is all it is.

Harriet Shing: What, so it will last for two days, and then you will forget about it?

Nick McGOWAN: That could be the case. Anyway, the future cash rate rise in this country – what it means is that the cost of borrowing money continues to be at a high rate. That is problematic because here in Victoria, wow, we have borrowed a lot of money. And when I say ‘a lot’ I mean someone has got a problem. Someone has a serious problem. By the year 2027 the state of Victoria will have a budget deficit – that is right, deficit – of \$188 billion.

Ryan Batchelor: That’s not a deficit; that’s debt, isn’t it?

Nick McGOWAN: Debt.

Ryan Batchelor: Aren’t you getting them confused?

Nick McGOWAN: No, it’s a debt.

Members interjecting.

Nick McGOWAN: Well, it is not a recurrent deficit. We can talk about your recurrent deficit and what you project it to be at that point, but on the debt, let me be clear for those opposite. I apologise, boys and girls. You should leave the chamber, and I do not blame you at this point either when we are getting so many interruptions.

Harriet Shing: We have to listen to this all the time. We can never leave.

Nick McGOWAN: It is a small penance to pay, Minister. The debt, Minister, to be clear, will be \$188 billion. I am glad you made me clear this up – \$188 billion in debt. If you want to be specific, the interest rate on that alone per day is going to be \$26 million. That is more than \$1 million an hour. I know, I am quick with the math. Quick Draw McGraw – I am quick. It is going to be more than \$1 million a day at that point. A million dollars, that is right. And what is worse, just take the September quarter. In the September quarter alone debt grew in Victoria in the order of \$80 million a day. This is not a spending splurge, this is a spending problem. If those opposite then say to me, ‘Well, Nick, this is on assets, and look, we’ve got all these level crossing removals’ – I did hear those opposite talk about the level crossing removal projects –

Ryan Batchelor interjected.

Nick McGOWAN: I tell you what, I wish there was a toilet coming here, but there is not. This is going to go down in history as one of the most monumental cock-ups of all time. This Labor government has spent billions and billions of dollars removing level crossings – billions and billions and billions – and how much do you think they have futureproofed this project? Not at all. If you go and live in London or you go and live in Paris or you go and live in New York, they do not have just one line or two lines like we have. We have got two lines in most of our suburban sets – in fact predominantly, if not all. They have not provided for a single express lane in the future – so triplication. Not one of those underpasses and not one of those bridges actually has an easement set aside for a third rail or fourth rail. There has been no futureproofing whatsoever in one single level crossing removal project across this state. It is by far and away the single-biggest reckless spend, given that they have not futureproofed it for every single Victorian. How reckless can you get? I simply will never understand why, having undertaken this project, they did it in a half-arsed fashion. I will never ever understand that. It was amusing before because I heard a number of speakers opposite talk about how they somehow came back to government and revolutionised this approach, having conveniently forgotten that it was actually the Liberals and the Nationals who were getting underway and removing level crossings.

Ryan Batchelor interjected.

Nick McGOWAN: It was our policy. Not only was it our policy, but we were doing it. Clearly, you need a history lesson, Mr Batchelor, because that is the truth, and I know it unsettles you.

Ryan Batchelor: Please tell me how many level crossings you removed when you were in government.

Nick McGOWAN: Well, that brings me to an excellent point.

Ryan Batchelor: How many did you remove? Should we count them?

Nick McGOWAN: I am only too happy – please count them, by all means, while I continue this speech. I would love you to count them. Do you want to remind the people of Victoria how you have managed to pay for this? I know how you have managed to pay for this. That is right, you privatised the ports. It was privatisation just like with VicRoads – privatise, privatise, privatise.

Harriet Shing interjected.

Nick McGOWAN: I was not here, Minister, at that point in time. Mr Rich-Phillips is not here either. He saw the writing on the wall. He got in his plane, and he just fled. He has gone north.

Harriet Shing: No, he has not; he is on one of our water catchment boards.

Nick McGOWAN: Well, he is probably viewing the work of that board from 30,000 to 40,000 feet, I reckon – from a very safe distance – and he is well advised to do that, I can say that here and now.

Let me share with the chamber some other data. There is new data from Visa Australia, and that shows there has been a drop in spending across Melbourne for the past two years – a drop in retail spending.

It is never a good sign for employment. And while we talk about employment, let me just say this: never have I seen it be an aspiration of a government to have higher unemployment. And yet in the last budget, what your government predicted, Minister, was an increase in unemployment. What this Labor government were proposing, and what they had set as their lofty target, was for more Victorians to have no jobs. That is what they are actually forecasting. So for all their words, for all their billions and billions of dollars of spending, they are actually predicting that fewer Victorians will be in work.

This is just further evidence that the Labor Party have not only lost their way, they have actually turned their back on Victorian workers. And as my right honourable friend opposite would attest to, they have also turned their back on the retail workers of Victoria, one after the other. You need no more illustration of that than the WorkCover – it is not chaos; ‘travesty’ is the wrong word too; ‘debacle’ is a good word, but it is not the word I am looking for – betrayal. That is the word I am looking for – the WorkCover betrayal. This government, unlike any other Labor government, chose to strip ordinary working men and women of their rights. They had proven they had an injury, a mental health injury, and this callous Labor government chose to cut them off at their knees when they were at their weakest, throw them on the scrap heap, throw them on the convenient worker scrap heap that the Labor Party has now chiselled for itself in this state.

The only thing that will be chiselled out the front of 1 Treasury Place will be a statue of the poor Victorian worker, because the Labor Party now have so monumentally turned their back on and betrayed them – and betrayal is the word – that they will never forgive them. Trades Hall will never forgive you for it. Many unions will never forgive you for it. I do not blame them. Not one iota do I blame them about you having turned your back on the workers of this state. There is only one choice for them therefore at the next election, and that is to vote Liberal, because they know all too well that the Liberal Party is the party of the Victorian workers – and increasingly that will tend to be so.

Now, guess what, Victoria also has had the highest unemployment in the country for the past seven months and the slowest wage growth. Shall I repeat that? That is just going back to the Victorian workers. Victoria has the highest unemployment in the country – the worst. If you listened to those opposite, you would believe something quite distinctly different from that – the highest unemployment in the country for the past seven months and the slowest wage growth, which means you are probably struggling to make ends meet if you are a Victorian today. Yet that does not stop this government spending on areas that we know are a complete waste. We have had many examples of that. And yes, Mr Batchelor, we have had an example where they have managed to spend a billion dollars in my electorate of Ringwood on one train station, two if you include Croydon – one train station and two level crossing removal projects – with not even the decency to give them a single public toilet. Keep in mind this train station is the service station for Maroondah Hospital, where thousands of people with injury and disabilities will attend every day, week and month of the year. This government was so callous it could not even do – and still to this day resists the temptation to do – what is right, and that is provide those people with one single public toilet at the train station. It is a travesty.

Gaëlle BROAD (Northern Victoria) (16:15): I do want to congratulate Nick McGowan on his contribution to the chamber. I certainly had a text saying it was a class act, so it is a very hard one to follow. And I have had requests for the pie recipe, so you are going to have to share that.

I am very pleased to speak about the State Taxation Further Amendment Bill 2024 because this is just a reminder of what a major – I do not know, what would you call it? It is hard to think of a word to describe it, but this Labor state government is driving –

Nick McGowan interjected.

Gaëlle BROAD: ‘Maladministration’ is a good word. We have seen under Labor just horrific financial mismanagement and a debt of nearly \$188 billion, which is significant. Interest payments of over \$26 million every single day – over \$1 million an hour every hour – is extraordinary. Since they have been in office, just 10 years, there have been 56 new or increased taxes raising more revenue but

operating costs are higher, so they are spending more than they are collecting, and that really should raise a red flag. Any household knows that when you look at your finances you need to make sure that you are living within your means – not living off credit cards or using credit cards to pay off credit cards, but that is exactly what this government is doing. Projects like the Suburban Rail Loop, a \$200 billion project, are going on a credit card, but we are just not sure who is actually getting the bill for that one.

We have seen 56 new or increased taxes. Just think of a few of them. The holiday tax starts in January, another 7.5 per cent tax on family holidays if you take your holiday in Victoria. If you look at WorkCover premiums, they have absolutely skyrocketed – take the hike at Bendigo Health. In just one year the cost of premiums has increased to \$4.3 million. That is a 122 per cent increase, and that is money that should be going into hospital services. If you think about land tax, I have had numerous letters from people who are so frustrated. People are getting sent notices when they should not be. It is very difficult to contact the State Revenue Office to sort out the mess, and many are facing that tax for the very first time.

We know that this bill relates to the payroll tax on GPs, and while it does introduce some relief for clinics that exclusively bulk-bill, it does nothing for non-bulk-billing GPs or allied health practitioners who remain subject to payroll tax. The Nationals and Liberals have been very clear about the impact of this change, and I note that in Queensland with the Liberal–National party government they have moved to abolish the payroll tax on GPs to prevent practices going bankrupt due to the retrospective tax, with many other states following suit.

I would ask the chamber to support our amendments. We want to see a full exemption from payroll tax on GP wages – not just a partial exemption, but a full exemption. The government try and spin the issue, and they say nothing has changed, the law has not changed, but that really is very misleading because there has been a change – a big change in the interpretation by the State Revenue Office that will see this tax apply to GPs and other practitioners such as physios and dentists at the clinics.

This bill seeks to tinker with some exemptions with the clinics that bulk-bill, but my concern is the impact this will have on clinics, particularly in regional areas. I received correspondence from Dr Umair Masood, a GP who is a partner at a clinic in my electorate of Northern Victoria. He wrote that:

Most GP clinics in Victoria operate on a 3–5% profit margin. The payroll tax in Victoria is 4.85% and in regional areas it is 1.2125%. If this extra burden is put on GP clinics, there will be a serious issue with viability that will most likely affect over 50% of GP clinics. There will be clinics that will close as they will not be able to make ends meet. Bulk billing has reduced significantly in Australia, due to a severe lack of funding in General Practice. The cost of doing business like rent, wages, consumables, electricity, water, medical equipment, phone and internet continues to go up year on year. Given the lack of funding and ongoing increase in business expenses, bulk billing is not viable ...

...

... General Practice is the cornerstone of the medical system in Australia. It is also the cheapest point of medical care within the whole health system. We should increase funding in General Practice to off load the hospital system.

In his correspondence he refers to the Danish model, which I thought was very interesting, where they have funded general practice heavily, to the point where they have been able to reduce hospital funding. So the vast majority of people are cared for in the community and hospitals look after that higher tertiary level of care. His letter goes on to state:

According to a recent survey by Cleanbill, 256 of the 1,553 GP clinics in Victoria are at risk of closure. Booking platform called Hotdoc in a recent survey indicate that 95% of clinics in Victoria plan to increase patient fees in response to any additional payroll tax burden and operational compliance. This average rise in cost that will be passed onto the patient will be about \$12 per consult, which would take the average out of pocket cost to \$52 per consultation in Victoria.

He also went on to say:

Ultimately, the patients will lose out if clinics close and costs go up. They will visit their GP much less, have less access to health care and will end up at hospital emergency departments which are already struggling to cope.

But here we are – yet another tax as this government tries to find another way to go after our money. It is clear that they just have not been able to manage it.

We heard today Labor members asking, ‘What would we cut?’ Let us look at what Labor has already cut. They cut the Commonwealth Games, and they managed to waste millions of dollars in the process. They have cut funding to regional leadership programs. They went after hospitals and regional hospitals, seeking budget cuts just this year. They have cut \$95 million from Parks Victoria in the 2023–24 financial year in addition to planned redundancies of 100 staff in the new year. They have delayed the rollout of kinder programs across the state. They have cut funding to the supercare pharmacies across Victoria, including in Bendigo. They have cut the Growing Suburbs Fund by 90 per cent. They have cut road maintenance funding, and now they are filling 700 potholes every day. There is no news yet on continued funding for Landcare facilitators and coordinators, which runs out next year, and the future of the award-winning Passions and Pathways program is also under a cloud. Meanwhile they have wasted billions of dollars on major project cost blowouts and signed the contracts to proceed with the Suburban Rail Loop, which is a project that is expected to cost over \$200 billion. We saw the Auditor-General’s annual financial report released just this week, which made for interesting reading, and it sent up some red flags about the state debt. It found this government has no clear plan for long-term financial management. As I have said, they have not just dropped the ball, this government is using an absolute wrecking ball.

We cannot afford to see GPs, particularly in regional areas, forced to close their practices or increase their fees to cover this tax. In many towns in Northern Victoria, my electorate, there is only one practice. If that practice closes, health services for the community will disappear. This would place even more pressure on our hospitals and their emergency service departments. So I ask the chamber to support our amendment for a full exemption to the payroll tax.

Renee HEATH (Eastern Victoria) (16:24): I rise to speak on this bill today, which really is I think a sign of a government that has lost control of its funds, that has driven this state into so much debt that we will soon be paying \$25 million a day in interest alone. It is something that is shocking. This bill proposes amendments to 14 acts, but today, because of time, I am going to focus just on the GP tax. What it does is it formalises payroll tax on general practitioner clinics and it introduces a partial payroll tax exemption for those that are bulk-billing. This is something that is extremely important. I do not know how many times I have stood up in this place and asked why we do not have a Pakenham hospital. People in the country –

Harriet Shing: We’re building it now.

Renee HEATH: Well, it is quite a few years late, Minister Shing, I will say.

Harriet Shing: But you agree that we are building it?

Renee HEATH: You were knocking down a building; I will agree with that. I have finally seen that after a lot of advocacy in this place. But the reason this is important, and I will tell a few stories about this, is because this directly impacts the lives of individuals. Cardinia shire, which is where Pakenham is, is set to grow by 40,000 people by 2046, but we have not had the infrastructure to keep up and to support that population growth.

Harriet Shing interjected.

Renee HEATH: Minister Shing, just to take away the politics from this, let me share a story of why this is important. There is a young girl that reached out to me the other day. She is 32, she lives in Sale and she had a cyst on her ovary burst. At 7 am they called the ambulance. The ambulance

service said, 'We don't have one to send you.' Then she was in so much agony that they said, 'We can see on the map that you live close to Central Gippsland Health. Just drive yourself.'

Harriet Shing interjected.

Renee HEATH: No, this is in Sale. I did say that, Minister Shing. They looked on the map and they said, 'Why can't you get there yourself?' Her husband was so distressed. Then they went through and the person on the other end of the phone said, 'It sounds like she has period pain.' They did not send an ambulance. At 11 am, 4 hours later, they called the ambulance again. He begged and he pleaded. Finally, what the ambulance service decided to do – even though there was an ambulance, they did not deem her case important enough – was send a non-urgent ambulance from Morwell. By the time it got there she had unfortunately got so sick, critically ill, that they could not find a pulse, they could not read her blood pressure and she had sepsis. That non-urgent ambulance that got there then called in and said, 'This girl is about to die.' They urgently sent a MICA paramedic and another ambulance to come and save her life. They had to revive her twice. That kind of takes the politics out of it, doesn't it?

They called the MICA paramedic and another ambulance and had to bring her back to life. But before that they had sent her to a triage nurse and a telehealth doctor. They thought because she lived around the corner she could get there on her own. They did not comprehend the pain she was in and how incapacitated she was. This is where it gets a little bit worse. Then because of the time in between, because she could not access health care, she has had to have two surgeries since. She was three weeks in hospital, including in ICU, and five weeks on antibiotics. The first surgery was within half an hour of her getting to the hospital because it was that desperate a situation. It was a cyst that had burst that had then turned septic, and that was a life-threatening situation. I hope now we understand why access to health care is important and why it actually matters that we have a healthcare system that works and that people have access to.

This bill is really a story about the ongoing pattern of this government, which introduces a broad overarching tax policy that is 100 per cent about revenue raising without any nuance or the genuine wide consultation the Premier claims. The tax is so destructive that it has been described as 'the biggest existential threat to general practice', a claim that has been rightly countered with, 'Well, then, why the hell are you doing it in the first place?' This matters. This tax might cause GP clinics to close, and let me tell you, in a growing population like Pakenham – we are now back to Pakenham – the locals have already said that a community hospital is not enough to sustain that population anymore but that if that is all they are going to get, they are going to take it. It has not been delivered on time. It was meant to start in 2018. It was meant to be completed by 2024. We have now got a month left of this year, and they have finally just started demolition. This matters.

I am going to tell you another story, about a constituent of mine who has passed away. She received some medical imaging on her shoulder. She was straightaway sent to a specialist. Because of the out-of-control waiting lists, which still have not come back under control after COVID, there was such a long wait period that by the time she got to the specialist he had to deliver her some very bad news – that it was actually cancer, it had metastasised and it was too late. Unfortunately – I spoke to her husband a little while ago – she passed away. This matters. People have to have access to adequate health care. It matters.

In August last year, with an announcement of a retrospective payroll tax on contracted GPs, there was widespread disbelief that this government could do that. I just think it has been unbelievable seeing this government's retrospective decisions. We saw it in Wonthaggi with the retrospective overlay that caused so much stress to people living in the 650 homes that were affected. They could not even dig a hole in their backyards without getting soil testing done. The preliminary testing was \$14,000. The testing after that – it could have cost up to \$80,000 for them to clear that. I spoke to so many people there about the incredible stress.

Now we have been talking to GP clinics about the incredible stress that this retrospective decision has caused them. It is like changing the speed limit and then fining everybody who had adhered to the previous speed limit. That is exactly what it is like. These are law-abiding citizens; they are people who have run their businesses properly but have still received huge retrospective bills. It is a desperate cash grab, and it is a tax on patients. There is not really another way to say it. Last year alone 185 clinics across Australia shut down, largely due to the financial pressures. This year there are 1553 general clinics in Victoria, and this bill would tax GPs working out of those clinics who were previously exempt. Ironically it is causing widespread harm and enormous stress to those who are operating under oath to 'First, do no harm'.

In response to the payroll taxes last year a survey by the medical appointment booking platform that went out to 310 clinic owners and managers nationally found that around one in six, or about 16.5 per cent, reported concerns of closure. This is a huge issue. People need to have access to health care, and particularly in areas like mine, in rural and regional areas, they just do not have it. That is something that everybody in this chamber knows, because this year we changed legislation to allow pharmacists to treat non-complicated urinary tract infections. We legislated that pharmacists can now prescribe the pill. The reason we did that is because people in rural and regional areas do not have access to GPs. We are making this environment even tougher for them, and that has serious consequences.

The research also indicated that 95 per cent of clinics in Victoria plan to increase patient fees in response to any additional payroll tax burden and operational compliance costs. The average patient will be out of pocket an average of \$52 now. In August last year in a press release a practitioner owner of two clinics that service more than 107,000 Victorians said that he had no choice but to shut down after receiving a tax bill upward of \$800,000. That is extremely worrying. We are seeing GPs close. Like I said, 185 clinics closed last year – that is devastating. I worry for the people, and the reason I chose this issue alone to talk about is that whatever the intention of this decision is – and I am sure it is well intentioned; I acknowledge that – there are unintended consequences that impact the most vulnerable in our society, those that do not have money to access health care and those that do not have a hospital to go to. Because I tell you what, there is not one in Pakenham. Promised, yes; delivered, no.

I just want to close in saying that over the last 10 years of Labor there have been 55 new or increased taxes. We are in more debt than any other state in this nation. We are more highly taxed than any other state in this nation. We can celebrate whatever successes we have, but we have to realise that we are here to serve the people, and at the moment the Labor government is not doing that well.

Evan Mulholland: I would just like to bring to the attention of the house that there is not a quorum present in this chamber.

Quorum formed.

Ann-Marie HERMANS (South-Eastern Metropolitan) (16:39): I also rise today to speak on the State Taxation Further Amendment Bill 2024. It is with great pleasure that I stand here to talk about what a disgrace it is with this government that we are in this situation. What is very interesting about these amendments is that they just go to show that the government makes up these taxes on the run and then afterwards realises what a mess it has made. Let us look at the section that has to do with land tax. Fancy this government having to tax charitable institutions that focus on property and relief from land tax. Now they are having to look at ways that they have to amend things. Why? Because people are paying an exorbitant amount of money in land tax, and they are the people who are offering relief. It is crazy. This government has taxed Victorians to the hilt, to the point that most of them are struggling to feed their families. I represent the South-Eastern Metropolitan Region, and I do that with tremendous pride. I have raised my four kids in the area. I live in the area. This is not an academic exercise for me. This is my home. It is the home of my grandparents, where they have been. It is the home where my parents lived and were married. It is the home of many cousins, uncles and aunts

and many Christmases. So what happens in the area is very, very personal to me, and I care about the people and what this government are doing to them with their 56 new or increased taxes.

I find it extraordinary that we are even in this situation. It is like an afterthought: 'Oh my goodness, we put all these bills through the house that have become law, and we are tax, tax, tax, tax, taxing people, and maybe we haven't thought everything through.' You are still not really thinking it through with some of these amendments, let me say that. It bothers me. It really does bother me when we look at the health tax. It bothers me when we even talk about the bulk-billing services and the fact that the local GPs are struggling to even offer that service. It is very difficult to have a bulk-billing service if you are being taxed to the hilt. Now, I know that some of the GPs that are in my area also live in the south-east and they, like everybody else, are struggling to feed their families in some ways because of the number of taxes that they are having to pay. It is extraordinary, when we look at the 56 new or increased taxes, that suddenly this government thinks, 'Oh, maybe we need to revise some things because we've made a mess of it.' Well, yes, you have made a mess of it. You have made an extraordinary mess of it.

If I was to go through some of the statistics of this government – and I do have some here – we would be here for hours. I could not possibly do it in the timeframe that I have because there are so many of them. The average household in Victoria is already \$1100 worse off than the average New South Wales household. The Treasury emergency fund has been run dry by over \$12 billion. In fact it is likely to be overspent by about \$40 billion. We know in issues like youth crime that youth crime has soared to nearly 30 per cent higher than it used to be. Well, guess what that means. When youth crime soars, it means that people need to go to doctors because many of them get injured. They injure the regular people who live in their homes, and when people are injured, it means that they require more health care. When they require more health care, it means they have to go to the doctor. When they go to the doctor, if the doctors are not making enough money, they have to pass that on to the consumer.

I do not understand why the Labor government does not understand that when you add on taxes, for people to be able to survive, they have to pass that on to somebody else, because if they are not making money, basically they cannot do what they are doing themselves. There comes a point when someone goes, 'I have to shut up shop because I cannot pay my bills and pay any wages to anybody else.' That is what this is really about, the fact that we have a failed government that continues to fail, continues to fail in its financial structures and continues to fail in the laws that it imposes on everyday Victorians. This is a failing government. Let us have a look at some of these stats. They are really exciting statistics, except that they are impacting people in devastating ways. Debt – what are we looking at for debt, and why are we in this situation where we are having to now amend taxes? It is because our debt is set to be \$187.8 billion, and that is just what we know about. That is up 742 per cent under the Jacinta Allan Labor government because they mismanage our money, they are reckless in their spending and they are continually taxing the Victorian people.

Let us look at taxes that were introduced to schools. I see that there might be some students up here. Taxes in schools – 56 new taxes have come in since this government came in, in 2015. We have had 56-plus taxes, and this is going to be an additional one. We are saying we are making amendments. I do not know how to even add that up. Do we add that for every additional change that has been put into the amendment, or do we just say there are too many in here that we cannot keep counting them? They are becoming so numerous that it is becoming a joke that Victorian people are constantly having to pay through the nose because this government cannot manage money. They introduced the schools tax. They introduced the holiday and tourism tax. At this point in time normally most residences are fully booked out across the summer because people are booking to go on their holidays. Most Victorians right now do not have the same spending money to do that. They cannot go on some of the holidays they used to be able to afford because they are paying through the nose if they have a mortgage and a family. Those people who are in families know their parents are paying through their noses. They know that their parents are struggling right now. They know that it is much tougher for them because this is a state that is in debt.

You do not have to even be in a home with a family to understand the state tax debts that we have got. You just have to drive on our roads – or preferably drive around some of our roads because of the number of potholes that are in our roads because of the mismanagement of funding. It was an interesting statistic that I looked at when it came to the funding of roads. This is just extraordinary. In 2018–19 the government put in, in terms of road surfacing, \$191.9 million. Do you know what it put in for 2023–24? Back then it had 27 contracts; now they have got eight contracts. Do the maths. What would you be expecting? In this financial year we only spent \$37.6 million on fixing our roads. That is why we cannot drive on them. That is why we are blowing our tyres.

I can tell you that just outside my office is this huge crater of a hole. I spoke in this place about it, and someone must have run out the next week and tried to fill it in. Let me say, just like this government, they did not fill it in properly. It has already sunk about 5 inches deep, and now it is a pothole once again, because you are not doing the job properly. When the cracks appear in the road, those tiny little cracks, that is when you resurface it. You do not wait until it has a whole bunch of potholes, because that means you have got to do the whole thing properly and do it again. But you are not doing it properly. You are not doing it again. You are just patching, so we are all sinking and blowing our tyres, and that is costing the taxpayers more money. Now they have to go and get their cars fixed and their tyres fixed because you are not fixing the roads properly in the first place. It is an absolute debacle, and Victorians are paying the price.

Let us take the Suburban Rail Loop, a \$216 billion debacle that nobody asked for, nobody wanted. Yet you want to spend every cent that you are getting from our taxpayers on something that no-one wants or needs when we need our health care, we need our roads and we need funding for our schools. We need to have a much more sustainable cost of living. But no, you are going to tax us and you are going to waste it so you can have a gerrymandering exercise to take over all these electorates with your high-density, high-rise houses so you can say they are now all Labor electorates and there are no alternatives for democracy – we can only have Labor. What choice will we have? We will continue to be in debt, and this will continue to be the poorest state. After once being the jewel in the crown of Australia, this will be a poorer state under this Labor government, which has been in for 10 years – 10 years we have had Labor and 10 years of shameful 56-plus new or increased taxes.

Like I said, I do not even know how, in this particular bill, to add up the additions of taxes because of the number of things it touches upon. I am sitting there going, ‘Do we count that as an additional tax? How is this going to work?’ I always get worried when we make some of these amendments, and some of them look a little bit like you have put some thought into them, and I will give you credit for that. But I will say it bothers me, because I would like to know that this is going to be equitable, and with this government I cannot guarantee something is going to be equitable. How do I know it is not just going to be mates rates? ‘You guys, we’ll give it to you, because you are going to support us, so you’re our mate. We’ll give it to you, because we’ve got the discretionary power to be able to decide which people, which groups are going to get it, and we’ll give it to you. Oh, you? You’ll never vote for us, so we’re not going to give you anything.’ This kind of mentality that goes on in this government is just extraordinary. You do not give the taxpayers proper choice, and that really bothers me.

We are looking at a payroll tax as if these poor people had additional money. You are taxing them as if they were their own business – it is a GP, for goodness sake. Here is the other thing that you guys do not ever take into consideration – and I understand why, because you come from the union background where you have had somebody go in to bat for you to make sure that you had strong wages and strong conditions, but let me tell you: doctors do not have unions. Do you know what? Do you know what they start on when they are a resident doctor and they have a HECS debt that is a six-figure HECS debt? They can start on as little as between \$50,000 and \$60,000, and they can be working 15-hour shifts in hospitals.

Harriet Shing interjected.

Ann-Marie HERMANS: I am saying that these doctors do not deserve to have the types of taxes that you are putting on them. Do you know they can be paying off those HECS debts for years? Yet you think, ‘Doctor, we’re going to tax the living daylights out of you.’ That gives no-one any incentive to go and get an education when we have a Labor government, because everybody that gets educated gets so severely penalised – as if they are not already penalised having to pay off their HECS debt.

You guys do not understand economics. You do not understand how to run this state. You do not understand what you are doing, and that is why we are in so much debt. Labor cannot manage money, and Victorians are paying the price – it is as simple as that. Victorians are paying the price for a Labor government that does not know how to manage money.

Trung LUU (Western Metropolitan) (16:53): I rise today to make a brief contribution on the State Taxation Further Amendment Bill 2024. We on this side do not oppose the State Taxation Further Amendment Bill that has been brought to this chamber, but this bill does not go far enough to making essential services, such as seeing your local GP or dentist, more affordable for Victorians. As Liberal–Nationals we believe that medical practitioners and allied health professionals should be fully exempt from payroll tax. Over the last year over 185 clinics have closed in Australia. While we welcome this partial exemption from payroll tax for GPs offering bulk-billing, these measures do not go far enough.

This bill seeks to make changes to the Payroll Tax Act 2007, the Duties Act 2000 and the Land Tax Act 2005. I will briefly speak on the changes to the Payroll Tax Act 2007. This bill proposes amendments to parts of the Payroll Tax Act, including new clause 19B, which gives exemptions to GP medical businesses. This comes as a result of strong community campaigns in response to the Allan Labor government’s health tax. Labor are just taxing Victorians on whatever they can to pay for the enormous debt on their Suburban Rail Loop project in the eastern suburbs. The state electorate of Werribee has the second-highest rate of bulk-billing in Victoria. I know people of the west have spoken to me or come to fight along with the Liberals and Nationals and to take on the Allan Labor government to axe the GP tax and save bulk-billing. However, the Labor health tax should target private doctors and joint health professionals who do not bulk-bill.

The health tax takes away patients’ choice, pricing many working-class families out of the market for either specialist or private care. A government that imposes a tax on health care must realise that the more you burden the health system with taxes, the worse the outcome will be for the patient. This is why on this side of the chamber we do not support any health tax. Taxes on health do not make Victorians healthier. We do not make patients healthier by putting more tax on doctors and those in the health profession who are providing the service. We cannot encourage investment in the health industry by increasing taxes. Policies like these will make doctors move interstate, and clinics will divert their investment to other states such as Queensland, which fully exempts contractors and salaried GPs. Many of these entities operate as tenant practitioners, unrelated to each other. For example, a dentist can book a room in a medical clinic, a pathologist can book a room in a medical clinic and a psychologist can book a room in a medical clinic. They all operate as small businesses inside a medical clinic.

This is a desperate grab for tax by the Labor government. GPs who operate under their name with ABNs are sole traders, not employees, meaning they are not subject to payroll tax. However, the new proposal would reclassify associated health professionals who operate as independent contractors as employees. This would subject them to both the federal small business tax rate of 25 per cent and payroll tax, effectively leading to double taxing. It is unfair, and it is a burden on healthcare professionals – all to plug the government’s big budget hole. A State Revenue Office ruling classified that it is not just GP clinics that will be affected but all practices that follow business models where tenants are practitioners, such as dentists and partner health professionals operating on these premises. We have already seen over 156,000 businesses leave Victoria over the past 18 months due to Labor’s 55 new taxes. The role of a good government is to make sure it is easier, not harder, for businesses to

invest and create jobs. As Liberals we understand that the more you grow the economy, the more you grow the tax base, allowing it to fund the essential services Victorians rely on.

The Allan Labor government has cut \$36 million from the budget that would fund dentistry for the most vulnerable Victorians rather than providing essential services like dental care. Victorian dentists are concerned that individuals, particularly those of non-English-speaking backgrounds, which means most in my electorate, are delaying their routine dental care, potentially leading to a complete lack of it. Not only is the Allan Labor government slashing funds for dentistry, but it is also slapping on a health tax that makes dental care unaffordable for many working families in the west. The Australian Dental Association highlighted that the government has forced dental clinics across the state to determine whether they have to close or increase patient fees to cover their unexpected tax debts, through no fault of their own. Dental care is essential, not a luxury, and this situation puts this essential service at greater risk.

A recent survey by HotDoc revealed that 95 per cent of clinics would raise their prices in response to higher payroll tax obligations, highlighting the direct impact of the Allan Labor government's policy on everyday Victorians. Raising taxes causes pain and suffering for Victorians. This shows that the Labor government cannot manage money, and Victorians are paying the price. Additional payroll tax is needed to help Victoria's ballooning \$150 billion debt, but it is unlikely that any of this money will be invested back into the health system. Victorians have had enough of poor management in the health system – and poor management in every major project. This Labor government has ended up taxing everything they can.

I will make this brief. In closing, we do not oppose this bill. The Liberals and Nationals believe that medical practitioners and allied health professionals should be fully exempt from payroll tax. Under the Liberals and Nationals, we believe we will deliver a wider scale reduction in land tax and completely scrap the health tax. These changes are crucial to ease the financial burden on Victorians, particularly those already struggling with high taxes and skyrocketing living costs. We believe that in the future Victorians should not be weighed down by excessive taxation but instead empowered with greater financial relief and opportunities for economic growth.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (17:02)

Evan MULHOLLAND: Just for the committee's benefit, as is my usual practice I will try to get through all my questions in clause 1.

Harriet Shing interjected.

Evan MULHOLLAND: Do not tempt me. The State Taxation Further Amendment Bill 2024 proposes to partially repeal the tax exemption for bulk-billing GPs, with the cost of visiting a GP projected to rise by 30 per cent as a result of this tax. Why is the government not repealing this tax for all Victorians?

Jaclyn SYMES: The government have been pretty clear in our desire to ensure that bulk-billing clinics are exempted from a payroll tax that has always existed. It is not something that we did as a government, changing the payroll tax system. We did not make changes. What we are now doing is exempting those clinics who provide a bulk-billed service. We would encourage all clinics to look at the way they could expand their bulk-billing services. What I would say is the information that I have, Mr Mulholland, is the 2023–24 Medicare annual statistics demonstrate that in Victoria the bulk-billing

rate is around 78.2 per cent of services. We do not have access to clinic-level data on patient bulk-billing practices, but in relation to the vast majority of doctor visits in Victoria, they are bulk-billed.

Evan MULHOLLAND: The Primary Care Business Council has advised that the Victorian government will continue to collect approximately \$100 million through your health tax. With many Victorian clinics already grappling with thin profit margins, how many clinics does the government expect will close next year?

Jaclyn SYMES: I am not sure where you have got your figures from, but you have quoted an estimate from somewhere that does not align with the material provided to me by the Department of Treasury and Finance. I am advised that the exemption we are providing will cost around \$26 million a year in forgone revenue.

Evan MULHOLLAND: I think you might have misheard. The Primary Care Business Council has advised that the Victorian government will continue to collect approximately \$100 million.

Jaclyn SYMES: Sorry, I thought you were saying how much it cost us.

Evan MULHOLLAND: Has the government done any modelling or estimation of how many clinics it expects to close next year?

Jaclyn SYMES: Mr Mulholland, again, just checking with the box: the figures that you have quoted are not figures that align with anything that the Department of Treasury and Finance can firm up. I just put on the record that I cannot confirm the figures that you have provided. In relation to modelling and what happens when clinics do not bulk-bill everyone and how that might impact on the delivery of services, the government has consulted extensively with the GPs and their peak bodies in developing the exemption, including the impact of the exemption on services across different types of GP clinics. As is usual practice, it is not our intention to release that modelling, but I can assure you that that is the practice that has occurred in the development of this policy.

Evan MULHOLLAND: This bill proposes to repeal the existing exemption for friendly societies, which are not-for-profit organisations focused on community services, including affordable housing, health services and retirement savings. The exemption currently applies to transfers of property or declarations of trust involving both charities and friendly societies, providing these organisations relief from duty on certain transactions. Under the bill, while charities will retain this exemption, friendly societies will lose it, subjecting them to properly transfer duties for the very first time. What is the rationale for taking away the current exemption for friendly societies?

Jaclyn SYMES: Thank you for your question, Mr Mulholland, in relation to the changes for friendly societies and indeed those that used to be friendly societies and perhaps are no longer. The land transfer and landholder duty exemption for friendly societies is no longer appropriate for modern conditions. Entities that can meet the definition of a friendly society for the purpose of the exemption no longer have to have a mutual structure and beneficial objects, as was historically required. Whilst in the past friendly societies were required to have a mutual structure and beneficial objects under a legislative registration system in order to receive beneficial tax status, since 1999 this is no longer the case. Friendly societies are no longer required to have purposes that are beneficial to the community in the way that historical friendly societies provided social welfare to their members. The change has therefore been made to prevent entities that have a historical friendly society registration claiming the full duty exemption even if the entity is operating commercially for profit – that is, having demutualised and removed its beneficial objects. Victoria is the only jurisdiction to provide an unconditional land transfer and landholder duty exemption in this area, and as I said, this is certainly aimed at those that are technically, in the real world, no longer friendly societies.

Evan MULHOLLAND: This bill provides a vacant residential land tax exemption for alpine resorts. The Liberals and Nationals advocated for alpine resorts to be exempted from the government's vacant residential land tax at the time the bill was being considered late last year – indeed I recall it.

Given the seasonal nature of these properties, we knew it was impractical to treat these properties as vacant. Why has it taken the government a whole year to introduce this change?

Jaelyn SYMES: Thank you for your question in relation to alpine resorts. From January 2025 vacant residential land will be expanded from the inner and middle suburbs of Melbourne to all of Victoria. As the snow season lasts only a few months, land use for accommodation in alpine areas is generally vacant for more than six months of the year. Given this, we have made the decision to do exactly as you outlined. I know that, as I said, it will be from January 2025.

Bev McARTHUR: Minister, in the departmental briefing the departmental officer confirmed that the reason for the GP tax was to move all GPs onto bulk-billing. Can you confirm that is the reason why we are using payroll tax on GPs?

Jaelyn SYMES: I thank Mrs McArthur for her question, but she has mischaracterised what is happening here. The payroll tax obligation exists. What this bill is doing is providing an exemption for those that provide bulk-billing services.

Bev McARTHUR: But those that are not providing bulk-billing – that is, those that provide a service to private patients – are being taxed, and the reason, we gathered in the briefing, was that you want all GPs to bulk-bill. Can you confirm that?

Jaelyn SYMES: Again, as I said, the requirement to pay payroll tax is not something that we have altered. The bill exempts those that provide bulk-billing services from having to pay payroll tax.

Bev McARTHUR: But why won't you exempt all GPs who are providing health services to all patients, whether they are private or bulk-billed?

Jaelyn SYMES: This is something that we have decided is good government policy and good for the community, as we have said. The exemption proposed will give payroll tax exemptions to GPs that provide bulk-billed consults, and we hope that this has an outcome of encouraging the provision of more bulk-billed consults in Victoria. This is something that many Victorians would like to see.

Bev McARTHUR: That does confirm what the agenda is here. Can you tell us how this will affect rural general practices, many of whom do not bulk-bill and cannot afford to bulk-bill? We are lucky to have GPs in many areas, so we do not want to lose them. How many GPs will be lost in rural Victoria as a result of the fact that they will have to pay a payroll tax?

Jaelyn SYMES: We are not expecting the loss or closure of any GP clinics. 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, including in rural Victoria.

Sarah MANSFIELD: In terms of the application of payroll tax to general practice, in May the Treasurer announced that he would use his ex gratia powers to ensure that no practices would have retrospective liabilities made payable. Can you confirm that that will be the case and that no practices will face any new retrospective liabilities when it comes to payroll tax?

Jaelyn SYMES: Thank you, Dr Mansfield, for your question and the opportunity to confirm some comments that the Treasurer has made. Prior to the changes announced in May there had been no change to the payroll tax or its application to GPs, as I explained to Mrs McArthur. The longstanding contractor provisions, which apply across industries and are harmonised across most states, had always applied to GP businesses – that is, GP businesses could be liable for payroll tax on payments to contractors depending upon the specific nature of that contractual relationship. In May the government announced that all Victorian general practice businesses will receive an exemption from any outstanding or future assessment issued for payroll tax on payments to contractor GPs for the period up to 30 June 2024. A further 12-month exemption from payroll tax for payments to contractor GPs through to 30 June 2025 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 will be provided through the Treasurer's existing ex gratia powers and is not addressed in this bill. That this exemption would be applied in this way under any Labor government is the commitment the Treasurer has asked me to provide.

Sarah MANSFIELD: In terms of any practice that may find itself being faced with payroll tax liabilities that they are unable to meet for whatever reason, what support will be available? What avenues do they have to get advice or support regarding that? I appreciate that with the rulings regarding payroll tax and the application of them nothing had technically changed in the way that they were written, but this problem has arisen because the on-the-ground interpretation and application of it changed fundamentally for general practice. This bill before us is an acknowledgement of that. I suspect there are still a lot of practices with some uncertainty about what this will mean for them, some of whom are worried about getting into difficulties. What support or advice will be provided to practices to help them understand that, and if they run into any problems, where can they go?

Jaclyn SYMES: I thank Dr Mansfield for her question and the way she has characterised where we are at. There is of course an acknowledgement from government that custom and practice and what was occurring on the ground, even though the law and rules were quite applicable to GPs, was not necessarily well understood. Indeed even people's financial advisers were giving them advice et cetera, so we are certainly conscious of that. Changes have come about, obviously, and people have realised that it is applicable. There have been court cases to that effect and the like, and it is a recognition of that that has almost brought us to this point in relation to this legislation. There is extensive information about payroll tax on the State Revenue Office website, and practices can seek a private ruling from the SRO. We are conscious that there will be an impact, because it is a change in practical terms for people regardless of the fact that the rules did not really change, but we understand that this will be an impact on businesses. Again, as I have indicated to members of the opposition, we would hope to see many people consider extending their bulk-billing services. As I have outlined, 80 per cent of doctors visits now are bulk-billed. But for those who will now be looking at payroll obligations that they may not have been expecting, we would urge them to seek advice through their advisers and assistance from the SRO.

Sarah MANSFIELD: In developing this compromise approach to dealing with the payroll tax issue, who did the government consult? Can you indicate whether there will be ongoing engagement with stakeholders to understand what the impacts of these changes are, and can you commit to continuing to engage with stakeholders beyond the passage of this bill should it pass today?

Jaclyn SYMES: As I outlined in relation to the development of the policy, the modelling and the considerations that underpin the decisions that you can see in the bill today, government has consulted with GPs and their peak bodies. In relation to further engagement, there is a pre-existing relationship between a lot of these bodies and the government, so I am sure conversations can continue. Some of the bodies that we regularly engage with are the Royal Australian College of General Practitioners, the AMA and the Australian General Practice Alliance.

Georgie CROZIER: This exemption is for GPs, but it does not, as we know, include other allied health professionals, like dentists, who often work in these medical clinics. What is the reason that dentists have been excluded?

Jaclyn SYMES: As we have said all along and apart from the changes regarding GP bulk-billed consults that we are announcing today, there has not been any change to the existing payroll tax.

Georgie CROZIER: In that regard, yes, I understand that that is the government's line, but in practice that is not actually what has been happening, because GPs have presented to the Royal Australian College of General Practitioners and showed them the bills they have been receiving from the State Revenue Office as a result of the government going after this. Now we have got the exemption I presume that those medical clinics or those GPs will not have those bills, but it does not

exempt those people such as dentists, podiatrists or other allied health professionals working in medical clinics, and therefore those medical clinics will be subjected to the payroll tax. Again, is there some reason why allied health professionals in a medical clinic are not exempt, as GPs are?

Jaelyn SYMES: We recognise the unique role that GPs play in our community, and we always want to back them. This is despite the fact that they are primary care, which is predominantly a responsibility of the Commonwealth. However, as we have seen, we are investing in priority primary care centres and the like, so in relation to the state stepping into this space, we have shown our commitment because we know the value that they provide. It is our contention that bulk-billing plays a critical role in getting patients early care and that rates have been declining due to the decade of neglect by the former federal coalition government. That is why we are providing an exemption to the GPs who provide bulk-billed consults. There is an existing issue in relation to access to GPs – you guys have been saying it yourselves – so we are making positive changes. We want to create an incentive for more bulk-billed consults in Victoria. The role of bulk-billed consults with a general practitioner is not the same as how Victorians access other kinds of health care, which is why we are not extending the exemption beyond GPs who bulk-bill.

Georgie CROZIER: A very unsatisfactory answer for those dentists. I hope they are listening to this and what you have just explained to the house. Minister, has the government set aside any money for potential legal challenges to this decision that you are bringing in through this legislation, given it does not capture all GPs?

Jaelyn SYMES: I am not sure that we are going to face legal action from people who are concerned that we are exempting them from payroll tax.

Georgie CROZIER: That is the problem; you do not actually understand what is happening here. There are many medical clinics that are going to be captured and not exempt. They are still going to have to pay a huge amount of payroll tax. What is the government going to do when those legal challenges commence?

Jaelyn SYMES: Your line of questioning is outside the bill, but I would draw your attention to the information that I have that there are legal cases, one in particular out of New South Wales, that demonstrate that the payroll tax system would be applicable to the medical professions that we have been discussing today. That is why we are taking action to exempt a certain cohort from a payroll responsibility that we did not impose and we are not changing.

Georgie CROZIER: You and I both know that you would not have brought this legislation into this place without the campaign that was mounted against your government because of the unfairness of what you were doing. The Treasurer was going after GPs on this health tax. They mounted a campaign, and I am very glad that they did. The AMA, the college of general practitioners and others mounted that campaign against the government because GP clinics are going to close down. They are facing rising consumable costs and a whole range of other costs that they are dealing with, and they have said in regional Victoria it will impact them. My question is: what modelling has the government done about the impact to regional general practice for those ones that are not going to be fully exempt?

Jaelyn SYMES: It is the last day of Parliament for the year, and you have asked a question that your colleagues just asked when you were not in the room. When you have a shadow minister that has asked the exact question that formerly two members of her team have asked me, I just think it is a bit embarrassing. In relation to the modelling question, we consulted extensively with GPs and their peak bodies in developing the exemption. We do not anticipate any closures. We have been in dialogue with the peaks and delivered what they asked for – certainty and clarity. They have told us that they support the package that was announced by the government and they support this legislation.

Georgie CROZIER: I would have concluded my contributions by now, but you have just actually said something that is not quite true. Mr Mulholland has shown me and I knew what questions he was asking, and that is not what I was asking. Mrs McArthur may have asked something. Do you know

what I was doing? I was out of the chamber talking about a woman who is getting IVF under your government at a prison. That is what I was dealing with, so I did not hear Mrs McArthur. I am going to ask again about the impact to regional Victoria. Could you repeat it for the house so I can understand it? I have got another follow-up question. I am terribly sorry if that is too much trouble for you.

Jaclyn SYMES: I am more than happy to repeat my answers. The impact on rural GPs was an issue that Mrs McArthur was quite interested in. We are confident that applying the exemption will not cause the closure or loss of any clinics. The government expects the decision to provide an exemption from payroll tax for payments that are required to be made under the law will, hopefully, encourage and support more bulk-billed GP consults for Victorians and improve access to GP services, including in rural Victoria.

Georgie CROZIER: My apologies if Mrs McArthur asked this one. Given that there are GPs who have expressed their concern about the impacts of your payroll tax to their clinics, because they do not have 100 per cent bulk-billing and they are concerned about the impacts to their patients, what advice has the government received in relation to those patients that would need to seek services elsewhere should these clinics close? Has the government looked at any further modelling in relation to the pressures on the system when the amalgamations of hospitals occur?

Jaclyn SYMES: Again, this bill is about exempting certain cohorts from an existing payroll tax obligation. We have been in dialogue with the peaks, and we have delivered what they have asked for – certainty and clarity – and my information is that the peaks support the package and the legislation.

Georgie CROZIER: I will just make a final statement, just to say that I congratulate all those GPs that rallied against the government's health tax and put pressure on the government to give some exemption. It is a partial exemption. It is not going to have the dire consequences that originally were proposed when the Treasurer was going after GPs on their health tax. However, it is the Liberals' and Nationals' contention that it does not go far enough and that there will be impacts into regional Victoria, especially once services go in regional towns when amalgamations of health services occur. I just make that statement, because it has been a short-sighted tax grab by the government because of the dire financial situation of the state.

Jaclyn SYMES: Just to respond to some of the comments, this legislation is about exempting certain people from payroll tax. Ms Crozier, I will repeat some of the information that I put on the record for other members. The advice I have from the Medicare annual statistics is that 78.2 per cent of visits to a GP are bulk-billed. We do not have access to clinic-level data on patient bulk-billing practices, but I want to note that medical clinics will not be required to bulk-bill all patients to benefit from the ongoing exemption that commences from July 2025; it will be based on clinic-level bulk-billing service rates. So there will be the opportunity for GPs to access an exemption if they bulk-bill some of their patients.

Evan MULHOLLAND: I move:

1. Clause 1, page 2, line 27, omit "a partial" and insert "an".

This is a test for all of my other amendments. I would just like to say – I went into a bit more detail in my speech – it seeks to amend the Payroll Tax Act 2007 to actually provide a full exemption from payroll tax on GPs' wages. Ms Crozier was speaking about dentists as well. I know many allied health clinics would certainly appreciate an exemption from payroll tax. In fact I was at the People First Healthcare carols on the weekend, and I know Ms Crozier has actually met Dr Mohammed from People First Healthcare in Roxburgh Park. They are certainly advocating for that, and I told him we would be moving some amendments. It is also our election commitment to completely scrap Labor's very bad health tax, which is impacting our communities at the moment.

Jaclyn SYMES: The government will not be supporting the amendment for the reasons that were well outlined in the conversations I have been having with members in the chamber.

Council divided on amendment:

Ayes (17): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendment negatived.**Clause agreed to; clauses 2 to 100 agreed to.****Reported to house without amendment.**

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:41):
I move:

That the report be now adopted.

Motion agreed to.**Report adopted.***Third reading*

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:41):
I move:

That the bill be now read a third time.

Motion agreed to.**Read third time.**

The PRESIDENT: Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

Justice Legislation Amendment (Committals) Bill 2024*Introduction and first reading*

The PRESIDENT (17:42): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Criminal Procedure Act 2009** and other Acts to reform the process for committal proceedings and for other purposes.’

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:42): I move:

That the bill be now read a first time.

Motion agreed to.**Read first time.**

Gayle TIERNEY: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:43): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Justice Legislation Amendment (Committals) Bill 2024 (the Bill).

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

Overview

A streamlined committal system will improve criminal justice system efficiencies and strengthen protections for victims and witnesses. To achieve this, the Bill amends the *Criminal Procedure Act 2009* (the CPA) to:

- abolish the test for committal for indictable cases
- require a committal case conference be held in most indictable matters unless it is in the interests of justice that a case conference is not held
- define ‘relevant’ for the purposes of disclosing material in the brief of evidence
- allow for early committal in cases before the Supreme Court of Victoria (SCV)
- strengthen the test for granting leave to cross-examine witnesses pre-trial
- prohibit cross-examination at committal stage of any witness in sexual offence, family violence and stalking cases, and
- extend special hearings to child complainants and complainants with a cognitive impairment in family violence cases.

The Bill will also amend the *Evidence (Miscellaneous Provisions) Act 1958* to require adult accused persons in custody to appear in a committal hearing via audio-visual link (AVL), unless a party requests and the court directs a physical appearance.

Human Rights Issues

The Charter rights that are relevant to the Bill are the:

- right to equality (section 8)
- right to protection of families and children (section 17)
- rights of children in the criminal process (section 23)
- right to a fair hearing (section 24), and
- rights in criminal proceedings (section 25).

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. I do not consider that the Bill limits rights under the Charter.

Right to a fair hearing (section 24) and rights in a criminal proceeding (section 25)

Section 24 of the Charter provides that a person charged with a criminal offence has the right to have the charge decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

Section 25(2) of the Charter sets out rights in criminal proceedings including specific minimum guarantees in these proceedings. Relevant to these amendments are the rights to:

- (2)(a) – be informed promptly and in detail of the nature and reasons for the charge
- (2)(b) – have adequate time and facilities to prepare a defence to the charges
- (2)(c) – be tried without unreasonable delay
- (2)(d) – be tried in person, and to defend personally or through legal assistance
- (2)(g) – examine witnesses against the accused, unless otherwise provided for by law
- (2)(h) – obtain the attendance and examination of witnesses on his or her behalf under the same conditions as witnesses for the prosecution

The Bill introduces procedural changes, as discussed below, that will protect the right to a fair hearing for accused persons by promoting the appropriate resolution of cases, narrowing issues in dispute before trial,

and improving the disclosure of prosecution case. Together, these changes will work together to promote the rights in section 25(2) while also achieving broader efficiencies in the justice system.

Abolishing the committal test

The Bill will abolish the test for committal and strengthen the existing case management role of the Magistrates' or Children's Courts (the lower courts) to preserve core functions of the committal system (amended section 141 of the CPA). I am satisfied that these reforms will maintain the right to a fair hearing for accused persons, as discussed below.

Historically, the main purpose of a committal hearing has been to assess whether there is sufficient evidence for an accused to stand trial, and to discharge an accused if this threshold has not been met. The CPA also provides other purposes of modern committal proceedings, which include ensuring a fair trial by, among other things, enabling the issues in contention to be adequately defined and by ensuring the prosecution case against the accused is adequately disclosed ahead of the trial.

While the committal test is intended to act as a 'filter' to provide independent scrutiny of an indictable prosecution, in practice, the threshold for committal is low and discharge rates in the MCV are negligible. Applying the committal test requires time and effort, and magistrates duplicate the work of trial judges. Further, the CPA allows the Director of Public Prosecutions (DPP) to directly indict an accused for trial even if a magistrate discharges the case at committal stage.

By removing the time spent by magistrates assessing the evidence to apply the test for committal, the Bill will allow magistrates to focus on using their existing case management expertise to assist in narrowing the issues in dispute and facilitating earlier resolution of cases where appropriate. This promotes the right to a fair trial by retaining judicial oversight on the progress of the case, ensuring that prosecution and defence continue to be held accountable and the case progresses efficiently so that issues in dispute can be identified at an earlier stage of the proceeding.

Section 25(2)(h) of the Charter is also relevant as the Bill will remove the accused person's ability to call any witness or make any submission at a committal hearing. The accused will still be able to apply to cross-examine prosecution witnesses at a committal hearing (section 25(2)(g)). I am satisfied that the right to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses for the prosecution remains available to an accused person as this right will be maintained at the trial stage. I am further satisfied that the removal of the ability to give or call evidence at the committal stage does not offend the 'equality of arms' principle necessary to ensure a fair hearing for the accused for the same reason. This principle means that each party to a proceeding must have a reasonable opportunity to present their case to the court under conditions that do not place that party at a substantial disadvantage in relation to their opponent. Further, an accused person will be able to test the evidence of the prosecution at committal stage, subject to leave being granted, by cross-examining prosecution witnesses where available and through early and full disclosure of the prosecution case. This will ensure an accused person understands the case against them and can adequately prepare a defence.

Default audiovisual link (AVL) attendance at a committal hearing

The Bill will make AVL the default mode of appearance for committal hearings for adult accused persons in custody, unless the court makes an order directing that the accused appear physically in court (amended section 42JA of the *Evidence (Miscellaneous Provisions) Act 1958*). In determining whether to make an order in the interests of justice, the court may consider the extent to which the accused may comprehend the proceedings or be able to give instructions to their legal representatives, preserving the accused person's right to a fair hearing and procedural fairness. This amendment reflects the removal of the test for committal and the accused person's ability to call witnesses or make submissions at a committal hearing. As a committal hearing will be limited to cross-examination of prosecution witnesses where leave has been granted, it is expected that committal hearings will be shorter and appearing via AVL will be more efficient. This amendment will promote an accused person's right to be tried without unreasonable delay under section 25(2)(c) of the Charter, as it recognises the constraints in physical transportation of accused persons in custody which could unnecessarily delay the proceeding. By facilitating attendance via AVL, the Bill seeks to improve efficiencies in a manner that does not undermine an accused's right to be tried in person (section 25(2)(d)).

Strengthened case management processes

The Bill will promote the rights of an accused person in a criminal proceeding by:

- requiring the lower courts to conduct committal case conferences for all cases in the committal stream (with limited exceptions) (amended section 127 of the CPA)
- defining 'relevant' for the purposes of disclosing material in the brief of evidence (amended section 110 of the CPA).

The Bill provides that the purpose of a committal case conference will be to facilitate the narrowing or resolution of issues in dispute and the disclosure of any material or information to enable appropriate resolution. This will enhance an accused person's ability to understand the charges against them at an earlier stage of the proceeding (section 25(2)(a)) and the requirement to provide adequate time to prepare a defence to the charges (section 25(2)(b)). Continued judicial oversight of a committal case conference will maintain effective procedural safeguards and minimise unreasonable delay to the progress of the case, facilitating the accused person's right to be tried without unreasonable delay (section 25(2)(c)).

Providing that, in the context of disclosure, 'relevant' includes material that might reasonably be expected to undermine the case for the prosecution or assist the case for the accused will enhance the likelihood of informants providing an accused person with relevant material, allowing adequate time to prepare a defence to the charges (section 25(2)(b)).

Strengthening cross-examination protections and expanding the prohibition on pre-trial cross examination

Pre-trial cross-examination is important for disclosure and to narrow the issues in dispute in a criminal process, but can require victims and witnesses to give evidence more than once in a proceeding, which can be inefficient and unnecessarily traumatic. There is scope to reduce re-traumatisation and achieve efficiencies in the criminal process while maintaining fair trial rights of an accused person.

The Bill amends the CPA to prohibit committal hearings in all sexual offence, family violence and stalking cases in the MCV, extending the current prohibition in sexual offence cases for a complainant who is a child or has a cognitive impairment (amended section 123 of the CPA). All pre-trial cross-examination of complainants in these cases will be prohibited (i.e. the complainant will only give evidence during a trial). To ensure a fair trial, the defence will be able to make an application for pre-trial cross-examination in the trial court of witnesses other than the complainant. This reform promotes the rights in section 24 and 25(2)(c) of the Charter by reducing delays in cases with vulnerable complainants, increasing efficiency and better utilising resources. I do not consider that the rights in section 24 and 25(2)(g) of the Charter are limited by this amendment as an accused person will still have the same opportunity to cross-examine witnesses before trial if leave is granted as permitted by law. The same procedure and test that apply in a committal hearing will apply to pre-trial cross-examination in the trial court. Additionally, existing safeguards continue to allow cross-examination of witnesses before a trial commences where there is a serious risk of an unfair trial if the cross-examination does not take place, ensuring the right to a fair trial is not limited.

The Bill strengthens the test for granting leave to cross-examine a witness at a committal hearing (amended section 124 of the CPA). This engages section 25(2)(g) of the Charter as applying a higher threshold for leave to cross-examine will narrow the ability to cross-examine witnesses at committal or pre-trial stage. The strengthened test will require an accused person to show that there are substantial reasons why, in the interest of justice, a witness should be cross-examined on an identified issue in dispute. I consider that the test is appropriately targeted to relate to issues in dispute, support disclosure and facilitate resolution. This strikes the right balance in minimising unnecessary trauma for witnesses and the right of the accused under section 25(2)(g) to examine witnesses for the prosecution. Further, the strengthened test does not limit an accused person's ability to cross-examine witnesses on relevant issues and rather promotes an accused person's right to be informed promptly and in detail of the nature and reasons for the charge (section 25(2)(a)).

Early committal of cases in the Supreme Court of Victoria

The Bill will move SCV cases involving adult accused persons at an earlier stage to utilise the specialist case management expertise of the trial court (new section 140A of the CPA). This will expedite the trial-readiness of these cases, remove duplication in case management efforts and delays in progressing the case through the committal process. This amendment will ensure that the trial court can deal with pre-trial issues efficiently, promoting the right in section 25(2)(c) for the accused to be tried without unreasonable delays.

Children in the criminal process (section 23) and rights of a child in a criminal proceeding (section 25(3))

Sections 23 and 25(3) of the Charter protect the rights of children in the criminal process. Under section 23(2), a child accused must be brought to trial as quickly as possible. Section 25(3) of the Charter provides that a child charged with a criminal offence has the right to a procedure that takes account of their age and the desirability of promoting the child's rehabilitation.

As discussed above, the Bill promotes these rights by improving efficiencies in committal proceedings through the introduction of stronger case management procedures, abolishing the test for committal and strengthening the test for granting leave to cross-examine pre-trial. These measures aim to reduce delays, remove inefficiencies and promote early and appropriate resolution of cases.

The Bill will require the early committal of an accused person for trial in the SCV for cases that are ordinarily or routinely determined in the SCV. However, this new process will only apply to cases involving children where a child accused consents to early committal. Otherwise these cases will remain in the Children's Court

until the matter is ready to progress to the SCV for trial or sentence. This promotes the rights in section 23 and 25(3) by providing a tailored procedure for children utilising the specialist expertise of the Children's Court.

Similarly, the Bill's reforms to make AVL the default mode of appearance for accused persons in custody appearing in committal hearings will not apply to children, reflecting that it is generally in the best interests of a child accused to appear in-person in court proceedings. Existing safeguards will continue to allow a child accused to opt-in to appear via AVL if it is in the interests of justice.

Protection of children (section 17)

Section 17(2) provides that every child has the right, without discrimination, to such protection as is in their best interests.

The Bill promotes this right by introducing greater protections for child complainants and witnesses in cases involving a sexual offence, family violence or stalking offence subject to a committal proceeding. As outlined above, the Bill moves pre-trial cross-examination of witnesses other than the complainant in all sexual, family violence and stalking offence cases to the trial court (amended sections 123 and 198A of the CPA) ensuring that child witnesses in sexual offence, family violence and stalking cases are afforded greater protections that are available in the trial court.

The Bill extends the availability of special hearings to child complainants and to persons with a cognitive impairment in cases involving a family violence offence (currently available for these complainants in sexual offence proceedings) (amended section 369 of the CPA). Complainants in these cases will have their evidence taken in a special hearing where their oral testimony (examination-in-chief, cross-examination and re-examination) will be audio-visually recorded. This recording will be shown to the jury at the trial, and re-used if there are re-trials, avoiding the need for vulnerable complainants to give evidence more than once. This amendment will further protect the rights of children as child complainants in this cohort will be cross-examined only once over the course of the criminal proceeding, and only if the matter is listed for trial. These recordings may also be used in any subsequent re-trial.

Similar to sexual offence cases, the nature of family violence and stalking cases warrant additional protections for witnesses and complainants. I am satisfied that these special protections are necessary to protect vulnerable children from significant harm, and to minimise unnecessary trauma when giving evidence. I am also satisfied that the greater protections will ensure this cohort of children involved in criminal proceedings are more supported to participate in the criminal justice system.

Right to equality (section 8)

Section 8 provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

The Bill also raises the right to equality before the law, as it provides for protection from cross-examination for victims and witnesses at the committal stage in sexual offence, family violence and stalking matters (amended section 123 of the CPA).

While this leads to different treatment between persons or groups of persons in the criminal process based on the offence type, human rights law recognises that formal equality can lead to unequal outcomes. To achieve substantive equality in how victims and witnesses experience the protection of the law, special measures are required in sexual offence, family violence and stalking cases to minimise unnecessary trauma for vulnerable witnesses. While giving evidence and being cross-examined is confronting and distressing for many witnesses, the Bill recognises that cross-examination can be particularly traumatising for witnesses and vulnerable complainants in these cases. I am satisfied that these reforms will protect vulnerable complainants and witnesses by reducing duplication of cross-examination to minimise unnecessary trauma.

Hon Jaclyn Symes MP
Attorney-General
Minister for Emergency Services

Second reading

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:43): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

This Bill will make changes to Victoria's criminal procedure laws to enhance efficiency, reduce delays and protect victims and witnesses. The Bill will do so by streamlining committal processes while preserving the core functions of the existing committal system to achieve early and appropriate resolution of cases, and by strengthening protections for victims and witnesses.

Replacing the test for committal with improved case management processes

The system of commencing criminal proceedings in a lower court before committing the case to a higher court for trial or sentence emerged before independent police forces and prosecution agencies existed, when magistrates were required to review the evidence to filter out private prosecutions without merit.

The current committals system still requires magistrates to undertake this function by assessing whether the evidence is of sufficient weight to support a conviction for any indictable offence (the 'committal test'). While this requires significant time and resources in the lower courts, the threshold for committing matters is low and it is rare for a magistrate to decide not to commit an accused. In addition, even if a case is discharged at committal, the Director of Public Prosecution may commence proceedings by way of direct indictment.

The purposes of committal proceedings have evolved over time and are now more focused on achieving resolution of charges where possible, or narrowing the issues in dispute, providing disclosure so the accused understands the prosecution case and ensuring the case is ready for trial if it does not resolve for plea. While all Australian jurisdictions have made changes to their committal procedures in recent decades, including the abolition of the committal test in New South Wales, Tasmania and Western Australia, no single committal system is the same and Victoria's context presents unique challenges.

Following recommendations made by the Victorian Law Reform Commission, the Bill will abolish the committal test, allowing magistrates to instead focus more on active case management in the committal stage. The case management model in the lower courts will be strengthened to focus on disclosure and identification of issues to expedite resolution at an earlier stage.

In particular, the Bill will require the Magistrates' and Children's Courts to conduct a committal case conference in all committal proceedings, subject to limited exceptions. The purpose of this conference will be for parties to engage in resolution discussions and discuss key outstanding issues and disclosure. The committal case conference provides a forum for parties to engage in open discussions under the guidance of a magistrate exercising case management expertise. However, the court may dispense with the requirement to hold a committal case conference if satisfied it is in the interests of justice to do so.

The Bill will also implement a VLRC recommendation to clarify the meaning of 'relevant' in the context of disclosure. The new definition will apply in addition to the meaning of this term at common law. It will assist informants to understand that relevant material can include material that is or might reasonably be expected to undermine the prosecution case or assist the case for the accused, and is based on a similar provision in New South Wales. The government will continue to monitor disclosure practices and consider future changes once the effect of the Bill's reforms becomes clear.

Strengthening cross-examination protections for complainants and other witnesses

The Bill will extend protections for complainants and witnesses before trial. Currently, most complainants and witnesses in indictable proceedings can be cross-examined multiple times, firstly at the committal hearing, then in a higher court during trial and sometimes before trial. For most complainants, giving evidence and being cross-examined can be one of the most difficult parts of the criminal process.

Current provisions provide protections for complainants and witnesses in sexual offence cases where the complainant is a child or a person with a cognitive impairment, including a prohibition on their cross-examination at the committal stage. The Bill will expand the prohibition on cross-examination before trial to include all complainants in sexual offence, family violence and stalking proceedings, recognising the particular challenges for complainants giving evidence in these cases. Witnesses in these cases will still be able to be cross-examined in the trial court before trial in appropriate cases. These reforms will be complemented by further family violence and stalking reforms the government proposes to introduce next year.

The Bill will also strengthen the test for magistrates granting leave for cross-examination at committal, to ensure any cross-examination that does occur is appropriately targeted to facilitate appropriate resolution of matters at an earlier stage. The strengthened test is intended to limit unnecessary cross-examination, including tactical evidence testing. However, it will not be an impossible hurdle for the accused to overcome in appropriate cases where the court is satisfied there are substantial reasons why, in the interests of justice, leave to cross-examine should be granted.

The strengthened test will narrow the scope of issues that can be raised in cross-examination to ensure cross-examination is relevant, and will balance the interests of the accused with the interests of the witnesses, the prosecution, and the public interest in the administration of justice. Together with recent amendments to require magistrates to give reasons for granting cross-examination applications, these reforms will improve consistency in the application of the test for leave to cross-examine at committal stage, reduce duplication and minimise the stress and trauma to victims and witnesses.

The Bill will also extend certain protections at trial stage for complainants who are children or persons with a cognitive impairment in family violence proceedings, in addition to the existing protections for this category of complainants in sexual offence proceedings.

The government will monitor the effectiveness of these proposed new protections and if needed, will consider further reforms to further limit cross-examination and minimise unnecessary trauma to complainants and witnesses.

Early committal of cases to the Supreme Court

The Bill will require that Supreme Court cases are committed at an earlier stage to expedite case management by the trial court. This will legislate fast-track procedures to bypass committal hearings for homicide matters, building on a successful pilot scheme implemented by the Supreme Court which has resulted in earlier resolution of cases.

Mandatory early committal of these cases will only apply where the accused is an adult, in recognition of the specialist jurisdiction of the Children's Court. However, as is the case currently, a child accused will be able to consent to early committal to the Supreme Court. For joint trials involving a co-accused who is not charged with a Supreme Court matter, early committal will only occur with the consent of all accused persons in the case.

These reforms will reduce duplication of case management efforts, allow the Court to apply its expertise in determining pre-trial issues earlier and reduce delay by avoiding cases having to 'double queue' for both committal hearing dates in the Magistrates' Court and trial or plea listings in the Supreme Court.

Improvements to the committal system will allow for further justice system efficiencies

As the reforms in this Bill will make committal hearings shorter in duration and more procedural in nature, there will be less need for accused persons to appear physically in the courtroom at committal hearings. This Bill will change the default appearance at committal hearings for accused adults in custody from in person to an audiovisual link from their prison location. This will lower the costs of transport to and from court and staffing court cells, minimise disruption to prison operations and placements for accused persons, minimise court delays due to accused persons not arriving in court as scheduled, and reduce security risks associated with people leaving and re-entering prisons.

In some circumstances there may be a practical difficulty with an audiovisual link appearance, such as where there are co-accused or interpreters or if audiovisual link facilities are not available. A physical in-person appearance may also be in the interests of justice to ensure the accused understands the proceedings. In such cases, the Magistrates' Court will be able to direct the accused to appear in person at a committal hearing.

Recognising the specialist jurisdiction of the Children's Court, the default audiovisual appearance at committal will only apply to cases where the accused is an adult.

Allowing investigators and authorised water officers to witness statements in criminal prosecutions

The Bill will amend the description of Australian Securities and Investment Commission (ASIC) staff in Schedule 3 of the CPA, to ensure ASIC investigators can continue to witness statements in a preliminary brief, full brief or hand-up brief following a restructure in ASIC. The Bill will also add authorised water officers appointed under the Water Act 1989 to Schedule 3. This will address inefficiencies currently caused by these officers not being able to witness statements when carrying out their duties.

I commend the Bill to the house.

Evan MULHOLLAND (Northern Metropolitan) (17:43): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024*Introduction and first reading*

The PRESIDENT (17:43): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Inquiries Act 2014** and the **Public Records Act 1973** in relation to the Yoorrook Justice Commission and for other purposes.’

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:44): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Gayle TIERNEY: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:44): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

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 Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024 (Bill).

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

Overview

The Bill empowers the Yoorrook Justice Commission (Commission) to make the following types of Yoorrook Justice Commission record orders (record orders) over records of First Peoples’ evidence provided to the Commission:

1. A Yoorrook Justice Commission record closure order (closure order) to prevent public inspection of the record for 99 years once the Commission is wound down (clause 4, new section 52B).
2. A Yoorrook Justice Commission record restriction order (restriction order) to make the record available for limited public inspection on the terms and conditions specified by the Commission for 99 years once the Commission is wound down (clause 4, new section 52C).

A record order will also have the effect of making the relevant record exempt from the *Freedom of Information Act 1982* (FOI Act) (clause 6) for 99 years. As such, a person will not be able to gain access to a record which is subject to a record order via a Freedom of Information request.

The Bill enables the Commission to protect the confidentiality of First Peoples’ evidence in line with Indigenous Data Sovereignty (IDS) principles.

IDS is an international movement which promotes the rights of Indigenous Peoples to own, control, access and possess data that derive from them, or which pertain to their members, knowledge systems, customs, resources or territories.

The Bill also makes technical amendments to the *Inquiries Act 2014* (Inquiries Act) to clarify how records produced by Royal Commissions, Boards of Inquiry and Formal Reviews should be treated after those inquiries are wound down.

Human rights issues**Human rights protected by the Charter that are relevant to the Bill**

1. The amendments contained in the Bill to clarify how records produced by Royal Commissions, Boards of Inquiry and Formal Reviews should be treated after those inquiries are wound down do not engage any Charter rights as they are minor and technical in nature.
2. The reforms in the Bill which empower the Commission to issue record orders engage the following Charter rights.

Recognition and equality before the law

Section 8(2) of the Charter provides that every person has a right to enjoy their human rights without discrimination.

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

Discrimination, for the purpose of section 8 of the Charter means discrimination within the meaning of the *Equal Opportunity Act 2010* (Equal Opportunity Act), on the basis of one or more attributes set out in section 6 of that Act. The relevant attribute engaged by the Bill is discrimination on the basis of race.

The Commission will be empowered to make a record order over First Peoples' evidence (see clause 4, new sections 52B and 52C). This means that First Peoples' records may be afforded greater protections from public access than records provided by non-First Peoples. As such, the Bill permits differential treatment for First Peoples and non-First Peoples.

Under section 8(4) of the Charter, measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination. These measures are named in the Charter's Explanatory Memorandum as 'special measures'.

Section 12(1) of the Equal Opportunity Act provides that a person may take a special measure for the purpose of promoting or realising substantive equality for members of a group with a particular attribute. Conduct which constitutes a special measure under the Equal Opportunity Act is not considered discrimination under that Act.

Equally, when s 8(4) of the Charter is satisfied, there is no incompatibility with the right to recognition and equality before the law, because there is no discrimination under the Charter.

I consider the Commission's power to issue record orders to be a special measure as per section 8(4) of the Charter for the following reasons:

- First Peoples are a historically disadvantaged group in Victorian society due to discrimination.
- The intention of the measure is to advance the rights of First Peoples by promoting IDS by giving First Peoples' control over access to and use of their data.
- The measure is reasonably likely to advance the rights of First Peoples by ensuring that the Commission can protect the confidentiality of, and restrict access to and secondary use of, First Peoples' evidence provided to the Commission.
- The reforms address a clear need as there is no guarantee under the current legislative framework governing the treatment of Royal Commission records that records of First Peoples' evidence will be kept confidential once the Commission is wound down.
- The reforms are proportionate to their objective as the Commission's power may only be used over records provided by First Peoples who are natural persons. As such, reports produced by the Commission and testimony from government ministers and representatives will still be available for public access.

I am satisfied that the record order reforms contained in the Bill are a special measure under section 8(4) of the Charter. As such, the Bill is consistent with the right of recognition and equality before the law.

Freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds.

The right to freedom of expression includes a positive right to access information held by the government. The Bill engages the right to freedom of expression by enabling the Commission to issue record orders to prevent or restrict public access to government records, including preventing freedom of information requests (clause 6).

Section 15(3)(a) of the Charter provides that the right to freedom of expression may be subject to lawful restrictions which are reasonably necessary to respect the rights and reputation of other persons.

The Commission's power to restrict access to public information is lawful as it is precisely and appropriately prescribed in the Bill.

These lawful restrictions are reasonably necessary to respect the rights and reputations of other persons as:

- They enable the Commission to protect the confidentiality of First Peoples' evidence and uphold First Peoples' stated preferences as to how their record should be treated once the Commission is wound down.
- Record orders can only be made over records provided by natural persons who are First Peoples (see clause 4 new section 52A). This ensures that other significant documents including reports produced by the Commission and evidence provided by government ministers and organisations will remain publicly accessible. This balanced approach ensures the protection of First Peoples confidential information while still enabling the Commission to establish an official record of the impact of colonisation on First Peoples in Victoria, as per its Letters Patent.

As such, I consider that to the extent that there is a limitation on the right to freedom of expression, the limitation is reasonably necessary to respect the rights and reputation of other persons.

Privacy and reputation (section 13 of the Charter)

Section 13 of the Charter states that a person has the right –

- a) not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- b) not to have their reputation unlawfully attacked.

Under the current legislative framework in the Inquiries Act, records of Royal Commissions which have concluded may be publicly accessible depending on:

- whether an order is made by the Minister for Government Services or the Keeper of Public Records under the *Public Records Act 1973* to prevent public inspection of the relevant record; or
- whether an FOI decision maker within government determines that the record is an exempt document under Part IV of the FOI Act.

The Bill enhances the right to privacy by empowering the Commission to make orders which ensure that First Peoples' records are prevented or restricted from public access, thereby preventing arbitrary disclosure and use of First Peoples' private and sensitive personal information. The Commission will make these orders on the basis of consultation with First Peoples who have provided the relevant evidence to the Commission.

This approach aligns with IDS principles by providing First Peoples with agency regarding the control and access of their records, rather than leaving the confidentiality of records to the discretion of government. Such protections are especially important where First Peoples stories involve traumatic experiences of discrimination or abuse.

Conclusion

Having considered all relevant factors and for the reasons outlined above, I am satisfied that the Bill is compatible with the Charter.

Hon Jaclyn Symes MP
Attorney-General
Minister for Emergency Services

Second reading

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:44): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

I acknowledge the Traditional Owners and custodians of the land on which this Parliament stands, the Wurundjeri Woi Wurrung People of the Kulin Nations. I pay my respects to their Elders and ancestors; Elders from all Victorian First Peoples, and any Elders and other Aboriginal people who join us here today. Since time immemorial, First Peoples have practiced their laws, customs and languages, and nurtured Country

through their spiritual, material and economic connections to land, water and resources. Victoria's First Peoples maintain that their sovereignty has never been ceded.

Reforms in response to recommendations from the Yoorrook Justice Commission

The Yoorrook Justice Commission is a historic process – the first truth-telling inquiry of its kind in Australian history. Since its establishment, a fundamental principle of the inquiry has been that First Peoples must be able to engage with the truth-telling process on their own, self-determined terms. When providing evidence to the Commission, First Peoples have been asked to express their choices about how the information they provide is to be treated by the Commission. The Commission has subsequently called for legislative change so that those choices are upheld by the State of Victoria once the Commission ends.

Today, the Government is proud to support the Commission's commitment to First Peoples by introducing this Bill, which will extend First Peoples' control over their own stories and evidence shared with the Commission beyond the end of the Commission's term, in line with Indigenous Data Sovereignty (IDS) principles.

IDS is an international, Indigenous-led movement seeking to remedy government methods of holding Indigenous peoples' records and assert the sovereignty of First Peoples over their own information. The Commission has articulated IDS as the 'right of Indigenous Peoples to own, control, access and possess data that derive from them, and which pertain to their members, knowledge systems, customs, resources, or territories.'

Reforms in support of IDS principles are aligned with the Government's commitment to First Peoples' self-determination.

The Bill responds to two recommendations from the Commission for legislative reform to uphold First Peoples' choices about how evidence they provide to the Commission should be treated once the Commission ends. Specifically, the Bill implements recommendation 2 of the *Yoorrook with Purpose* report (2022), as well as recommendation 45 of the *Yoorrook for Justice* report (2023) insofar as it relates to First Peoples' evidence provided to the Commission.

Currently, Royal Commissions are required to transfer records to the Department of Premier and Cabinet (DPC) upon their conclusion. DPC is then required to transfer the records to the Public Record Office Victoria (PROV).

These records are then subject to public access unless an order is made under the *Public Records Act 1973* (Public Records Act) or an exemption applies under the *Freedom of Information Act 1982* (FOI Act). This means that access to and use of these records is a matter for government decision-making and discretion, not First Peoples' choices.

The Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024 remedies this. The reforms are narrow in scope, applying only to records of First Peoples' evidence provided to the Yoorrook Justice Commission.

The Bill enables the Commission to uphold First Peoples' choices relating to the post-inquiry treatment of their evidence by:

- amending the *Inquiries Act 2014* (Inquiries Act) to empower the Commission to make record orders to close or restrict access to specified records for 99 years after the Commission concludes, and to provide that the FOI Act does not apply to such records for the same period;
- amending the Public Records Act to require the Keeper of Public Records to restrict and/or provide access to specified records in accordance with the Commission's record orders.

The Commission may also include additional access instructions in a record order to reflect First Peoples' wishes as to how their evidence should be handled once they have passed away. For example, authors or records may tell the Commission that they want members of their immediate family, extended family or community have access to records of their evidence when they die. The Commission can reflect these wishes in additional access instructions, which PROV will then need to uphold.

The Bill also includes technical amendments to the Inquiries Act so that the requirement to transfer records to PROV as soon as practicable after their receipt is expressed as being subject to the standards issued by the Keeper under the Public Records Act. This amendment updates the legislation to align with current practice when distinguishing between permanent and temporary records.

The Bill has been informed by extensive consultation with a wide range of stakeholders, including the Commission, the First Peoples' Assembly of Victoria, PROV, the Office of the Victorian Information Commissioner and government departments. The Commission consulted with First Peoples who provided evidence to ensure that the Bill represents their wishes in accordance with IDS principles.

The Bill enables the Commission to fulfil a key obligation under its Letters Patent, to uphold ‘the sovereignty of First Peoples over their knowledge and stories by consulting with them on how the information they provide should be treated and ensuring adequate information and data protection’.

It ensures that First Peoples’ engagement with this historic process is truly on their terms, and it recognises that First Peoples are the rightful decision-makers over the future access and use of their personal evidence.

I commend the Bill to the House.

Melina BATH (Eastern Victoria) (17:44): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

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

Introduction and first reading

The PRESIDENT (17:45): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to establish paramedic practitioners as a class of registered paramedics authorized to obtain, possess, use, sell and supply certain substances and for other purposes.’

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:45): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:45): I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:46): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

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

In my opinion, the Bill, as introduced to the Legislative Council, 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 to 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.

Hon Ingrid Stitt MP
Minister for Mental Health
Minister for Ageing
Minister for Multicultural Affairs

Second reading

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:46): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

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.

Georgie CROZIER (Southern Metropolitan) (17:46): I move:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Motions

Budget papers 2024–25

Debate resumed on motion of Jaclyn Symes:

That the budget papers 2024–25 be taken into consideration.

Bev McARTHUR (Western Victoria) (17:46): Rising to speak on the 2024–25 budget, it would be remiss of me not to recognise a significant milestone rapidly approaching. Next month Timeless Tim will have been our Treasurer for a full decade – 10 glorious, or perhaps inglorious years – and a week or so later he will overtake Sir Albert Dunstan to become the second-longest serving Victorian Treasurer in history. Yet despite the fact he has outlasted Dan, he still will not qualify for a statue. How unfair is that? Mind you, we are lucky still to have him. If the rumours are to be believed at least, he is forever on the verge of announcing his resignation, so often it seems suspiciously like media management. He has got Backroom Baz on speed dial.

This particular budget, the Treasurer's 10th, was some time ago. You have all probably forgotten the background, but it is worth thinking back, because for my money the Treasurer did his best work before he even stood up in Parliament. It was not a week-long housing announcement blitz but an even longer campaign of drip-fed press commentary. There were months of Labor leaks on the state's upcoming horror budget. You have to give the Treasurer some credit: he might not have learned to manage money in the last decade, but he can certainly manage expectations. By the time he got around to delivering his speech, which by and large lacked shocks, it seemed surprisingly like business as usual. That is certainly what he wanted us to think. The problem for Victorians is that after a long decade of budgets from this Treasurer, we know what business as usual means, and it is not a good thing.

Victorians will pay more and get less. It is shocking that we are not more shocked, but we have become numbed to it. The headline figures are bad enough. Total debt will rise consistently from \$156 billion next year to \$187.8 billion in 2028. The annual debt interest bill will surge accordingly from \$6.5 billion at present to \$9.4 billion by the end of the forward estimates. Every single week the Victorian taxpayer will part with \$180 million and receive not a single cent's worth of services or infrastructure in return. A decade of budgets from Mr Pallas has culminated in this: spending more but delivering less.

It has been more than six months since the budget now, so I have the benefit of hindsight – not that I needed it; I would hardly have had to be Mystic Bev to have predicted that since the budget Victoria's credit rating would be confirmed as the worst in the nation. In August S&P warned Victoria was at risk of further downgrades if it pushed ahead with the Suburban Rail Loop, and in September Moody's echoed their warning that Victoria may:

... incur a large and persistent increase in its debt burden, with the state evidencing limited capacity to implement countermeasures in the near term to preserve its debt affordability; interest payments in excess of 8.5 per cent of operating revenue on a sustained basis may be inconsistent with a rating at the current level.

This does not just mean bad headlines – it has a serious effect, even before any further downgrades. With the biggest state debt, growing public spending and productivity rising at less than one-third that of New South Wales, it is no surprise that the interest rates we pay are almost 1 per cent above the 10-

year Commonwealth bond rate and higher than every other state. This is what happens when a Labor government sells out the economy to create a public sector client state.

We heard a lot about the discipline of this budget, and yet it shows the government wage bill will rise inexorably from \$38 billion to \$42 billion. This is what happens when Labor politicians, short-term populists, do long-term harm, indulging in vast overspending on multiple infrastructure schemes, thus increasing each project's cost and causing mismanagement and blowouts of epic proportions. This is what happens when energy costs spiral and land and payroll taxes escalate, when employment costs rise and when regulation multiplies. As the old saying goes, if all you have is a hammer, everything looks like a nail. So it is with Labor – any problem, real or political, must be solved by government, be it through new consultation, committees, commissioners, quangos, regulation or legislation.

Last year's budget saw state revenue reaching \$99.9 billion by 2026–27, but the Treasurer has confirmed Victoria will now break the \$100 billion barrier by 2025 and hit \$107 billion by 2027. Labor politicians love to boast about spending, but this big growth of big government is nothing to be proud of. It is built on the backs of hardworking, enterprising Victorians, and one day those backs will break. The simple truth of this budget is that despite worse health services, longer court delays, police shortages and underfunded schools, Victorians will pay more. State revenue from taxation will rise from \$32 billion last year to \$45 billion in 2027–28. That is a 40 per cent rise in five years, there in black and white – staggering, unsustainable, terrifying. Nor can Labor claim this will only hit those who can afford it. The fire services levy, up from \$847 million to \$1.43 billion, and the municipal waste levy, up from \$64 to \$170 per tonne, are not discretionary spending. Every household will pay, rich or poor, and every household pays for energy too. In recent weeks I have repeatedly called out the staggering sum collected by the state government from AusNet on the land tax it owes for transmission line easements. It has risen this year by more than \$50 million to \$256 million. That is 5 per cent of the state's entire land tax take, and every single cent is stuck on our electricity bills.

On a different point, and an important one, at the very heart of this budget is a bigger problem: a fiction which underpins the Treasurer's strategy and the only way he has disguised the car crash in Victoria's finances. Tim Pallas believes the state's economy will grow by a quarter in four years. That is not just fanciful, it is practically fraud. Yes, the public wage bill will grow and so too will taxes, but does anyone truly believe the economically productive private sector can possibly achieve the growth his fantastic predictions require? Even with this make-believe, Labor have had to seriously massage the cash flow. The budget papers show project after project with spending reprofiled, work delayed and delivery dates blown out. The Melbourne Airport rail link is deferred four years further. The government-operated childcare program is delayed. Twenty-nine school upgrades are slowed down, as is the launch of 60 mental health centres and 10 community hospitals. The cost of one part of the Suburban Rail Loop has completely disappeared from the books – it is now 'to be confirmed', despite the fact contracts have already been let. Perhaps this disappearance is just as well. We all know we will be zipped around in autonomous flying cars before the SRL gets built and teleporting before it is even paid for.

Mr Pallas's business-as-usual budget extends to his customary neglect of regional Victoria. Funding allocated for agriculture programs drops 30 per cent, and the list of infrastructure projects is seriously underwhelming. Little is new, an awful lot is delayed and some projects are even cancelled. The Geelong fast rail project still featured in last year's budget. Now the government at least acknowledges its axing, but there is no sign of the \$2 billion promised to Geelong being reallocated to other projects. It is just another broken promise. The truth is that Tim Pallas's 10th budget is pretty uninspiring. For most treasurers that is actually high praise, but the problem is that in Victoria 'boring business as usual' does not mean an inoffensive, hands-off government leaving us to our own devices. Instead it means the unremarkable continuation of a decade of higher spending, higher taxes and higher debt – of the same old boasts, the same old excuses and the same inevitable course to a poorer, harder future reckoning.

Today we find ourselves reflecting on a budget that raises significant concerns for the future of Victoria. As taxpayers we are seeing a shocking increase in taxes, yet where are the improvements? Let us take a moment to examine the numbers and where the money has been spent. We have got that incredible list of 56 new or increased taxes, which I will go to in a minute, but firstly I must address the alarming situation in our healthcare system. In regional areas the outlook is particularly bleak. Hospitals like those in Colac and Melton are facing severe shortages, including the sudden closure, reopening and now basically closure again of the maternity services in Camperdown. In August this year 11 ambulances were ramped at Geelong hospital. We see waiting lists growing longer in Geelong, and specialised services in our metro hospitals are stretched to breaking point. This is a crisis that the government seems unwilling and unable to fix. Instead the budget reflects priorities that will leave many of us asking: where are our resources being directed? Victorian taxpayers are forking out more than \$22 million to fund LGBTIQ+ groups, events and organisations. This includes \$14,000 for the indoctrinating and ideological rainbow toolkits. Is this the best use of taxpayer money when we have growing shortages in essential services like health care?

Let us not forget the latest round of financial mismanagement. The Metro Tunnel project has blown its budget by a staggering \$837 million, pushing the total cost beyond \$15 billion. This is a massive overspend, and it is the taxpayers who will foot the bill. But that is not all. The state's new emergency call service, Triple Zero Victoria, has been handed a budget of \$100,000 just to create a logo – a logo. And then there is the matter of the 2026 Commonwealth Games. The Premier, who once served as the Minister for Commonwealth Games Delivery and their legacy, made the decision to cancel the event, costing taxpayers nearly \$600 million. This is indeed a legacy of the Premier and the Labor government – a legacy of waste, and the taxpayers are paying for it. Meanwhile Victoria's debt is spiralling. By 2027–28 it is projected to hit \$187.8 billion, with daily interest repayments set to reach \$26 million. That is over \$1 million per hour. We hear a lot about expensive and impossible projects like the Suburban Rail Loop, but when will the government actually address the fundamental issues that affect us day to day? We must demand a budget that cuts all unnecessary taxes and reflects the true needs of Victorian taxpayers. It is time we prioritised our health care, our roads and our future stability over wasteful spending, bloated projects and ideologically driven projects.

That gives me an opportunity just to go through some of these taxes: a new stamp duty on property transfers between spouses; an increased stamp duty on new cars; a new stamp duty on off-the-plan purchases; a new so-called vacant home tax; widening vacant residential land tax to uninhabitable properties; retrospective increases in insurance duty for overseas-based insurers; a new annual property valuation to increase land tax; cladding rectification tax; an environmental mitigation levy; increased luxury car tax; increased land tax for homes with contiguous lots on a separate title; increased fire services property levy; increased fire services property levy 2019–20; a new point-of-consumption gambling tax; a tripling of brown coal royalties; gold mining royalties; a new tax on Uber and taxi fares; a new corporate restructure duty; increased foreign stamp duty; increased foreign stamp duty 2016–17; introduced foreign stamp duty 2015–16; increased absentee landowner surcharge for foreign properties; increased absentee landowner surcharge for foreign properties again; increased absentee landowner for foreign properties again in 2015–16; a new city access tax for the West Gate Tunnel; a new on-dock rail charge on imported shipping containers; an increase to the municipal industrial landfill levy; a road occupation charge on construction companies; a numberplate tax; the electric vehicle tax; a new and affordable housing tax; an increased land tax on taxable holdings; increased stamp duty on property transactions; expanded point-of-consumption tax on gambling; a 10 per cent increase to Victorian government penalty units; expanded land tax on gender-exclusive clubs; mental health payroll tax surcharge; increased wagering and betting tax; and an increased fire services property levy in 2021–22. And I have only got to 39 taxes; I have got to get to 56. The last one, of course, was the probate death tax. So it was a very poor budget.

Motion agreed to.

Adjournment

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:02): I move:

That the house do now adjourn.

Gas policy

David DAVIS (Southern Metropolitan) (18:02): (1334) My adjournment tonight is for the Minister for Energy and Resources. The house may not be aware, but yesterday there was a set of regulations tabled, or details about regulations. This is about rooming houses, but it is also about residential tenancies. The surprise in this is that it is different from what was in the draft regulations, and there is speculation about the reason it is different. This is pursuant, even though it is gazetted by the Minister for Consumer Affairs, to the state government's *Gas Substitution Roadmap*. The *Gas Substitution Roadmap* seeks to a ban gas in the state. It is part of the state government's war on gas. The regulations that initially went out – the draft regulations – looked at banning gas replacement appliances in rental properties. Meanwhile, inside government they were preparing other regulations which would ban gas appliance replacements for all houses in the state.

We know that in this chamber the recent bill went through with the clause 38 powers. The government took to itself the power to ban anything to do with reticulated gas. So the war on gas stepped up a notch. The government even refused to deal with their own claimed position that they would allow gas cookers to continue, but when presented with an amendment that allowed that, they fought against it and voted that down. So we had the minister out there today briefing and saying that this will all go over to April. We have the regulations without the expected material.

A member interjected.

David DAVIS: That is right – after the federal election. I pick up the interjection. That is exactly where it is heading. They are going to push off the nasty gas war, the banning of replacement appliances, until after the federal election. That is what it appears is happening. The action I seek is that I want the minister for energy to come out and make a definitive statement. Either she has been monstered and rolled at cabinet and forced to back down on her regulations – her gas replacement regulations for rental properties – or, as she was saying to journalists this afternoon, it is all going to be in one omnibus set of regulations in April, potentially after the federal election. Is this an attempt to skate through with the gas ban to after the federal election, or has the minister been rolled? She needs to make a statement and clear it up.

Metro Tunnel

Michael GALEA (South-Eastern Metropolitan) (18:05): (1335) My adjournment matter this evening is for the attention of the Minister for Transport Infrastructure. It concerns one of the most transformational projects that we currently have underway in Victoria, and that is the Metro Tunnel. Indeed we saw some interesting commentary last week from the Liberal shadow spokesperson, who made some bizarre comments that, outrageously, only the high-capacity Metro trains will actually be designed to work in the Metro Tunnel with the new platform doors. These will be the first stations –

David Davis: Can the V/Line trains go in?

Michael GALEA: No, they cannot, and I will get to that, Mr Davis. Indeed only the trains that are customised for the Metro Tunnel will be able to run with those platform doors – outrageous, it seems, to the opposition. Never mind that there is only going to be one set of trains running through the Metro Tunnel, and that is those high-capacity Metro trains. Apparently it is an outrage that the X'tropolis 2.0 trains, which are being built and will service the Craigieburn and Upfield lines, which will never go into the Metro Tunnel, are not being customised for it – outrageous.

It is outrageous that Mr Guy is so inept on transport policy that he thinks we should be wasting money customising trains that will never use this tunnel so that they can use the tunnel. Mr Davis says, 'Will V/Line trains be compatible?' No, they will not. Maybe you would like to run a service from Swan Hill to Bairnsdale through the Metro Tunnel, which you could easily do any other way anyway. I am not sure why – it is not a very smart idea, Mr Davis. I know that Mr Guy fashions himself as a bit of a gunzel, so I am sure it is a source of great embarrassment to him that the online gunzel railway communities have savaged this nonsensical proposal by the opposition. Indeed on Twitter we saw Declan Martin say that N-class locomotives will not run, those ones on those V/Line services that are being withdrawn – outrageous.

David Davis: He's a Labor mate. You know he's a Labor mate. He's one of your mates. He's a branch member.

Michael GALEA: He is. In fact he was the one who almost won the seat of – what seat did he almost win, Mr Davis? I think he almost won the seat of Brighton. Yes, that is right.

Gayle Tierney: On a point of order, President, the chamber has become unruly. The member has not been in his place and is yelling out, and I cannot hear Mr Galea.

David Davis: On the point of order, President, I know I need to be in my place, but Declan Martin is a Labor branch member, and everyone knows it.

The PRESIDENT: Mr Davis, you should have kept going and then come back in February. Merry Christmas.

Michael GALEA: As Mr Davis rightly says, he is a Labor member in the Brighton area, who almost won the seat of Brighton in fact. TomOyn said, 'Why aren't we making the vastly out-of-date derm railcars compatible?' Timothy Weber said that maybe we should make the G-class trams compatible with the Metro Tunnel. My favourite of all, XtrapolisLegs on Twitter asked why the *Spirit of Tasmania* is not compatible with the Metro Tunnel. It is an outrage that I am sure Mr Guy will be all too keen to get to the bottom of. On Reddit HotlineKing said:

... in other news, A380s cannot land at Moorabbin Airport.

We know from those opposite that they have no plans, no vision, no idea what they are talking about, while this government continues to deliver.

President, if I may, it has been another excellent year in this place, and you gave a very good speech this morning. I would like to take a brief moment to thank you for your leadership of us all, for your friendship and above all for your allyship this year.

Police conduct

Katherine COPSEY (Southern Metropolitan) (18:09): (1336) My adjournment tonight is to the Attorney-General, and the action I seek is the establishment of an independent police ombudsman in Victoria, for one more time this parliamentary sitting year. At the Land Forces weapons fair that took place in Melbourne protestors exercised the rights that they have to freedom of expression and peaceful assembly under the Victorian Charter of Human Rights and Responsibilities. Those rights are also protected by the implied freedom of political communication provided under our constitution. Worryingly, at Land Forces we saw once again clear and repeated evidence of police failing to adhere to their obligations and responsibilities under human rights law. Legal observers witnessed incidents of excessive use of force by police, including rubber bullets being deployed at short range; use of tear gas, rubber bullets, OC spray and flashbangs against people attempting to move away from police lines, as well as those standing still, including people with their hands raised in the air; and whipping people with horse whips and charging horses into crowds of people who did not have room to move away, causing injuries.

Human rights advocates state:

The size, nature, or political context of a protest does not change the –
legal and human rights obligations –
obligations upon police to act lawfully.

We see evidence of operational practices of Victoria Police systematically violating human rights. For example, there is a long history of using excessive force and pepper spray. The Victorian government is currently defending a class action lawsuit over police using OC spray on protesters at the 2019 International Mining and Resources Conference. Would a potential class action from Land Forces activists find the Victorian government in contravention of our Charter of Human Rights and Responsibilities Act 2006?

This week we saw a draconian attempt by the New South Wales Labor government to shut down the people's blockade of the world's largest coal port in Newcastle. This overreach was defeated in the Supreme Court, and I send my congratulations to the heroes at Rising Tide for defending our climate and our democracy. I want to say I attended this amazing protest action, as did my colleague in this place Ms Gray-Barberio and my colleague in the other place Ms Sandell. This week we saw democracy win out. As my notice of motion this morning outlines, the way that these protests are handled is part of a growing trend, unfortunately, in Australia of disproportionate police tactics being used to stifle protest. In the face of these, what safeguards or remedies do citizens have? In Victoria, very few at the moment. In the clear and unequivocal words of the Yoorrook Justice Commission last year, the government must urgently create a purpose-built independent police oversight authority, and I urge the Attorney-General to bring this reform forward.

Gender services

Bev McARTHUR (Western Victoria) (18:11): (1337) My adjournment matter for the Minister for Children concerns extraordinary failings of the Department of Families, Fairness and Housing (DFFH) revealed in a recent shocking decision by the Victorian Children's Court. I recognise the sensitivity of this matter. I raise it with the permission of the father but will not reference identifying details. I seek only to highlight the incredible findings of the magistrate. They must be heard loud and clear by clinicians and social workers. This is a terrifying story. No-one involved, save the children, comes out unblemished, and we should recognise that dealing with troubled families is incredibly stressful and difficult. But this decision reveals some incredibly troubling findings. It is Kafkaesque.

A father acting as a single parent, as the mother was abroad, had care of two children who had recently immigrated and were naturally lonely and finding life hard. He sought care for his elder daughter and indeed paid for it himself. Unfortunately, he came up against medical and child protection elements who believed their own unproven views and prejudices should trump his rights as a father. He supported his daughter's referral to the Royal Children's Hospital for treatment for autism and ADHD. He was not told the child had been referred to the gender clinic, despite guidance saying parents must know and be present. It is clear he was deliberately deceived. His understandably furious response was used as justification for the removal of his children from his care and his committal for psychiatric assessment, which ultimately found his response to be an unsurprising result of his treatment by the authorities, not caused by mental illness. It appears his biggest crime was to disagree with those who think dysphoria treatment is the only solution. They saw his resistance as harmful to his child; he saw it as fighting for their future and understandably was driven to react. This father is an informed and reasonable man. He even said that if the treatment for gender dysphoria were to work, he would support it for his daughter, but there is no evidence it does.

An extraordinary 12-month legal battle has now vindicated him and criticised the behaviour of the DFFH staff and certain Royal Children's Hospital clinicians. It is a terrifying window on what can happen to those who oppose fanatical ideological activists masquerading as health professionals and

social workers. Minister, the action I seek is that you order an immediate review of your department's actions in this case and follow up with how many other cases like this there are.

Family violence services

Anasina GRAY-BARBERIO (Northern Metropolitan) (18:14): (1338) My adjournment is for the Minister for Prevention of Family Violence. The action I seek is the establishment of a culturally specific women's refuge in Victoria for vulnerable women from migrant and refugee communities. Minister, these services are well established in other Australian jurisdictions. In New South Wales the Immigrant Women's SpeakOut Association and in Queensland Sahara House are life-saving refuges for vulnerable families from multicultural diasporas.

Many thousands of women, children and gender-diverse people are affected by violence and abuse every day. Violence does not discriminate – young or old, able-bodied or neurodiverse, wealthy or poor – across cultures. We know certain attributes can increase a person's risk, and without dedicated cultural, migrant or refugee services, women can all too often fall through the cracks. For those fleeing an abusive situation, a safe place – a refuge – is their greatest need. Family violence refuges do all they can to provide cultural safety for so many families, and I acknowledge the dedication that they have to inclusivity and intersectional justice.

I also want to pay tribute to inTouch Multicultural Centre Against Family Violence, who do such brilliant and spirited work for migrant and refugee women. Shakti Australia once operated in Victoria, specialising in domestic violence and crisis intervention for people experiencing abuse linked to culture, such as dowry-related violence, forced marriage and visa insecurity. I know of the amazing work that they were doing in Victoria's multicultural communities, but this service shut down prematurely due to a lack of funding. They left behind a legacy of tireless advocacy for culturally specific refuges in Victoria. This year's theme for 16 days of activism is hope in action, and while I stand here in hope, that hope is for a safer future that includes all women and gender-diverse people. I also stand here to say we must act now to prevent even one more death as a result of family violence. We must act now to establish a culturally specific family violence refuge for vulnerable women from migrant and refugee communities.

West Gate Tunnel

Trung LUU (Western Metropolitan) (18:17): (1339) My adjournment matter is for the Minister for Transport Infrastructure and concerns the West Gate Tunnel ventilation system and its impact on residents in the west. The action I seek is the minister's commitment to installing air pollution filters on the West Gate Tunnel ventilation system to prevent the emission of harmful air pollution and toxic fumes. Residents of Maribyrnong are concerned about the West Gate Tunnel's air quality impact, describing the proposed ventilation system as an unfiltered chimney due to the lack of air pollution filters. The Maribyrnong City Council declared a health emergency last year due to the impact of air pollution from heavy trucks using the area. With over 200,000 vehicles currently using the West Gate Freeway daily, the new tunnel is expected to divert 30,000 vehicles, including 9000 trucks, off the streets of Yarraville, all emitting toxic fumes directly into the unfiltered ventilation system. A government-appointed advisory committee in 2017 recommended pollution filters should be installed due to poor air quality, but the then Minister for Planning Richard Wynne rejected the proposal, claiming that filters were not justified or cost effective and suggesting retrofitting if warranted.

The Maribyrnong Truck Action Group expressed their concern about the unfiltered exhaust emissions and urged the EPA to reconsider its decision not to require the fitting of air pollution filters on the \$10 billion tunnel twin vents. They cautioned people with asthma, which could be inflamed due to this increase in unfiltered exhaust emissions, and said that the cost of the filters is only minor compared to an already blown-out \$3.8 billion. It is extraordinary that international tunnels in Norway, the Netherlands, France, Japan, Austria, Italy, Germany, South Korea and Spain consider it necessary to install air pollution filters, yet in Australia the Allan Labor government neglects the health and wellbeing of Victorians in the west. The \$10.1 billion West Gate Tunnel Project should have budget

to include an air filter system, yet Labor cannot manage money and once again residents of the west are paying the price. Victorians, especially those in the west, deserve not to be subject to these toxic fumes that are impacting their health. Clean air should be a basic right for all Victorians, not a luxury. Therefore I ask for the minister's commitment to installing exhaust air pollution filters on the ventilation stacks to safeguard the health of residents and improve air quality for Victorians in the western suburbs.

Eltham copper butterfly statue

Aiv PUGLIELLI (North-Eastern Metropolitan) (18:19): (1340) My adjournment matter tonight is to the Premier. I ask you to make a captain's call for your government to end the feud of the Eltham copper butterfly statue. Let me explain – I have a solution. There shall be two statues, one for Montmorency station and one for Eltham. Two suburbs, both alike in dignity, in Melbourne's fair north-east where we lay our scene. A statue was promised to the fine people of Montmorency in 2022 as part of the Level Crossing Removal Project, designed and sculpted by Robert Bridgewater specifically for this station. And yet it has instead been installed in neighbouring Eltham, which may be its namesake but is not the promised destination. We should not be pitting suburb against suburb, neighbour against neighbour. Let us all unite around our love of this pretty little – also threatened – butterfly. Two statues, two butterflies, two communities of the Hurstbridge line united. Premier, please, I urge you to step in and commit to two butterfly statues – one in fair Eltham and another in fair Montmorency.

Stalking law reform

Renee HEATH (Eastern Victoria) (18:21): (1341) In my very last contribution in this chamber last year I highlighted the case of Celeste Manno, who was senselessly murdered by a stalker. Celeste was a beautiful young woman who was relentlessly stalked by somebody who was completely obsessed with her. He followed her, he found out where she lived, he broke into her home and he stabbed her to death on her bed. He was angry that she did not want to be with him, and he was jealous because she had a boyfriend. I also highlighted the incredible work of Aggie, her mother, and the 45 recommendations of the Victorian Law Reform Commission to strengthen stalking laws in order to honour Celeste Manno's memory. I got a response from the government, and it said:

We value the advice of the VLRC and are committed to addressing the catalysts of gendered crime and the barriers to supporting the victim-survivors of stalking.

That was a year ago, and nothing has been done – absolutely nothing; all words and absolutely zero action. Once again I am intentionally using my last contribution of this year to ask for action in this area – for the Premier and the ministers to step up and actually do something about violence against women in this state. I cannot believe that here we are one year on and I have to make the same request of the Premier and this government. We have had 12 months of coming into this place and all there has been is a complete failure of the government to address this and take action and do something to reform and strengthen these laws. Let us not forget about the government's dithering when it comes to the 1000 years of jail time that was taken off sentences, including those of the most violent murderers and rapists, because they were locked up and inconvenienced because of COVID.

This Premier and her ministers have turned up to walks against family violence, but they will not make the changes that are required. They will not reform the laws that protect the exact women that they are walking shoulder to shoulder with. This sums up the government perfectly: all talk, all walk, no action. My adjournment tonight is for the Premier, and the action that I seek is that the Premier urgently make good on this government's rhetoric and finally enact the stalking law reforms that were presented to it more than two years ago. Premier, I hope for the sake of the grieving families that I am not here this time next year asking for exactly the same thing.

Wastewater management

Sarah MANSFIELD (Western Victoria) (18:24): (1342) My adjournment matter is for the Minister for Water, and the action I am seeking is for the government to amend regulations to prevent self-auditing of wastewater by private companies. The Environment Protection Regulations 2021 changed wastewater regulations so that private companies are now self-auditing the wastewater they send to Melbourne Water. Since then levels of solids, such as grease and fats, in wastewater have skyrocketed, which means that Melbourne Water is now treating far higher levels of solids than they were previously. Original projections from Melbourne Water for increased solids in wastewater by 2050 have already been overtaken as a result of the shift to self-auditing. Upgrades to equipment to keep up with this demand are projected to cost over \$300 million, and this cost will likely be pushed onto home owners and businesses in the form of increased rates. What is worse, the plan requires hundreds of heavy trucks to transport wastewater, up to 30 tonnes, mainly to the Western Treatment Plant, which only has the capacity to treat water using a method that pumps nitrogen oxide, a dangerous and potent greenhouse gas, into the air. In the meantime, at the next heavy rainfall excess wastewater could be pushed into the nearby Kananook Creek, with grim effects on the ecosystem. This could become the new norm for decades to come, all because the industries have been allowed to self-audit their wastewater since 2021. It is clear the current regimen is failing and needs urgent review.

COVID-19 vaccination

Georgie CROZIER (Southern Metropolitan) (18:25): (1343) My adjournment matter this evening is for the attention of the Minister for Health. I have had no joy out of the Minister for Emergency Services in relation to firefighters who are unvaccinated. I have to raise this again because it is symptomatic of what is happening in this state with the unions making commands and demands over policy and decisions. We have had COVID; the pandemic is over. There is various advice from the Australian Technical Advisory Group on Immunisation around vaccination status for COVID, and I see various authorities, including FRV, talking about:

A person is **fully vaccinated (boosted)** if the person has received a booster dose.

Up-to-date means, for the purpose of vaccination status, COVID-19 vaccination in line with ... ATAGI ... guidance, as updated from time to time. Current ATAGI guidance indicates Up-to-date means:

For individuals ... 16 years and over:

having completed an appropriate primary course of a Therapeutic Goods Administration (TGA) approved or recognised vaccine; and if six months has passed since the completion of that course, having received a booster dose.

That was all very well back in 2022, but I suspect no-one has adhered to those requirements, because they do not have to, and the Department of Health is saying, 'No, you don't have to. We don't have to have these mandates in place.' No-one is up to date. You have got this ridiculous situation, and I have raised it time and time again. I am disappointed that the minister has not taken this up and really challenged what on earth is going on. If there is some other underlying issue around these individuals who are not suitable to work, then so be it, but this vaccination status does not apply. You have got unvaccinated CFA volunteers being permitted in integrated stations, and they have been doing that for two years. There is a real issue here. It seems to be coming from Peter Marshall and the union, who are dominating and calling the shots here, and that is the concern that I have. Whether it is the AEU yesterday with the referral to the Ombudsman on the debacle on education, whether it is the CFMEU and the standover tactics that they applied to Jacinta Allan when she was a minister, Deputy Premier and now Premier, it just goes on and on. What I want to get from the Minister for Health and the department is some advice around what this actually means in terms of in terms of ATAGI guidance, what these unvaccinated workers need to do and whether there is any legally binding reference by the union in relation to this matter.

Authority-to-control-wildlife permits

Georgie PURCELL (Northern Victoria) (18:28): (1344) My adjournment matter is for the Minister for Environment, and the action that I seek is for the minister to strengthen the licensing regime for authority-to-control-wildlife (ATCW) permits. Humane Society International just released a report exposing the shocking scale of licensed wildlife killing in Australia. This is the first time ever that the national scale of killing under licensed permits has been quantified. Last year licences were issued to kill over 1.2 million native animals on private land – 1.2 million. This number does not even include the culling quotas allowed for recreational, scientific or commercial purposes, nor public land or marine environment. The actual number of native animals killed is likely much, much higher, but due to an absence of reporting obligations the true figure is still unknown.

Licences were issued to kill 119,501 of those native animals in Victoria. Victoria has the third-highest killing allowance in the whole of Australia and licenses the highest death toll of wombats. Anyone can obtain a permit to kill wildlife through a simple online form. Merely state that there is a problem at your property, give your name and there you are – that is your licence to kill. In the application you do not even need to put your gun licence in. It does not even ask if you have a gun licence before permitting you to shoot wildlife at your property. You can even have someone who is not registered use your permit. There is no requirement in Victoria to pass a species identification test or shooter proficiency test to obtain the permit. Not only do you not need to know about the species you are killing but it could also be the first time that you pick up a gun. Animals are being shot inaccurately and left to die slow, painful deaths because of this.

Just when you thought Victoria's permit scheme could not get any worse, Victoria is the only state in Australia that has no regulations at all on a licence-holder needing to be a fit and proper person, and it is the only state where animal welfare and prevention of cruelty to animals laws do not apply in addition to wildlife licensing laws. All jurisdictions except Victoria require a licence-holder to report on the number of animals killed, but not here. An ATCW licence-holder in Victoria does not even have to report on whether they have killed any non-target species. With the permit you can have your choice of free, unbridled killing by way of shooting, trap and release, trap and gas, trap and destroy, egg and nest destruction or scare and disturb. I ask that the minister tighten up ATCW permits so we have proper regulation and reporting of the killing of wildlife in this state.

Greater South East Melbourne

Ann-Marie HERMANS (South-Eastern Metropolitan) (18:32): (1345) My adjournment tonight is for the Minister for Local Government, and the action I seek is for the minister to meet with me and the independent director of the Greater South East Melbourne, otherwise known as GSEM, group to view and discuss their submission for the development of a new plan for Victoria to implement (1) improved transport and infrastructure, (2) housing with services and (3) more jobs, and all these in line with the growth and current services that exist in the area. GSEM is a regional alliance of eight local governments, including the shires of Cardinia and Mornington Peninsula and the cities of Casey, Frankston, Greater Dandenong, Kingston, Knox and Monash. The GSEM alliance advocates for jobs, infrastructure, investment, livability, sustainability and wellbeing for the south-east and everyone who lives and works in the region. The greater south-east of Melbourne is an important and growing economic region, being home to 1.5 million people, 83,000 businesses and 500,000 jobs, and generates \$85 billion in gross regional product. There are 602,000 homes within this region; keep in mind that the population of Tasmania is only 576,000.

The government's supposed target is to add an additional 443,000 homes by 2051, which means the City of Casey alone will have a population that is greater than that of Tasmania. It is one of Australia's largest manufacturing regions, with reportedly more manufacturing jobs than greater Adelaide and western Sydney. The greater south-east has four Suburban Rail Loop precincts, three metropolitan activity centres and 33 major activity centres, but only 13 currently have stations. The submission is seeking support in both policy and action and is specifically advocating for more jobs closer to where

people live. The region needs to ensure job creation is aligned with residential growth and better connectivity. Improved transport and infrastructure are crucial for linking communities within the region. Housing must be located with services and infrastructure, because development must be aligned with essential services and infrastructure. An agreed upon and coordinated pipeline of local, state and federal government infrastructure delivery will provide a unified approach to the south-east's infrastructure. Obviously there is a funding gap. The government must consider the needs of not only the south-east but the whole of our state, but of course the south-east is a growth corridor and it must be considered. The planning and infrastructure decisions of the submission require action by 2030 to achieve its ambitions by 2050. I ask that the minister meet with me and the GSEM to consider funding directions and to make sure that they have the finances that they need.

Probus clubs

Nick McGOWAN (North-Eastern Metropolitan) (18:35): (1346) My matter this evening is for the minister for community services, Minister Williams. This also provides a unique opportunity to do a bit of a shout-out to my local Probus clubs. In particular I speak of the Mitcham Nunawading Probus, the Ringwood East Ladies Probus, the Ringwood Clocktower Probus, Vermont South Probus, Blackburn South Probus and of course Forest Hill Probus. The reason I give them a shout-out of course is because of the critical role they perform in our local communities. I am sure every member present is familiar with their work. The basic function or purpose of a Probus club is to provide a regular setting, a gathering if you like, for retirees in local communities who appreciate and value the opportunities to meet one another with similar interests. The reason I am raising them tonight though is a matter which has come to my attention and which I understand they have also collectively approached the minister in respect to. Keep in mind that the Probus clubs are not for profit, nonsectarian, non-political and entirely volunteer managed. In fact there are in the order of 1500 Probus clubs right across the country.

Currently in this state when a Probus club need to alter their constitution – or constitutions across the state – or when they need to make applications for incorporation, they are subject, like any club, to fees. Consumer Affairs Victoria have in recent times lifted those fees. Previously the fee for an application for incorporation was \$230.60. To register changes to their constitution it was \$198.80. The new charges have now taken effect. Those charges now are for a lodgement \$477 and \$413.40 for registration of changes to a constitution. If you multiply those increases in costs, these are over 100 per cent. That would require the Probus clubs right across Victoria to find something in the order of \$320,000 and \$370,000. These clubs do not have those kinds of funds; they simply do not. I understand they have approached the minister and expressed their explicit concern. They have expressed to the minister their concern not only that they cannot raise that but about the burden this places on them, being voluntary, not-for-profit organisations that bring retirees together. I would urge the minister to take urgent action to ensure that with the fee hikes Probus clubs are not subject to these fees and that they can continue, as they are required to, to not only maintain their records and update their constitutions as need be but do so in a way that does not jeopardise their future financially and the viability of the individual clubs.

Parks Victoria

Melina BATH (Eastern Victoria) (18:38): (1347) My adjournment matter is for the Minister for Environment. I have got a rhetorical question for the house: what does a minister do when his department or her department is failing in its performance, failing in its duties and failing in its outcomes? It has a review. It was a short space between the question and the answer. We saw that this week with the Minister for Education in terms of the Victorian Catholic Education Authority debacle over three years – yet another review. We saw it today at 5 o'clock when the Minister for Environment put out in a press release that he is calling for a review into Parks Victoria's priorities and objectives and the organisation's administration, finances, functions and delivery model. That is because it is not working. It is not working for the environment, it is not working for biodiversity values and it is not working for the millions of Victorians who want to go into our beautiful, amazing national parks and

have a world-class experience, because they are getting run down and they are not being managed appropriately.

We know that in this year's budget the government cut \$95 million out of their budget. We know that it forced a cut of 51 of its 111 services and launched an operational review to shake out another hundred staff. We know – and I speak to past and present rangers and Parks Victoria staff – that there is too much mushroom cloud in the middle management and not enough field officers and park rangers. There are too many suits and not enough boots. We also know that the minister has, through an agreement, let Mr Matthew Jackson go. I make no major comment about him other than to say he has overseen this incredible demise of our Parks Victoria. I do know Mr Gus Dear. He is an East Gippslander; at the moment he is the chair of the Victorian fisheries board. He seems to have his heart in the right place – passionate about solutions and passionate about our environment, but passionate about people on the landscape and public access to land. We also know this government has botched Mount Arapiles by locking it up. It has botched the Wombat–Lerderderg State Park, putting it into a national park that is supposed to be coming, and also potentially the great forest national park. The minister has this review coming, and the action I seek is for the terms of reference of this review into Parks Victoria to include the consideration of the costs, the benefits and the efficiencies of reabsorbing Parks Victoria back into the Department of Energy, Environment and Climate Action. That is my action for the minister.

Wangaratta High School

Wendy LOVELL (Northern Victoria) (18:41): (1348) My adjournment is for the Treasurer. The action I seek is for the Treasurer to ensure that funding for stage 1 of the Wangaratta High School is included in the 2025–26 state budget. Wangaratta High School is a wonderful school, the only public high school in Wangaratta. It is also a growing school and needs funding to upgrade its facilities. The state Labor government promised Wangaratta High School \$11.7 million during the 2022 election campaign, but when the budget was handed down in May 2023 the \$11.7 million for Wangaratta High School was missing. When the next budget was handed down in 2024, once again there was no money for Wangaratta High School. Two years in a row the school has been let down by Labor. This is typical behaviour by Labor – lying to Victorians and promising the world in order to win elections but then going back on its word and abandoning regional communities after winning an election. Remember the absolute debacle of the Commonwealth Games cancellation? The embarrassment returns every time I read in the paper that Scotland is about to enjoy a Commonwealth Games paid for by the Victorian taxpayers. This Labor government is so incompetent it could not run a high school sports day, let alone a Commonwealth Games.

Teachers, parents and students in Wangaratta feel the same disappointment as I do with the Allan Labor government. Wangaratta High was one of the schools that shared in the \$20 million school upgrade delivery fund, which provided small amounts of funding to a number of schools to create a master plan for the expansion and maintenance of their facilities. The design funding created high hopes that upgrades would be built, but when the 2024–25 budget was handed down there was no money for Wangaratta High School. It was one of 29 schools to get money for designing a master plan but missed out on money to actually carry out the building works. The school community was bitterly disappointed because the master plan lays out a vision for the school's future buildings and facilities that everyone is excited to see become a reality.

The master plan identifies 14 projects that are essential for the school's future, and stage 1 contains five key projects that the school wants to prioritise. Stage 1 includes conversion of an open-plan space into discrete classrooms. That will reduce distractions and enable quiet concentration and learning. It also includes the remediation of stormwater damage in the performing arts centre, allowing kids to get back to singing and dancing in a safe environment. The school council recently signed off on the design plan, and these projects are shovel-ready. All that is missing is the money that the Labor government promised back in 2022. The longer the school has to wait, the more expensive everything

becomes and the less the \$11 million will buy. The 2025 budget is on the horizon, and the Treasurer and Minister for Education cannot keep ignoring Wangaratta students.

Donnybrook Road, Kalkallo

Evan MULHOLLAND (Northern Metropolitan) (18:44): (1349) My adjournment is for the Minister for Roads and Road Safety. It is one that is familiar – it is the 13th time I have brought this topic up in this place this year, so it will be familiar to you, President. It is on Donnybrook Road in my electorate and the desperate need for duplication. But I am also seeking the action of the minister to explain the recent change – near Donnybrook Road in Kalkallo travelling north – from 100 kilometres an hour on the Hume Highway to 80 kilometres an hour, which is supposedly due to exit congestion on Donnybrook Road. So not only is Donnybrook Road impacting all of my constituents in Mickleham –

Wendy Lovell interjected.

Evan MULHOLLAND: and Ms Lovell's constituents in Donnybrook and Woodstock – in Kalkallo it is now affecting everyone travelling north on the Hume Highway. It is slowing down our entire transport industry because of this government's lack of action on Donnybrook Road. They are literally slowing the entire state down. When you are heading north on your summer holidays, heading to northern Victoria or heading to New South Wales on the Hume, and you are stuck in traffic around Donnybrook Road, know it is because this government has not duplicated Donnybrook Road.

The Mickleham side of Donnybrook Road was actually duplicated by the Liberal Party, because under my colleague the former Minister for Planning Matthew Guy we signed a developer contribution agreement so that we worked with developers to duplicate the Mickleham side of Donnybrook Road. What does Labor do? They change that policy to ban developer contribution agreements and not use them, so the Donnybrook and Kalkallo side of Donnybrook Road is an old farm track. The bridge over the Hume is a disgrace. It is one lane each way. Traffic grinds to an absolute halt. Then staffers of the member for Kalkallo have the gall, replying in community groups, to say, 'Oh, well, Matthew Guy signed off on all this housing. Why didn't he do anything?' He did. He set an agreement in place, which made sure there was a beautiful, four-lane duplicated road in before and as people moved in. The Kalkallo side and the Donnybrook side of those estates, of the Lockerbie precinct structure plan, were entirely in the purview of the Labor Party, and it is a disgrace that they have not duplicated Donnybrook Road yet. I seek the urgent action of the minister: finally get on with it – duplicate Donnybrook Road.

Suburban Rail Loop

Richard WELCH (North-Eastern Metropolitan) (18:47): (1350) I like the idea that having started my parliamentary career at the start of the year, I get to do the very last adjournment of the year. I would like to thank you, President, for your guidance and indulgence. I hope that it will not be necessary next year.

My adjournment matter is for the Minister for the Suburban Rail Loop. Many locals, observers and the like have expressed serious concerns about the lack of transparency surrounding the Suburban Rail Loop and its use of taxpayers funds. This government continues to push ahead with the SRL, the most expensive infrastructure project in Victoria's history, yet the public remains in the dark about how that money is being spent. Recent anomalies in the SRL's report have raised serious questions. Financial disclosures contain inconsistencies that are yet to be explained, leaving Victorians wondering if the public funds are being mismanaged or misallocated. In my experience, where there is smoke there is fire, and the annual report is inadequate.

Typical of these doubts and concerns – and this is smoke – is the recent SRL garden party held last weekend. The way the information about this event was disseminated raises questions about the nature of the SRL's intentions. It is highly unusual for a project supposedly intended for the benefit of all

Victorians to be broadcast so narrowly. This raises questions such as whether it was more about optics than genuine community engagement, and more serious questions. Restricted promotion raises doubts about whether it was designed to serve a narrow political agenda rather than genuinely engage with the broader community in Box Hill. My chief concern is that there is a lack of transparency. But worse, I am increasingly concerned that an environment fertile for corruption has been created, and only transparency can address that. The action I seek from the minister is to provide the Victorian people with a detailed list of community groups, organisations or entities – those not directly involved in building, trains, tunnelling or related transport work – receiving SRL funding or entering into financial contracts or arrangements with the Suburban Rail Loop Authority. This must include their names, the amounts received and how their involvement aligns with the project's objectives.

Responses

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:50): Can I also join in thanking people and of course wishing them all the best. Hopefully they will be able to spend some very good quality time with family over the festive season. Can I thank in particular staff connected to the cleaning regime, Hansard, catering, the library, orderlies and of course security; our very wise clerks, who have assisted in making sure that this chamber has operated smoothly; and you, President, for your stewardship and leadership throughout the year. Can I thank everyone for their professionalism and their care, and for those that are not politicians, we thank you for putting up with the noise that we make from time to time. This is your workplace, and we just wish that you do get the chance of taking advantage of not hearing our voices over the next couple of weeks.

In response to the adjournments, there were 17 this evening and they will be referred to the relevant ministers.

Questions without notice and ministers statements

Written responses

The PRESIDENT (18:51): Just before I adjourn, Dr Heath called a point of order to review a supplementary answer from Minister Tierney. I have reviewed it, and I will not request a written response.

The house stands adjourned.

House adjourned 6:52 pm.