



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Wednesday 15 October 2025

By authority of the Victorian Government Printer

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

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

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan (from 27 September 2023)

Daniel Andrews (to 27 September 2023)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll (from 28 September 2023)

Jacinta Allan (to 27 September 2023)

Leader of the Parliamentary Liberal Party and Leader of the Opposition

Jess Wilson (from 18 November 2025)

Brad Battin (from 27 December 2024 to 18 November 2025)

John Pesutto (to 27 December 2024)

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

Sam Groth (from 27 December 2024)

David Southwick (to 27 December 2024)

Leader of the Nationals

Danny O'Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury (from 13 October 2025)

Bridget Vallence (from 7 January 2025 to 13 October 2025)

James Newbury (to 7 January 2025)

Members of the Legislative Assembly

60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John ⁷	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ¹	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Berham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren ²	South Barwon	Ind	O'Keffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim ⁸	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan ⁹	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam ^{5,6}	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ¹⁰	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Westaway, Rachel ¹¹	Prahran	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Lambert, Nathan	Preston	ALP	Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Greens until 1 November 2024

⁶ Resigned 23 November 2024

⁷ Sworn in 4 March 2025

⁸ Resigned 6 January 2025

⁹ Resigned 7 July 2023

¹⁰ Sworn in 3 October 2023

¹¹ Sworn in 4 March 2025

Party abbreviations

ALP – Australian Labor Party, Greens – Australian Greens,

Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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

Bills

Consumer Legislation Amendment Bill 2025

Introduction and first reading

Nick STAIKOS (Bentleigh – Minister for Consumer Affairs, Minister for Local Government) (09:33): I move:

That I introduce a bill for an act to amend the Residential Tenancies Act 1997, the Australian Consumer Law and Fair Trading Act 2012, the Estate Agents Act 1980, the Owners Corporations Act 2006, the Conveyancers Act 2006 and for other purposes.

Motion agreed to.

Tim McCURDY (Ovens Valley) (09:34): I request a brief explanation of the bill.

Nick STAIKOS (Bentleigh – Minister for Consumer Affairs, Minister for Local Government) (09:34): The bill will amend the Australian Consumer Law and Fair Trading Act 2012 to require fuel retailers to report their maximum price for the following day, which will be published to give consumers advance notice before it becomes a fixed cap for a 24-hour period. While it will be an offence to sell fuel above a reported fuel price cap, retailers will be able to only lower their prices at any time to remain competitive. It will amend the Residential Tenancies Act 1997 to make a number of amendments, including to establish a transfer of bond scheme to be known as the portable rental bond scheme to address the double bond issue by enabling renters to transfer a bond from one property to another without having to pay two bond amounts at the same time. The bill will also extend gas and electrical safety requirements to all residential rental agreements regardless of when a residential rental agreement was entered into. And finally, the bill amends the Estate Agents Act 1980, the Owners Corporations Act 2006 and the Conveyancers Act 2006 to provide a mechanism for the business licensing to set mandatory continuing professional development requirements.

Read first time.

Ordered to be read second time tomorrow.

Business of the house

Notices of motion and orders of the day

The SPEAKER (09:36): General business, notice of motion 29 and orders of the day 4 and 11, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

Petitions

Bunyip road safety

Wayne FARNHAM (Narracan) presented a petition bearing 293 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly The need to urgently upgrade the Hope Street, Bunyip-Modella Road and Nar Nar Goon-Longwarry Road intersection.

We, the concerned residents, businesses, and road users of this region, demand immediate action to fix the dangerous and chaotic intersection at Hope Street, Bunyip-Modella Road and Nar Nar Goon-Longwarry Road. This intersection has had countless near misses, serious accidents, and daily congestion that puts lives at risk. It is one of the busiest in our rapidly growing town, yet it remains poorly designed, with limited

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visibility, inadequate signage, and no proper traffic control measures. Residents, school buses, emergency services, and local businesses are forced to navigate an intersection that has become a death trap. It has had numerous accidents, vehicle rollovers, and near-fatal collisions, with drivers and pedestrians narrowly escaping disaster. Community members have reported daily close calls, and it is only a matter of time before more lives are lost.

Despite years of advocacy from local councils, Members of Parliament, and non-profit organisations, little has been done.

Action:

The petitioners therefore request that the Legislative Assembly call on the Government to urgently upgrade the Hope Street, Bunyip-Modella Road and Nar Nar Goon-Longwarry Road intersection, including installing traffic lights, a roundabout or other essential infrastructure, and conduct a safety audit.

Ordered that petition be considered tomorrow.

Documents

Documents

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Auditor-General:

Relief and Recovery Funding for the 2022 Floods – Ordered to be published
Report 2024–25

Border Groundwaters Agreement Review Committee – Report 2023–24

Financial Management Act 1994 – Financial Report for the State of Victoria 2024–25, incorporating Quarterly Financial Report No 4 – Ordered to be published

Victorian Local Government Grants Commission – Allocation Report year ended 31 August 2025.

Business of the house

Standing and sessional orders

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (09:38): I move, by leave:

That so much of standing and sessional orders be suspended on Wednesday 12 and Thursday 13 November to allow:

- (1) The house to meet at 12 noon on Wednesday 12 November.
- (2) The order of business to be:

Wednesday 12 November

Formal business
Statements by members
Government business
Question time and constituency questions (2 pm)
Government business continued

Thursday 13 November

Formal business
Statements by members
Statements on committee reports
Government business
Question time and constituency questions (2 pm)
Government business continued
Matter of public importance (4 pm)
Government business continued.

- (3) In relation to the matter of public importance:
 - (a) at 4 pm on Thursday 13 November, unless a division is taking place, the Chair interrupts the business before the house and the bells are then rung for 1 minute;

- (b) if a division is taking place at 4 pm:
 - (i) it will be completed without interruption and the result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the house will also be dealt with;
 - (iii) business is then interrupted following the procedure in subparagraph (a);
- (c) the Chair announces the matter of public importance;
- (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the matter of public importance, and any member speaking at the time of the interruption may then continue their speech.

(4) The Speaker to interrupt business under sessional order 2 at 7 pm on Thursday.

Motion agreed to.

Members statements

Mt Buller Ski Patrol

Cindy McLEISH (Eildon) (09:40): Mt Buller Ski Patrol, the longest running ski patrol in Australia, hit a major milestone this year, having been operating for 75 years. This is a community-based organisation with 33 volunteer patrollers. Patrol director Ed Mahon, who is an institution on the mountain, has been with the ski patrol for around 30 years and keeps things well under control. The ski patrol plays an important role to support skiers. They are out on the mountain every day of the season to make sure people are safe, and they are considered lifesavers of the snow as they rescue injured skiers and help find lost skiers. The addition of Chilli, an avalanche and therapy dog trainee, adds further scope to their capability.

Eildon electorate roads

Cindy McLEISH (Eildon) (09:40): It came as no surprise that the Greensborough Bypass and Diamond Creek Road roundabout topped the most dangerous intersections in the RACV's 2025 My Melbourne Road campaign. It takes a bit of navigation and you need your wits around you as you navigate this big and complex roundabout, which carries a large volume of traffic which will only grow on the completion of the North East Link. Up there too are three notorious intersections in the Whittlesea shire which need prompt attention. Whittlesea LGA is growing so quickly infrastructure cannot keep up. I urge the government to work with Nillumbik and Whittlesea shires to address these intersections. In Thomastown the Dalton Road and Settlement Road roundabout and the intersection of High Street and Settlement Road need attention. In Epping it is the High Street and Rufus Street roundabout. The government needs to give local roads greater attention, because at the moment these important intersections are being ignored.

John Bates and Ray Dodd

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (09:41): I rise to acknowledge two individuals whose long-term dedication has made a real difference in the Niddrie electorate, John Bates and the late Ray Dodd. John Bates has served the Victorian State Emergency Service for 24 years as a longstanding volunteer at the Essendon SES, where he has been the unit controller. His capability and excellence was put on display throughout the 2022 Maribyrnong River floods, where John acted as the onsite incident controller. In that role he coordinated complex rescue operations under challenging conditions, helping to protect lives and property throughout our local community. Beyond his operational leadership, John continues to be actively involved in emergency responses right across our community. He has been recognised with the SES 20 years long service medal and the national medal, reflecting his ongoing commitment and contribution to public safety.

Equally important to the fabric of our community was the contribution of Ray Dodd, who recently passed away after more than 50 years as the owner of the Keilor Hotel. Ray was a longstanding pillar

of our local community. Under his stewardship, the Keilor Hotel became a gathering place for locals, a venue where people came together to socialise, celebrate and support one another. I personally saw Ray's contribution to the community regularly. Whether it was at the Keilor Football Club, Brimbank Park or Horseshoe Bend Farm, Ray was a cornerstone and a pillar of the local Keilor community. Both John Bates and Ray Dodd served our community in different but equally important ways. Both demonstrated dedication, leadership and commitment to our local community.

Gippsland East electorate fire services

Tim BULL (Gippsland East) (09:43): It has been reported that Orbost's G-Wagons, which are the Department of Energy, Environment and Climate Action firefighting trucks in that area, are all currently offline. What my community wants to know is when they will be back in operation. We are in one of the most fire prone areas in the world. I think the minister has made some commentary around the fact that there are CFA trucks and slip-ons that are replacement vehicles. They are already a firefighting resource in the region, so they are not a replacement, they are already there. When the minister said yesterday we were scaremongering, I can assure him that it is my community that has sent me a number of emails wanting to know when these trucks will be back online. We simply want the information prior to summer and a timeline as to when they will be available again. Hopefully they will be back online very, very soon, but the community rightfully wants to know about it.

Thurra River bridge

Tim BULL (Gippsland East) (09:44): I want to speak again in relation to the Thurra River bridge. It was announced it would be open for the September school holidays. There was a big media release that came out, and I think the minister was quoted and the local member. The trouble is on the last day of the school holidays the tape was still up, not allowing anybody access to get there, so that is an issue. We were also told that when the bridge opened the Thurra River campground would be open simultaneously. Locals are now being told it will not be open until 2026. We will have another summer with our second-biggest campground in the area still not open. I would hope we can expedite its opening for our tourism industry in East Gippsland.

Basketball

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (09:44): We have had an amazing basketball month over the last few weeks. We had the NBL bring over the EuroLeague; we had a Greek team in Panathinaikos and we had a Serbian team in Partizan. It was fantastic, even the bouzouki being played in the last minute of the game when the Greek team was clearly going to win. I want to acknowledge the NBL. They are incredible in terms of not only supporting Victorian and Australian talent – it is an Australian league – but also bringing us showcase matches. Of course the one that I am leading up to is the NBA coming to Australia for the first time in its history, and it will be here in Melbourne with the New Orleans Pelicans. The NBL was an absolute stunner of a two-game series – four days, a lot of access for kids and young people around Victoria, \$10 open training sessions and a whole bunch of opportunities. Well done to the NBL for their partnership with the Victorian government in the major events capital of the country.

Lorna Paterson

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (09:45): Lastly, I had the enormous pleasure of visiting Lorna Paterson, nee Easton, who lives in Hughesdale. She grew up in Oakleigh, born at the Oakleigh hospital, went to Oakleigh Primary School. Her dad had a bakery in Oakleigh. Her granddad was a fire officer in Oakleigh. She still lives in Oakleigh – she lives in the same street that I grew up in. Happy 100th birthday, Lorna Patterson. You are an amazing icon for the area.

Olivia Perera

Jess WILSON (Kew) (09:46): This morning I would love to give a shout-out to Olivia Perera, who as part of her International Baccalaureate primary years program exhibition did a project on women in leadership. I was honoured to be interviewed by Olivia as part of this project and honoured to be profiled with the wonderful Loretta Wholley, the principal of Genazzano, and alongside Beyoncé and Her Majesty Queen Elizabeth. It was wonderful to see my photo alongside those of these outstanding women at Genazzano's project. Congratulations, Olivia, and keep up the great work.

Boroondara Neighbourhood Watch

Jess WILSON (Kew) (09:46): On the weekend I was on the tools for Boroondara Neighbourhood Watch as part of their Bunnings barbecue. A big shout-out to David and Lisa, who head up Boroondara Neighbourhood Watch and do an outstanding job. At a time when we are seeing our community under immense pressure when it comes to rising crime rates, David and Lisa are out almost every single night talking to local residents – residents who are concerned and fearful in their own homes – and talking to them about how they can keep themselves safe and their families safe. Congratulations on a terrific Bunnings barbecue. I got very good at saying, 'One with onion and one without,' over the course of my time on the tools, and I very much look forward to working with you in the weeks ahead.

Rotary Club of North Balwyn

Jess WILSON (Kew) (09:47): I congratulate Serena Huang and president Greg Ross of North Balwyn Rotary for their Mid Autumn Festival dinner last week. It was terrific to see our Chinese community come together with our Rotary community to celebrate such a terrific occasion.

Heany Street Reserve

Matt FREGON (Ashwood) (09:47): It has been a busy month over in Ashwood. I would like to thank the Deputy Premier for coming down and having a look at our not too recently completed off-leash dog area at Heany Street Reserve, which we promised at the last election. I know Rosie was very excited to see him talk about the education of our puppies.

Ashwood electorate schools

Matt FREGON (Ashwood) (09:48): I would also like to thank the Minister for Education and his department and office for the ongoing work that they are doing, because in the last month we have opened the inclusive playground at Glen Iris Primary School, we have had a builder appointed at Mount Waverley Primary School and work started at Pinewood Primary School. We have got a lot going on in our area in the educational space.

Also in education, I got to announce at the Ashwood School that they will be receiving funding next year for the new after-school and holiday program they are sensibly calling OSHCWOOD, which I thought was quite cute.

Motor neurone disease

Matt FREGON (Ashwood) (09:48): While I was at Ashwood School, one of the students' VCE leaders, Lochie, informed me that he, with the assistance of his classmates, will be kicking 999 goals in four days this week to raise money for MND. 999 is apparently the amount of goals that the Daniher family has kicked in AFL/VFL. I know Lochie's friends will be collecting the ball and giving it back to him and working very hard this week to kick all those goals, and we wish them well. There is a lot more, so I will have to come back next time.

Baw Baw Big Blokes BBQ

Wayne FARNHAM (Narracan) (09:49): I would love to give a big shout-out today to the organisers that held the Big Blokes BBQ last Friday in my electorate. Last year they raised an enormous \$208,000, and this year they raised \$310,000 for prostate cancer for men. They do not just

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do that. They gave \$50,000 to the Prostate Cancer Foundation of Australia, but they also support the following things: they funded all year 9 students in our catchment area to learn first aid; they support the Live4Life program; they provide blokes care packages through the West Gippsland Healthcare Group for patients doing it tough; and they also donated an additional \$18,000 to the West Gippsland Hospital for vital medical equipment. This is a fantastic organisation, and they do so much. They support the West Gippsland suicide group as well. This year I would also like to thank Olivia's Place, Warragul Lions Club and the Rotary Club of Drouin for helping out on the day. That is why my community is one of the best in Victoria – they all get behind each other.

Narracan electorate homelessness

Wayne FARNHAM (Narracan) (09:50): And in another mention, if I may, I would also like to congratulate the *Warragul and Drouin Gazette*; Cr Ben Lucas from the Baw Baw shire; Mindfull Aus, Matt Runnalls from there; and Bettermentall's Jason Rantall for organising a homeless sleep-out to raise awareness of homelessness in our area.

Respect Ballarat

Juliana ADDISON (Wendouree) (09:50): Following the murders of Rebecca Young, Samantha Murphy and Hannah McGuire, the Ballarat community made it very clear that we want to stop violence against women and girls before it starts. That is why Respect Ballarat is so important. Respect Ballarat, formerly known as the saturation model, is a community-wide approach to preventing gendered violence by embedding respectful attitudes and behaviours across every part of daily life where people live, work, learn and play. I want to recognise the leadership of Helen Bolton and Respect Victoria, whose evidence-based approach and unwavering commitment to primary prevention will drive real change in my community. I also want to thank the Ballarat co-design group for their important work and local insights and experience. Our partnership with the Ballarat Foundation will see \$1 million in community grants provided to local organisations to deliver practical, prevention-focused projects. Thank you to the minister for her strong support for Respect Ballarat. This investment matters because we know the devastating impact that violence has on women, children and their families. It matters to every woman and girl who deserves to feel safe in her home, her workplace, her sports club and across our community at hospitality venues, on public transport and wherever she chooses to go. We know that the prevention of violence against women and girls is possible. We know that by investing in education, in community leadership and in cultural change we can break the cycle of violence and we can build a future where respect is the norm and safety is a right.

Australian Indian History Exhibition

Annabelle CLEELAND (Euroa) (09:52): I was delighted to open a beautiful exhibition over the weekend in Avenel celebrating the history of Indian hawkers throughout the region. Thanks to the Australian Indian Historical Society, the Jubilee Park committee of management and Valda Klaric for their passion in bringing this display to life. Len Kenna and Crystal Jordan are amazing talents who shared their incredible research and creativity to ensure this important chapter in our history is never forgotten, and Jaswinder Singh's ongoing work with Sikh Volunteers Australia continues to inspire all of us. The exhibition features photographs, paintings, historical artefacts and intricate miniature sculptures. It is a significant contribution to preserving local history and is now on show at the Avenel hub.

Euroa electorate horseracing

Annabelle CLEELAND (Euroa) (09:53): Get your frock out. It is spring racing carnival season, and no region does it better than the Euroa electorate. The Seymour Racing Club hosted a fantastic Seymour Cup, where I had the pleasure of presenting the trophy to trainer Henry Dwyer. He is Australia's first trainer to win a group 1 in France, for Cote Atlantique's win in the Seymour Cup. Cote Atlantique was ridden by Beau Mertens. The celebration was huge, with around 50 owners and

supporters filling the mounting yard and showing once again that our region is the heartbeat of horse training, breeding and racing in Victoria. The Benalla Gold Cup was also a huge success, bringing thousands together to cheer on our local breeders, trainers, strappers and volunteers, and I am looking forward to the Kilmore Cup on Sunday 23 November. Events like these do more than deliver great racing; they support local businesses, attract visitors and showcase everything that makes our region special.

Knox Infolink

Jackson TAYLOR (Bayswater) (09:53): It was fantastic to be out at Knox Infolink in Boronia to announce that the Allan Labor government is committing to another year of funding for the Boronia breakfast program. This program is now in its fifth year. It is absolutely incredible, the impact it has had on the lives of so many people. It has been more than just a hot meal and a coffee four or five days a week. Now moving into its fifth year, it is so much more. It is a meal, it is connection and it is also a support service linking people to housing services, vaccination providers coming in and a range of other services. People who otherwise would not receive the help they need are getting it right in the heart of Boronia at Knox Infolink. I want to thank Denise Budge, the former manager and now board chair of Knox Infolink, and Penny Robinson, who was the first coordinator of the program, now manager of Knox Infolink, for their advocacy. They ran a strong campaign to the state government and are attracting a range of philanthropic support to keep this program going.

I was so proud to be down there announcing the extra funding to keep this program running, to make sure people who could not otherwise could get a warm meal and get those support services, those friendships, those connections. It has gotten people off the streets. It has gotten people into housing. This is a fantastic program – the best social program I have been involved with as a local member in my now seven years – and of course I will continue to back it in, and I will do my absolute level best to continue to secure its funding into the long term. It is so good. Love it.

Hawthorn Voices of a Generation

John PESUTTO (Hawthorn) (09:55): In August I was proud to once again host the Hawthorn Voices of a Generation public speaking competition. Students from high schools across my electorate were asked to pitch a policy to Parliament. The quality of ideas and passion shown by every participant was simply outstanding, from universal music education and youth mental health support to free public transport and gender equality. May I congratulate our 2025 winners Dylan Giles, who won the junior division, and Minh Trinh, who took out the senior division. Both are from Camberwell High School, a school that continues to excel in nurturing civic engagement, public speaking and an aspirational view of the future. The success of Dylan and Minh reflects the school's commitment to developing future leaders. I also extend my sincere thanks to Swinburne University for their ongoing partnership and to our judging panel: Luke Bell, director of advancement at Swinburne; Cr Sophie Torney, mayor of Boroondara; and Ian Bentley, president of Rotary Club of Hawthorn.

Education CHANCES Foundation

John PESUTTO (Hawthorn) (09:56): I recently met with Dorothy Donaldson from Education CHANCES Foundation. Since 2006 CHANCES have provided more than 1200 students from disadvantaged backgrounds in my electorate and the general community with an opportunity to advance their education. It is an incredible organisation, and they undertake inspiring work. I would like to acknowledge the passion and tenacity of board chair Nikko Riazi, Dorothy herself and the entire team at CHANCES and all of the volunteers who support them. Their commitment to giving every young person the chance to reach their full potential is something we should all admire.

Mid-Autumn Festival

Meng Heang TAK (Clarinda) (09:57): Happy Mid-Autumn Festival to all those celebrating this year. It has been a pleasure to join celebrations across the Clarinda district for one of the most significant annual celebrations for many Victorians with East and South-East Asian ancestry. It has

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been a great time to share with family and loved ones, to connect with cultural traditions that have been passed down from generations, to share traditional foods such as mooncakes, rice cakes and dumplings and to come together to observe the moon, witness parades, light lanterns and hold space for gratitude and introspection. Whatever you choose, Mid-Autumn Festival is a meaningful opportunity to proudly share and celebrate cultural heritage and identity. To all those who are celebrating, I wish you a very happy, abundant Mid-Autumn Festival.

Diwali

Meng Heang TAK (Clarinda) (09:57): Also, it was my pleasure to join the Premier's Diwali this year, coming together to celebrate one of the most joyous and vibrant festivals of the year, the Festival of Lights. It is a wonderful time of the year – a time of hope, goodness and light. The spirit of this festival brings us together, fostering generosity, kindness and friendship, so I want to also wish everyone a happy and prosperous Diwali.

Melbourne Airport bus services

Tim READ (Brunswick) (09:58): A resident of my electorate recently asked the Greens to advocate for better bus services to the airport, but why would they ask for this when we already have the outrageously expensive SkyBus service and one day, if we are good, maybe we will even have a train? Well, if you live north of the city, first you have to waste time travelling away from the airport to get to Southern Cross Station. Then when you get there you have got to turn around and finally head to the airport. If you live anywhere in the inner north, you are already halfway to the airport, but you can only take advantage of that by using a private car or taxi. Most of the buses running east–west in the inner north – such as, say, the 506 in my electorate and several others – do not run in the evenings or on Sundays. If they did, we could catch a bus across to the Craigieburn line, take the train to the Broadmeadows station and then take the 901 bus to the airport. A wonderful, low-cost opportunity to drastically improve transport to the airport and many other destinations and cut car traffic would be to increase the frequency and hours of operation of the bus services that join the train lines. At the very least we should run the 506 bus on Sundays and later into the evening. Labor has got a great opportunity to improve bus services in the north of Melbourne rather than to neglect them.

Live Love Leopold

Alison MARCHANT (Bellarine) (09:59): There is always a lot happening on the Bellarine, and last Saturday I had the pleasure to hold a stall at the Live Love Leopold community day at Leopold Primary School. The full force of our local community was on display, with passionate volunteers, local families and community organisations running stalls. It was a true celebration of what makes Leopold and the Bellarine special, people coming together, supporting one another and taking pride in where they live. A big thank you to Leopold Primary School, especially principal Stuart Bott, and to every volunteer and committee member who gave their time and energy to put on such a wonderful and successful day. Stalls and markets are a really valuable opportunity to have real conversations with my community, to listen to locals and hear about their priorities and hopes for the future for our region.

St Leonards redevelopment

Alison MARCHANT (Bellarine) (10:00): Later this week, on Friday and Saturday, I will be in St Leonards with the Minister for Ports and Freight to announce the new design of the St Leonards redevelopment, a project shaped directly by the feedback that we received last year from the community consultation for that area. This is an exciting step forward for our region, and I know the community is eager to see the progress continue at the upcoming information sessions. As the local member, I firmly believe that decisions made about our region must be made with community, not for the community. That is why I will always be out there at events, at markets, maybe at your doorstep and at stalls at school fetes, listening and engaging with constituents to make sure their voices are not only heard but acted upon.

Housing

Rachel WESTAWAY (Prahran) (10:01): There are five locations in the seat of Prahran that are on the government's list for their activity centre program, South Yarra, Prahran, Windsor, Toorak and Hawksburn stations, and we have just seen the government's draft plans for Kew and Brighton released. Local communities can now see the detail, with buildings up to 12 and 16 storeys automatically approved without community consultation, walkable catchment areas extending 800 metres, reasons for up to six storeys, heritage areas that are threatened and plans for infrastructure and schools nowhere to be seen. Now, we all agree that we need more housing, but the Allan Labor government should be looking to reduce taxes and spread density fairly across Melbourne rather than imposing high-rise apartments as they play catch-up for decades of neglect.

According to the Urban Development Institute of Australia, property taxes make up more than 40 per cent of the total state government tax take. When Labor came to power in 2014, it was only 18 per cent. Further, around 43 per cent of the cost of a new house and land package is made up of state government taxes and charges. The previous coalition government from 2010 to 2014 rapidly increased housing supply before Labor came to power and introduced a series of taxes that drove up prices and drove down supply. Now the government wants to override community consultation on developments and impose high-rise towers.

Gurdwara Siri Guru Nanak Darbar

Gary MAAS (Narre Warren South) (10:02): I recently joined many community members at the Officer gurdwara for their Shared Plates, Shared Stories event as part of the Victorian Seniors Festival. I attended alongside the member for South-East Metropolitan Mr Tarlamis, from the other place, Senator Lisa Darmanin and mayor of Cardinia council Jack Kowarzik. It was an excellent event where locals brought along a meal and shared food, culture and conversation. It really typified community in our area and indeed it showed off our state's diversity as well. Thank you to a really unifying community leader and volunteer at the Officer gurdwara, Harpreet Singh Kandra, for his efforts in organising this event and for always bringing people together.

The gurdwara is not only a place of worship but it is also a community hub which supports many in my electorate by dispersing important information about topics such as healthy and cheap eating, providing emergency relief and advocating for social issues like the environment and water safety in multicultural communities. The gurdwara frequently hosts cultural events and community days like this seniors event, and the Victorian government is very proud to support events as part of the annual Victorian Seniors Festival. The festival celebrates ageing positively, promotes good health and wellbeing and encourages social connections. Thank you once again to the Officer gurdwara for inviting me to this wonderful event, and thank you to all the volunteers and local organisations who attended.

Youth crime

Steve McGHIE (Melton) (10:04): The Melton community continue to mourn the tragic murders of both Chol Achiek and Dau Akueng that occurred on 6 September. It is hard to put into words the profound impact this horrific event has had, unforgettably on the families of the victims but also on the entire community. Chol did not take life so seriously. He saw the brighter side of life and loved to make those around him laugh. Like Chol, Dau was a guiding light in his father's life. Dau brought joy to everyone around him and was an extremely talented basketballer who would spend hours on end at the basketball stadium playing, training, refereeing or watching games. He was obsessed with the sport. Chol's and Dau's lives were stolen from them. Their families have had a permanent hole ripped through their hearts, and as they try to adapt to life without their beautiful boys, the community will wrap their arms around them.

Almost instantly members of both boys' families have been working very closely with me and other integral organisations within Melton, like the Centre for Multicultural Youth, to navigate this path

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forward. We all need to work together to find local solutions to fight this cancer of youth gang crime. The community are fed up, and rightly so. No-one wants our young people being hacked to death by barbaric criminals. Chol and Dau's deaths have ignited vital discussions between community leaders and groups and the government. Whether it be sitting down with the families themselves, mothers, fathers, uncles, friends, teachers and just general concerned community members, the sentiment is always the same: we need to work with the community and not against the community. I again thank the Melton police for their efforts and thank the community members who supported the boys on the night of 6 September.

Brunswick Hockey Club

Anthony CIANFLONE (Pascoe Vale) (10:05): On 1 September I had the pleasure of visiting the Brunswick Hockey Club at Brunswick Secondary to celebrate the commencement of their 2025 Study Melbourne hockey inclusion program. Supported by a \$30,000 Victorian Labor government grant through Hockey Victoria, the Learn to Play initiative brings together and supports international students studying in Melbourne through a five-week hockey program, supplying all the equipment and a free dinner after each session, fostering inclusivity. Commendations to president Graeme Kennedy and long-time club advocate Dean Paatch on this initiative and also for securing the long-overdue funding to finally begin delivering the club a new pitch at McDonald Reserve to cater for its burgeoning growth, thanks to Merri-bek council.

West Brunswick Community Garden

Anthony CIANFLONE (Pascoe Vale) (10:06): On 12 October I was very pleased to join Merri-bek mayor Helen Davidson to celebrate the good work of the West Brunswick Community Garden at their spring fair. Based out of Dunstan Reserve in West Brunswick, the community garden is 100 per cent volunteer run and brings people from across the neighbourhood together to grow and harvest their own food, promote sustainable choices, support local food security and help strengthen local connections, especially for those living in apartments – sometimes over a vino or two. Congratulations to all the volunteer gardeners, almost 90-strong, for their efforts and for hosting such a welcoming afternoon, including Joel and Judy; I thank them for the chat, the tour and making sure I bought my fair share of tomato plants.

Merri Community Shed

Anthony CIANFLONE (Pascoe Vale) (10:07): On 16 September I was very happy to have dropped into the Merri Community Shed at 19 Harding Street in Coburg. Established in 2021, the shed has since grown into an inclusive space where people of all ages and backgrounds come together to learn skills, share knowledge and connect over woodworking, metalworking, electronics and bringing one's projects for advice, skill sharing and support. Commendations to president David Deveny and all the members and the committee for their dedication and commitment to making it the place it is.

Preston Football Club

Nathan LAMBERT (Preston) (10:07): On 6 October the AFL announced that they were revoking the VFL licence of the Preston Bullants, and I believe they did so in a way that sought to maximise the chances that a club that has been part of the Preston community for 143 years would no longer exist. I do not understand what the AFL are doing with the standalone VFL clubs. As people observe, there are effectively three types of clubs: there are AFL seconds teams, which are heavily cross-subsidised by their parent clubs; there are clubs that are heavily cross-subsidised by their pokie operations; and then there are the other standalone clubs, which are at a permanent financial disadvantage. Some cynics certainly suggest that as those clubs inevitably go through their ups and downs and finish on the bottom of the ladder, as one of them usually does, the AFL will, one by one, knock them off.

As we said to the AFL during conversations about the club's future in 2023, it seems to us at least that they need to make one of two decisions: either they are going to permanently subsidise those

standalone VFL clubs to recognise their role in the history and diversity of the game, or else they need to re-establish a statewide Victorian competition which would have lower costs and a level playing field. We can talk about the specifics of the Bullants, and we will do so, but most importantly, first and foremost, we call upon the AFL again to make one of those two decisions in order to give those traditional standalone clubs a secure long-term future.

Faye Dapiran

Pauline RICHARDS (Cranbourne) (10:08): I rise to condole the loss of a great Labor woman and a great friend, Faye Dapiran. Faye was born on 15 November 1947 and passed away on 15 September this year. She had four great loves. Her greatest love was her family, and I offer my heartfelt condolences to Rachel, Ashley and Natalie; their partners James, Dave and Jamie; and her grandchildren Daniel, Leo, Thomas, Ava and Millie. I can tell you she loved you so much. Her face lit up and her voice brightened with pride when she spoke about you. She loved her Geelong Football Club. The Cats were a great love, having gone across after Fitzroy left Melbourne. She loved the Beatles, she loved the Rolling Stones and she loved Labor – a great Labor woman through and through.

Faye and her family volunteered on campaigns including for the Honourable Anna Burke AO and Lidia Argondizzo, with whom she maintained a strong friendship. She and Ann Barker, together with Antony Kenny, Scott Dare, Kieran Fitzgerald, Alys Gagnon, Greg Curtin and later Dimity Paul, made the Deakin electorate office the sweetest place to be between 2007 and 2010, and Faye was the centre of our universe. I particularly acknowledge the loss to Kieran Fitzgerald, who kept a very close relationship with Faye over many years. Vale, Faye Dapiran, a loyal friend.

*Statements on parliamentary committee reports***Public Accounts and Estimates Committee***Report on the 2024–25 Budget Estimates*

John PESUTTO (Hawthorn) (10:10): I rise this morning to speak on the report on the 2024–25 budget estimates, which was published last October. If you look at every aspect of the financial mismanagement of this Labor government, everything stems from a lack of fiscal integrity and transparency in budgeting and the budget papers, which are supposed to tell the Victorian people and businesses, domestic and global, about the state of Victoria’s books and the government’s financial plans for the state. But you do not see that in the budget, and the level of integrity continues to deteriorate. What chapter 2 of the 2024–25 budget estimates report talks about in part is the level of contingencies, and that is what I want to talk about in my remarks this morning.

As people know, contingencies are always there. Traditionally they have been relatively modest amounts for outputs and capital programs, which are there to recognise things that are largely unforeseen. But what has happened now is that the government is abusing that opportunity to the point where tens of billions of dollars are hidden in contingencies for outputs and assets so the Victorian people cannot see what that money is going to be spent on. The government says the contingency funds for outputs and assets are there to recognise that there are some decisions it has made but not yet allocated the money for or policies it has made but not yet determined when they will be implemented, and that is not really good enough.

The government tries to say it hides these figures in contingencies because there are commercial-in-confidence considerations. But again, that is an unconvincing and frankly unacceptable position for the government to take because transparency is too important and certainty is too important, and we need that certainty when it comes to understanding where the state of Victoria’s books are. In the 2024–25 budget estimates, nearly \$76 billion was buried in the contingency funds for outputs and assets. That is more than two-thirds of the operating revenues of Victoria in that financial year. That is a substantial amount of money. We do not know and have no visibility into where that money is going to be spent, particularly at a time when we know that the government has said it will sign, for example, all Suburban Rail Loop East contracts. Yet in budget paper 4 it only has ‘TBC’ against the outward years

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of that project. It strikes me as passing strange that you can say you are going to sign the contracts with absolute certainty, yet you will not put in the budget papers those figures.

The Auditor-General in February this year published a report. It was a damning report saying that we as Victorians can no longer rely on the budget papers as a guide to spending. For anybody looking at the priorities around budget repair, which this government is not looking at, it is impossible to plan if so much money is buried, and hidden I would say, in the contingency funds. How have things changed since the 2024–25 budget estimates, when you had nearly \$76 billion hidden in contingencies, to this year, the 2025–26 year? The answer is not much, because although there was roughly \$76 billion hidden in the contingencies for assets and outputs in 2024–25, in this financial year, we still have around \$66 billion buried. Between last year and this year, in terms of the total quantum of funds in the contingency program, it dropped by \$10 billion roughly in terms of outputs.

On the output side of the budget, the government has committed about \$10 billion of those funds. But for assets – that is, major projects and capital projects around our state – we still have buried in the budget papers huge amounts of money that are not accounted for, so \$66 billion in a budget this year, with an operating revenue of a little under \$110 billion at the time of the budget papers in May – a very substantial amount of money. That is why in October last year we released a policy that included things like a charter of budget honesty, a tracker of government expenditure, because we feel that you cannot embark on the road to fiscal repair and attract more investment in Victoria if so many amounts of funding that are huge in scope are buried in funds we cannot properly interrogate. That is why, under the Liberals and Nationals, we will begin that process of budget repair with more transparency.

Legal and Social Issues Committee

Register and Talk about It: Inquiry into Increasing the Number of Registered Organ and Tissue Donors

John LISTER (Werribee) (10:15): I rise today to speak on a committee report from the Legal and Social Issues Committee, of which I am a member, and I would like to acknowledge my fellow members in the chamber: the member for Bayswater and the member for Eildon. In some of those meetings there have been some reflections on previous committee reports, so I want to use this opportunity today to talk particularly about the inquiry into increasing the number of registered organ and tissue donors. I would like to thank my colleagues who were on the committee at the time of preparing this report – the member for Lara, the member for Geelong, the member for Narre Warren South, the member for Bayswater and the member for Clarinda – for their work, particularly those members who are still on the committee now. Thank you for your hard work in assembling this report.

It was of particular interest to me. As someone who is a registered organ donor myself I feel really passionate about some of the issues that are explored in this report and also as the extended family member of someone who, in their passing, gave that last ultimate service to the community through having that discussion with family beforehand and making sure that their organs could be donated to people who needed them so much. I would like to pay tribute to my Uncle Dave for having that foresight in his final months to make sure that he could be on that register. I think it is a particularly personal thing. It is literally the things that make up you, and it is a really hard conversation to have. It is easy in the sense that we know an organ donation will go to a good cause and organ donations go to people who desperately need these things. But it is also a difficult thing to think about yourself in the past tense and to think about what happens after you leave this mortal coil.

Some of the findings from the report I found particularly interesting and important in this context. It was conducted in the context of declining consent rates in Victoria and Australia: in 2023 a little under 50 per cent for Victoria and around Australia just above 50 per cent. It is really important that we have people registering to guide family decisions, because ultimately that decision is made with medical professionals and family after our passing. This report found that when people consented to donation, 82 per cent of the time families also went ahead with that process. However, if people had not already

registered that they wanted to be an organ donor, only 39 per cent of people ended up being able to donate after their passing.

It is interesting. There is a bit of an anomaly in our system from past systems, and I talk to a lot of older people in my electorate who say, 'I am an organ donor. I registered when I got my licence.' That system was superseded when a national system came into play in the early 2000s. It is really important for those back at home or out in the community to check to see what their status is, because you had that good intention back in the day when you got your licence in the 1990s, but it is really important to make sure that you go back and check that you are still a registered organ donor. I welcome that finding and recommendation from the committee.

Of particular importance to my community, which is extremely diverse, is the work that they did around our multicultural and culturally and linguistically diverse community. There are a lot of social and religious beliefs and perspectives that may preclude organ donation. But it is important to have those conversations with faith leaders, and I encourage those organisations that do work with organ donorship as well as faith leaders across Melbourne and Victoria but particularly in my community in Wyndham to make sure that we are having those conversations with the people who are trusted to have those really hard conversations. Like I said, it is very hard to talk about yourself in the past tense when it comes to these things.

I think another particularly pertinent thing around organ donation is – just like my Uncle Dave, who never sought to be recognised for what he was able to do in his final act – it is particularly important to have that recognition through Births, Deaths and Marriages Victoria and to look at how we can do that through a legislative framework, because ultimately you want people in history in hundreds of years time to be able to see that there were people in our community that cared and did that.

Public Accounts and Estimates Committee

Report on the 2023–24 Budget Estimates

Tim McCURDY (Ovens Valley) (10:20): I rise to contribute on the report on the 2023–24 budget estimates from the Public Accounts and Estimates Committee. I want to highlight particularly chapter 4.5.1, which talks about the Best Start, Best Life reform, which aims to overhaul the child education and childcare process. Part of the best start process in child care was a \$546 million investment in things like free kinder for three- and four-year-olds, a pre-prep program, child care and others.

Child care is a massive issue in regional Victoria. It is probably a major issue throughout metropolitan Melbourne but it certainly is in my seat and other regional seats that I know of. Even in the larger centres like Cobram, Yarrawonga and Wangaratta, child care is difficult, even in Bright and Myrtleford. But in my electorate we have got Mount Hotham and Falls Creek, which are the playgrounds of Melbourne people and people throughout Victoria, even interstate and international visitors. Our snow industry contributes \$2.14 billion to the Victorian economy, and that has been referenced in the alpine resorts economic significance study. We know that 2025 has been a terrific season. It is just winding up now. Even though we have had tough times in Porepunkah and Bright, it has been a great snow season, which is terrific to see. They were due for one of those.

However, the Falls Creek community says that, for all that investment in child care and young Victorians, they have been advised by the acting general manager of Falls Creek Alpine Resort that childcare losses are about \$70,000 at Falls Creek. Bear in mind that Falls Creek is a year-round resort, and they are saying that \$70,000 shortfall is putting child care in jeopardy at Falls Creek. I have just mentioned that we are talking about \$2.14 billion contributed to the Victorian economy, and without staff and families the snowfields simply do not operate. On 2 October the operator of Falls Creek child care and kinder was told that a review had been launched, with a possible outcome of closure of the child care, which would be a disaster for Falls Creek resort. The problem is a review was done at the start of the winter season. That is the frustrating part; this was done earlier this year. The locals thought

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that review was the end of it. Now we have got a review of the review less than six months later, and if we are talking about a \$70,000 loss in the childcare sector, we have got to really consider how we are going to address this, because, as I say, without child care at a year-round resort like Falls Creek it is going to be very difficult.

The first review earlier this year was in line with the *Alpine Resorts Corporate Plan 2024–2027*. This service caters for families in the summer as well – as I say, it is year-round – and many families will be impacted if this child care is removed from Falls Creek. I certainly urge the government to make sure that this does not happen, because it will really put the whole mountain in jeopardy because of our workforces up there. We also know that the child care is the main feeder to Falls Creek Primary School. It allows families, older and younger, to be educated on Falls Creek. Also to the question of childcare arrangements for \$70,000, which is outrageous if that is what the figure is, the alternatives are that people will need to take their families 45 minutes down the hill to Mount Beauty. But Mount Beauty is already full for 2026, so that is not even an option for them.

As I say, I urge the government to continue to look into this child care in what is such an important industry for our regional tourism but to the whole Victorian economy. It is a false economy if we do not see the child care continue at Falls Creek. As a year-round resort it certainly is important to keep that. Removing this service would be a massive mistake and heavily restrict attracting and retaining staff, and businesses all over Ovens Valley tell me that it is difficult to get staff. It does not matter whether you are in the major centres, like I said – Wangaratta, Yarrawonga and Cobram – it is still hard to get staff, so we want to do all we can to keep families on the mountain.

Putting a finer point on this, the alpine resorts review last year of marketing across the resort led to a decision to centralise marketing, reduce staff and make cost-savings. What has actually happened is redeployment of key people with that cost-cutting. It is important to make sure that child care does not come at a cost, because this will be a massive cost obviously to Falls Creek but to the whole economy of the snow, because it is so important for alpine regions to continue.

Economy and Infrastructure Committee

Inquiry into Workplace Surveillance

Anthony CIANFLONE (Pascoe Vale) (10:25): Further to my contribution on 18 June, I rise to again support the parliamentary inquiry into workplace surveillance undertaken by the Legislative Assembly Economy and Infrastructure Committee that I am proud to be part of. We heard a mountain of evidence from a range of employee, academic and community organisations and indeed business representatives which clearly demonstrated that we need to modernise Victoria's workplace surveillance, monitoring and privacy legislation to keep pace with the growing and evolving employer workplace monitoring technology ecosystem.

Based on this extensive feedback, the inquiry found that while there are legitimate reasons for employers to undertake surveillance, such as to ensure workers' health and safety, surveillance can become problematic when employers use surveillance covertly for other purposes. Left unchecked, growing and evolving employer methods of surveillance are increasingly raising privacy concerns, causing distress for employees when their employer's surveillance practices are unreasonable, excessive and inaccessible by the employee. Workplace surveillance that is excessive and lacks transparency has been shown to have a significant negative impact on employees' morale, job satisfaction and commitment to their organisation. It has also been shown that surveillance can intensify work, adversely affect employees' mental and physical health and exacerbate the power imbalance between employers and employees. That is why the committee put forward 29 comprehensive findings and recommendations.

Recommendation 1 is the Victorian government introduce new standalone legislation, which I touched on in my last contribution. Recommendation 2 is the Victorian government include requirements for notification and disclosure in new workplace surveillance legislation that obliges employers to give

14 days written notice to workers of workplace surveillance. The notice is to specify the method, scope, timing and purpose of surveillance and how the surveillance data will be used and stored. Recommendation 3 is the government include a requirement in new workplace surveillance legislation for employers to consult with employees before introducing or changing surveillance practices in the workplace.

Recommendation 5 is that the government restrict covert workplace surveillance to cases where an employee is suspected of unlawful activity. The employer has to obtain a court order to undertake the surveillance and an independent surveillance supervisor has to be appointed to the case. Recommendation 7 is that the Victorian government work with employer groups to provide education, support services and material to employers about the changes to workplace surveillance regulation to help support them as part of any transition. Recommendation 9 is that the Victorian government include a requirement in new workplace surveillance legislation that employers must inform employees about who is collecting the workplace surveillance data, how the data is secured, stored and disposed of, who can use the data for what purpose and how long the data will be kept.

Recommendation 10 is that the Victorian government include a provision in new workplace surveillance legislation that employers must not sell employees' personal data or any data collected about employees through surveillance to a third party. Recommendation 11 is that the government include a requirement in new workplace surveillance legislation that employers must ensure that any third party they contract to collect or store workplace surveillance data takes reasonable steps to protect that data and complies with the workplace surveillance policy.

Recommendation 13 is that the government include a requirement in new legislation that employers, upon request by an employee, must give the employee access to all workplace surveillance data generated by the employee. Recommendation 14 is that the Privacy and Data Protection Act 2014 also include biometric data in the definition of 'sensitive information'. Recommendation 18 is that the government appoint the Office of the Victorian Information Commissioner, WorkSafe Victoria or another appropriate body as a regulator and adequately resource it to oversee the new workplace surveillance legislation with the power to inspect workplaces, investigate and resolve complaints. When combined, these recommendations provide for a balanced, pragmatic and sensible set of reforms that can help protect the interests of both employers and employees. As we work to help support more people to work from home, these reforms will become even more important than was previously the case.

Despite the overwhelming evidence and our comprehensive deliberations, at the eleventh hour the Liberals decided to lodge a dissenting report. They did so for two reasons: one is that they wanted to keep the workplace surveillance protection racket going for their mates at the big end of town and big business, who we know from this inquiry have been surveilling and collecting record amounts of data on their employees in unprecedented ways and failing to disclose any of those systems or approaches to the employees. The second reason is recommendation 8: that the Victorian government require employers to take all reasonable steps to prevent surveillance of an employee while at work by a party other than the employer without the employee's consent. The Liberals have a conflict of interest on this because this would contravene the member for Caulfield's approach of secretly recording his own colleagues without their consent and without any transparency, which would be in breach of recommendation 8.

James Newbury: On a point of order, Acting Speaker, on relevance, we are debating committee reports. This is not a grievance debate where some cheap member makes cheap sledge. On relevance, this is an opportunity to debate committee reports. This is a clear sledge and an outrageous abuse of this chamber.

The ACTING SPEAKER (Daniela De Martino): The member's time has expired.

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Anthony Cianflone: On a point of order, Acting Speaker, I ask the member to withdraw. He called me a ‘cheap member’. I ask him to withdraw. I take personal offence at that comment.

The ACTING SPEAKER (Daniela De Martino): Member for Brighton?

James Newbury: I withdraw.

Public Accounts and Estimates Committee

Report on the 2024–25 Budget Estimates

Will FOWLES (Ringwood) (10:30): I rise to speak about the Public Accounts and Estimates Committee (PAEC) 2024–25 budget estimates report, and I will be focusing my commentary today around one main issue, which is the delivery of the promised Maroondah Hospital redevelopment. There are three questions that I can only attempt to divine from this report: (1) is it actually happening, and to what extent is it being afforded priority; (2) who is actually responsible for delivering the thing; and (3) when might it actually be delivered? I would say broadly the investment in health in the financial year 2025 budget was terrific, but I would query whether it is being directed to the right spots. Most health services around the state at the moment are running deficits, and the government continues to push off upgrades because of the government’s overcommitment to a bunch of ego-inspired infrastructure projects put about by the former Premier. That has hamstrung the government now and made it very, very difficult for the government to prioritise necessary projects, and that is most clearly the case in relation to the commitment around Maroondah Hospital.

My community feels left behind, both constituents and healthcare professionals alike. I was speaking to a nurse in the area the other day and she said – it is direct quote – ‘I wouldn’t even take my dog to Maroondah.’ That is the extent to which the service has been run into the ground. You have got a Minister for Health who is in constant conflict with Eastern Health. Every time Eastern Health announce changes to their service, it seems they very quickly have to back-pedal on those changes because the minister’s office comes down on them like a ton of bricks. There is clearly no coordination going on, no alignment of interests and no alignment of plans in relation to that facility, and that is very much to the detriment of my constituents in Ringwood. Maroondah Hospital is critical to my community. It is the backbone of health care in the eastern suburbs, and my community is continuing to feel left behind because these desperately needed upgrades are frankly just in the never-never, because trying to divine from this report or from the budget papers exactly where this project sits is frankly an impossibility. That is not a reflection on me or my staff. Any reasonable person could not work out from anything the government has published exactly where this project is up to. That arises from two problems, the first of course being the steady change in what has been promised in relation to this, but also the query around who is actually delivering the thing.

So let us just recap what was promised and what has actually happened. In 2018 Labor pledged a kids emergency department. In 2021 \$100 million was budgeted to build paediatric EDs at five hospitals, including Maroondah, but as of now none have been delivered. That is publicly verifiable of course. In 2022 the election promise was to rebuild the Queen Elizabeth II hospital with a new ED, and since then government documents have only shown planning and feasibility work, and they have shown it only in an aggregated way. That comes about because of this somewhat opaque change where the Victorian Health Building Authority, the VHBA – which I guess was probably modelled on the Victorian School Building Authority, the VSBA – was merged with the Victorian Infrastructure Development Authority. So VIDA obviously has a much broader brief than just health infrastructure, and I just do not know why this change was made. It adds opacity. It is an agency responsible for delivering other infrastructure, and I just genuinely query – generally query and genuinely query – whether health is getting enough attention. And then there is the question of when this commitment might be delivered. According to this committee report, over a fifth of the Department of Health’s existing capital projects have been delayed by more than a year, and this is based, of course, on the FY25 budget. We are expecting PAEC to bring down its next report reasonably soon, and I am sure that will confirm what I suspect – that there have been additional delays to the delivery of these

important bits of health infrastructure. That is largely driven by budget pressure and, again, is a reflection of the out-of-control ego of the former Premier.

What do we say about this? Well, in 2022 the then member for Burwood got up and said:

Construction on the new hospital is expected to start in 2025, and around 2500 jobs will be created during construction alone.

He said, in this place, it will be a \$1.05 billion project. That of course was me, and I was speaking from Premier's private office notes and that was the government's position then. That was the commitment they made, and I call upon the government to now deliver on that commitment.

Legal and Social Issues Committee

Building the Evidence Base: Inquiry into Capturing Data on People Who Use Family Violence in Victoria

Pauline RICHARDS (Cranbourne) (10:35): I am very pleased to have the opportunity to speak on the Legislative Assembly Legal and Social Issues Committee report *Building the Evidence Base: Inquiry into Capturing Data on People Who Use Family Violence in Victoria*. I am particularly delighted to be able to thank the committee for the important work that has been undertaken on this matter, which has been a priority for this government and for Labor governments for the period that we have been working hard to respond to this most important law and order challenge.

I do want to thank and pay credit to the chair, the member for Lara, and also thank the deputy chair, the member for Euroa. I also acknowledge the member for Geelong, who has done a great deal of heavy lifting in so many areas of important public policy, and I will actually identify some of that as it relates to First Nations people in this report. Certainly this week, more than any week, we are conscious of the work of the member for Geelong. I also thank the members for Mornington and Eildon for the work that they have done, and the members for Clarinda and Bayswater. This has been really important work, going into some granular elements of how we can capture data and what difference we can make to this extraordinary and important work.

As I said, I did want to identify the member for Geelong for the great deal of policy work she has done over many years. But in the context of this report I think it is typical that, because of the work of so many of our Labor colleagues, traditional owners and the work that they do in responding to family violence really do set us up as a state that can look to our First Nations people for how we respond in a way to an issue that is always dealt with with community first. Whether it is our healthcare settings, whether it is the way we care for our children or whether it is the way we respond to how families interact, our First Nations people get it right because First Nations people know what is best for communities. We have important lessons to learn from our First Nations people, and that is also captured in this important report.

We do know that family violence remains one of the most pervasive and devastating social problems in our community. I spoke about family violence as a priority for me in my inaugural speech, and I have spoken many times in this place about the role that my mother played as being formative for me. My mum is 93 and still identifies the work that she undertook as a family counsellor and family violence worker in the City of Monash as being the most important work that she did – I am sure apart from raising four children and many grandchildren – this important work of identifying where the gaps are, how we need to hold perpetrators to account, how we need to prevent harm and how we need to support victims.

The committee observed that the data about perpetrators or, more inclusively, people who use violence is held in many places, and to understand that with greater depth and to understand the complexity of that will allow us to have stronger and more connected data and a stronger response. Of course I was, as many people were, in the room when it was announced way back in, I think, 2014 that the previous Andrews Labor government, now continuing with the work of the Allan Labor government, would

hold a royal commission into family violence. I know those 227 recommendations have been a focus of this government and the work of people who care deeply about responding to this great challenge. I am incredibly proud to this day to have been a participant and a part of that response.

I would like to take the opportunity to thank those who made submissions to the inquiry. I understand there were seven days of hearings and 72 written submissions. We know that we can do better; this government is focused on responding to family violence. I would like to take the opportunity to thank of course the Orange Door in Cranbourne and all the amazing workers who respond to family violence.

Bills

Transport Legislation Amendment Bill 2025

Statement of compatibility

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (10:41): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Transport Legislation Amendment Bill 2025:

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 Transport Legislation Amendment Bill 2025.

In my opinion, the Transport Legislation Amendment Bill 2025 (the **Bill**), as introduced to the Legislative Assembly, is compatible with the human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The purposes of the Bill are threefold.

The first is to amend the *Bus Safety Act 2009* (**Bus Safety Act**) to repeal the offence of failing to sign a certificate of accreditation on receipt.

The second is to amend the *Commercial Passenger Vehicle Industry Act 2017* (**CPVI Act**) to require booking service providers and drivers of commercial passenger vehicles who are, or have previously been, associated with a booking service provider to notify the regulator of certain information; to expand the public care objective; to repeal the offence of failing to sign a certificate of accreditation on receipt; to further provide for the circumstances in which the regulator may cancel a driver's accreditation; to further provide for the regulator to publish certain information in relation to enforcement action the regulator has taken; and to impose penalties on drivers of commercial passenger vehicles who display false and misleading signage in relation to their association with a booking service provider. The Bill also further provides for the recording, access, use and disclosure of data recorded in commercial passenger vehicles.

The third is to amend the *Transport (Compliance and Miscellaneous) Act 1983* (**TCM Act**) to facilitate new methods of obtaining or proving entitlement to use a public transport service; to apply evidentiary provisions to those new methods of obtaining or proving an entitlement to use a public transport service; and to provide for the prescribing of a computer system for the processing of concession entitlements.

The Bill makes other minor and technical amendments.

Human rights issues

The human rights protected by the Charter that are relevant to the Bill are:

- The right to recognition and equality before the law, under section 8 of the Charter;
- Freedom of movement, under section 12 of the Charter;
- The right to privacy and reputation, under section 13 of the Charter;
- Freedom of expression, under section 15 of the Charter;
- Property rights, under section 20 of the Charter;
- The right to a fair hearing, under section 24 of the Charter;
- The presumption of innocence, as protected under section 25(1) of the Charter;

For the reasons outlined below, in my opinion, the Bill is compatible with each of these rights.

Amendments to the CPVI Act

The human rights protected by the Charter that are relevant to the CPVI Act are:

Right to privacy (s. 13)

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) provides that a person has the right not to have their reputation unlawfully attacked.

The right includes the right of a person to have control over their personal information, and the freedom to participate in society without organisations collecting and sharing that personal information. Where information is collected, the right extends to providing a person with control over their information, including maintaining their right to determine ‘when, how, and to what extent’ to use or disclose that information.

The Charter Act’s informational privacy obligation is generally interpreted consistently with the obligations contained in the *Privacy and Data Protection Act 2014*.

The Bill introduces new provisions governing the collection, possession, disclosure and use of data obtained from security cameras and audio recording devices installed in commercial passenger vehicles. These measures engage the right to privacy as they involve the handling of personal and sensitive information of both drivers and passengers.

Clause 16 substitutes a new section 270 and 271 of the CPVI Act which make the following changes:

- Removal of the prohibition on the audio recording of any passenger of a commercial passenger vehicle, and grant of permission for use of recordings on security cameras or any audio recording devices that have been approved by the regulator and subject to the same legislative parameters as exist for image and data recordings;
- Streamlining of the process for obtaining authorisation to download, use and disclose data from approved security cameras in commercial passenger vehicles. The intention of the reform is that only “authorised persons” are permitted to download security camera data from a security camera or audio recording from an audio recording device installed in a commercial passenger vehicle and that the data or audio is only able to be used and disclosed for the purposes specified in the Act or prescribed in regulations.
- Repeal of references to written agreements with the regulator. In practice, no agreements in accordance with section 271 of the CPVI Act have been made to date.
- Provision that these authorised persons can download, use and disclose security camera images, audio or other data if it is for an “authorised purpose”. It is proposed that an “authorised purpose” will be a combination of listed purposes and purposes prescribed in regulations.
- Requiring that all persons authorised to download, use or disclose security camera data must put safeguards in place to protect that data from unauthorised use or disclosure, specifically complying with standards to manage and protect security camera data which will be determined by the regulator.

Not all of the information required to be provided to the regulator under these provisions will be of a private nature, nor be information concerning a natural person – as opposed to information concerning a corporation to which the Charter does not apply. However, to the extent that the requirements under the Bill may result in an interference with a person’s privacy, any such interference will be lawful and not arbitrary. The provisions that require or permit the collection of information are clearly set out in the Bill and the CPVI Act already, and are directly related to the regulator’s regulatory and enforcement functions. Further, participants in a regulated industry have a reduced expectation of privacy.

Any interference with privacy under the Bill is lawful and not arbitrary. The measures pursue the legitimate purpose of protecting public safety, ensuring accountability within the commercial passenger vehicle industry, and preventing the misuse of private information. The Bill establishes strict limits on who may access such data and the purposes for which access is permitted, and introduces minimum standards for protection of data, thereby providing appropriate safeguards.

For these reasons, I am satisfied the Bill does not limit the right to privacy.

Property rights (s. 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right is not limited where there is a law which authorises deprivation of property, and that law is adequately accessible, clear and certain, and sufficiently precise to enable a person to regulate their conduct.

Clause 11 of the Bill introduces a new “two strikes and you’re out” scheme for commercial passenger vehicle drivers who will lose their accreditation if found guilty of a specified offence on two separate occasions within a time span of 10 years.

Statutory rights, such as those arising from accreditation or any “licence” to participate in a regulated industry, are inherently subject to change and, for this reason, are less likely to be found to be proprietary rights. In these circumstances, I am of the opinion that the new provision for cancelling driver’s accreditation will not amount to a deprivation of property. Even if it did, it is clear that such a deprivation would be in accordance with law.

Accordingly, I am satisfied that any deprivation of property pursuant to these powers will be in accordance with law and, consequently, will not limit the right in section 20 of the Charter.

Freedom of Expression (s. 15)

Section 20 of the Charter establishes a number of rights relating to the freedom of expression. These include the right to hold an opinion without interference, and the right to seek, receive and impart information and ideas of all kinds whether within or outside of Victoria, and whether orally, in writing, in print, by way of art or in another medium.

Clause 15 of the Bill inserts a new offence of false and misleading signage on vehicles not associated with a booking service provider. A driver of a motor vehicle must not provide a commercial passenger vehicle service in a vehicle that displays signage associated with a booking service provider if the driver is not an associated driver for that booking service provider.

The prohibition on the use of false and misleading signage by drivers not associated with a booking service provider may be considered a restriction on expression. However, the restriction is narrow, proportionate, and directed at preventing consumer deception and ensuring public confidence in the commercial passenger vehicle industry. The restriction does not prevent drivers from expressing personal views or engaging in lawful advertising and is therefore a proportionate and reasonable limitation.

For these reasons, I am satisfied that the Bill is compatible with section 15 of the Charter.

Right to Equality (s. 8)

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. Discrimination includes both direct and indirect discrimination on the basis of a protected attribute, such as disability.

The Bill amends the public care objective under the CPV Act to require that commercial passenger vehicle services be provided without discrimination or sexual harassment. This amendment positively advances the right to equality by reinforcing protections for passengers and drivers against harmful conduct. It supports broader anti-discrimination objectives under the **Equal Opportunity Act 2010** and does not limit Charter rights.

For these reasons, I am satisfied that the Bill advances the aim of section 8 of the Charter.

Freedom of Movement (s. 12)

Section 12 of the Charter provides, amongst other things, that a person has a right to move freely within Victoria. The right to move freely includes freedom from procedural barriers in public spaces, as well as reporting obligations in relation to moving. It also includes the right to access facilities which are necessary for the enjoyment of freedom of movement, and a right to access services used by members of the public.

The Bill provides for the suspension or cancellation of driver accreditation and booking service provider registration in certain circumstances, including mandatory cancellation for repeated serious offences. While these measures may affect an individual’s capacity to work within the commercial passenger vehicle industry and thereby impact freedom of movement in an indirect sense, the limitations are reasonable and proportionate. They serve the important objective of ensuring the safety of passengers and the integrity of the industry and apply only in cases where conduct is inconsistent with regulatory standards or public expectations.

Fair Hearing (s. 24)

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The Charter right to a fair hearing is not limited to judicial proceedings and can include administrative proceedings. The fair hearing right encompasses the concept of procedural fairness, which includes the requirement that a party have a reasonable opportunity to put their case under conditions which do not place that party at a substantial disadvantage relative to their opponent.

The Bill maintains avenues for review of regulatory decisions, including through applications to the Victorian Civil and Administrative Tribunal. These provisions ensure that individuals affected by suspension, cancellation or disciplinary action have access to an independent and impartial tribunal, consistent with the right to a fair hearing.

Justification for Limitations

To the extent that the Bill imposes limitations on rights, those limitations are demonstrably justified under section 7(2) of the Charter. The nature of the rights affected is limited, the scope of the limitations is narrow, and the purpose of the limitations – being public safety, consumer protection, equality of service, and integrity of industry regulation – is of significant importance. The limitations are proportionate, rationally connected to their objectives, and are the least restrictive means reasonably available.

Amendments to the TCM Act

To support the analysis of why I consider that the amendments made by the Bill to the TCM Act are compatible with the Charter Act, it is helpful to briefly describe the difference between the current and new regulatory schemes for public transport ticketing and how they operate and apply the commentary to the human rights analysis below.

This is because the amendments are primarily made to enable the regulatory framework in that Act to apply to new forms of token and of obtaining an entitlement to travel. The Act is supported by regulations and Conditions determined under section 220D(1) of that Act.

The Bill also enables regulations to be made to prescribe a computer system or the requirements for the processing of concession entitlements.

Introduction of new forms of obtaining or proving an entitlement to use a public transport service

The amendments to the TCM Act facilitate the introduction of new forms of obtaining or proving an entitlement to use a public transport service, including the use of debit and credit card smartcards, and digital debit and credit cards stored in a digital payment application (app or digital wallet).

Clause 21 of the Bill inserts a definition of *ticket* into section 2(1) of the TCM Act. The amendment to the TCM Act provides that *ticket* means an entitlement to use a public transport service, which is a service provided by a bus company or a passenger transport company to transport members of the public, and includes any ancillary matters such as allowing entry to any place used in relation to the provision of such a service. This new definition will replace the current definition of *ticket* in the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017 (the Ticketing Regulations).

Clause 22(d) of the Bill inserts definitions of *token* and *State token* into section 208 of the TCM Act. A token is a thing that may lawfully be used for the purpose of obtaining, or proving the existence of, a ticket. A token may be a State token, or may be prescribed, or approved by Ministerial notice published in the Government Gazette, to be a token.

A ticket is obtained from the use of a token which, if used in accordance with the Conditions made under section 220D of the TCM Act, will ensure that a person travels, or enters a compulsory ticket area, with a valid ticket. The Ticketing Regulations provide for offences, defences and related matters to support the regulatory scheme for public transport ticketing.

A State token is a token issued by or on behalf of the Head, Transport for Victoria (**Head, tfv**), the body corporate established under the *Transport Integration Act 2010*. Myki Smartcards, Mobile myki (which are digital myki) and V/Line paper tickets are each examples of State tokens. Myki Smartcards and Mobile myki operate in a closed electronic system where there is only one merchant (the Head, tfv).

Debit or credit card Smartcards, and digital debit or credit card digital cards, are tokens but are not State tokens. For example, when a debit or credit card that is a smartcard is used to purchase an entitlement to travel, the smartcard is the token for the purposes of the Act and the Ticketing Regulations, and the entitlement is the ticket.

The legislative framework which defines tokens and State tokens is important because it enables certain provisions under the Act and the Ticketing Regulations to be appropriately constrained. For example, the provisions which empower an authorised officer to require a token to be surrendered are limited to State tokens.

Prescribing a computer system for the processing of concession entitlements

Clause 27(d) of the Bill inserts new section 221AA(1)(ca) into the TCM Act, which enables regulations prescribing a computer system and the related processes for the purpose of collecting, managing, processing, summarising, storing and transmitting information relating to concession entitlements for public transport services to be made.

The Bill enables regulations to be made prescribing the process or requirements in relation to the validation of concession entitlements as improvements are made to Victoria's public transport system.

Right to Equality (s. 8)

The Bill would facilitate ease of travel and access to Victoria's public transport system by opening up new payment methods of obtaining a ticket (that is, an entitlement to travel and concessions].

In my opinion, for those reasons, the Bill promotes the right to equality.

Freedom of Movement (s. 12)

The provisions in the Bill promote freedom of movement by bringing a range of benefits to users of Victoria's public transport network, including a wider choice of means with which to obtain an entitlement to travel, saving time and effort, and providing greater flexibility.

Freedom of Expression (s. 15)

The right to freedom of expression encompasses a freedom not to express (for example, to say nothing or to not provide information).

Clause 23 of the Bill amends section 220AA(c) of the TCM Act, which contains an offence to give information that is relevant or possibly relevant for the purposes of Division 4 of Part VII of the TCM Act which the person knows, or believes, to be false to any of specified classes of person who are performing a function under that Division. These include a person employed by a passenger transport company or a bus company who has duties in relation to the issue, inspection, scanning or collection of tickets and tokens for, or the operation of, a vehicle operated by the company.

While references to *scanning* and *tokens* are added to this provision, this does not change the effect of the offence but rather updates the description of what such an officer is engaged to do. As such, the amendment does not engage the right to the freedom of expression because the substantive offence is unchanged.

Similarly, section 220A of the TCM Act is amended by clause 24 of the Act so that, instead of providing that a person must not by fraudulent means, by false or misleading representation, or by other dishonesty obtain a ticket or other thing that can be used to prove an entitlement to use a public transport service, the provision instead applies to a *ticket or State token*. The reference to 'other thing that can be used to prove an entitlement to use a public transport service' is omitted, ensuring that the existing offence remains appropriately constrained.

Section 220B of the TCM Act is also amended, by clause 25 of the Bill. Section 220B(1) currently makes it an offence to counterfeit a ticket or other thing that can be used to prove an entitlement to use a public transport service. The amendment made by the Bill changes the offence to provide that a person must not counterfeit a State token. That also limits the application of the offence.

Section 220B(2) is also amended so that a person must not alter, or attempt to alter, a ticket or State token (rather than other thing that can be used to prove an entitlement to use a public transport service). The amendments ensure that the offence again remains appropriately constrained.

Section 220C, which is amended by clause 26 of the Bill, is amended with like effect so that a person must not claim or take the benefit of an exemption to pay for a ticket, or of a concessionary discount of such a payment, to which they are not entitled if they know that they are not entitled to that benefit. The Bill substitutes the phrase 'an entitlement to use a public transport service' with 'a ticket', ensuring that the offence remains appropriately limited in scope.

The amendments in the Bill insert a new regulation making power to prescribe a computer system and processes relating to concession entitlements. Any new regulations prescribing a computer system used for the processing of concession entitlements will likely require a person to provide proof of concession entitlement. However, a person can choose whether or not to submit an application for concession, or to authorise, or not authorise, another person or body (such as a health care provider) to do so.

For the reasons explained above, in my view the amendments do not impermissibly limit the right to the freedom of expression.

Right to privacy (s. 13)

The amendments in the Bill which amend the regulatory framework supporting the public transport ticketing system do not engage, or do not impermissibly limit, the right to privacy.

Physical and digital debit and credit card (contactless payment token) payments are recognised as separate cards in the banking system, even if they are associated with (and funds come out of) the same financial (cheque, savings or credit) account. In each case, card payment transactions are processed securely.

When used to obtain a ticket, each contactless payment token is also recorded electronically as a different token in the Head, tfv's ticketing computer system. A unique identifier matches any subsequent use of that contactless payment token within the relevant travel period. Fares calculated after the use of the token within the relevant travel period are processed and settled through the Head, tfv's ticketing computer system, which is linked to the banking payments system.

Whilst the existing myki computer system stores customer information (e.g., account balances) and has the computing power to process a transaction on a myki Smartcard or Mobile myki, this is not the same if a debit or credit card is used to obtain a ticket. Personal information associated with the debit or credit card is not transmitted to the Head, tfv's ticketing computer system.

Although the ticketing computer system records tap or tap offs in order to calculate fares, these are connected to a unique identifier attached to the token being tapped on or tapped off. No personal information about a customer who uses a physical or digital debit or credit card is either obtained or recorded.

If a person wishes to ask Head, tfv for an adjustment if they consider that they have been charged the wrong amount of fare, for example by tapping on with more than one token, they must contact the Transport Victoria contact centre. This involves the provision of limited personal information but, if the customer wishes to ask for an adjustment, no less restrictive means of enabling Head, tfv to consider that request are available.

The Bill also enables regulatory amendments to be made to prescribe how concession entitlements will be collected, managed, processed, summarised, stored and transmitted in connection with the ticketing computer system. Any regulations made through this power will need to comply with the Charter.

In each case, a person can choose not to provide this information.

For the reasons explained above, in my opinion the right to privacy is not impermissibly limited.

Property rights (s. 20)

Clause 27 of the Bill amends section 221AA(1)(b) to provide that regulations can be made regulating the use of tokens, including specifying the circumstances in which a token, or anything that is claimed to be a token, is to be surrendered. This gives effect to the intent that a token that is not a State token, or a personal electronic device on which a State token is held, cannot be required to be surrendered. This ensures that the current constraints on apply appropriately to forms of token that are not State tokens. In my opinion, the right is protected by the amendments made by the Bill.

Fair hearing (s. 24) and presumption of innocence (protected under section 25(1))

The provisions engage both the right to a fair hearing under section 24 of the Charter, and the right to be presumed innocent under section 25 of the Charter. Both rights are engaged by evidentiary provisions in the Bill.

The right to a fair hearing is closely linked to the right to be presumed innocent. The section 25 right is engaged and limited by a provision that creates or amends an offence that contains a presumption of fact or law and puts the legal (persuasive) burden on the accused to rebut the presumption.

Clause 30 of the Bill amends evidentiary provisions in the TCM Act by substituting section 230AB and 203AC with new provisions. The provisions update existing provisions relating to the ability to give certificate evidence in relation to certain matters.

The existing provisions relate to the facts with respect to the use of smartcards. *Smartcard* is currently defined to mean a plastic card or other thing that contains an embedded computer microchip capable of receiving, storing, processing and transferring information, and which may lawfully be used for the purpose of obtaining or proving an entitlement to use a public transport service. This encompasses myki Smartcards and Mobile myki the use of handheld readers to copy or transfer information copied or transferred from that smartcard when the smartcard is produced for inspection. Clause 22(c) repeals the definition of *smartcard*.

Substituted sections 230AB and 203AC have essentially the same effect as the existing sections, but apply to tokens instead of smartcards (as currently defined).

For the purposes of substituted section 230AB, a fact relates to a token if it relates to –

- (a) the token itself, including its type and identifying numbers (if any); or
- (b) the holder of the token; or
- (c) the manner of acquisition of the token (if relevant); or
- (d) the existence, or possible existence, of an entitlement to use a public transport service; or
- (e) the use of the token.

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For the purposes of substituted section 230AC, a certificate may be issued by an authorised officer who used a hand held reader to read, scan, transfer, display, copy or store information from a token produced to the authorised officer for inspection certifying as to the information read, scanned, transferred, displayed, copied or stored from the token in relation to all or any of the following matters –

- (a) the token number (if any);
- (b) the token type;
- (c) the name of the token holder (if applicable);
- (d) the use of the token;
- (e) the entitlement to use a public transport service.

That certificate is admissible in evidence in any proceedings relating to a ticket offence.

The certificate contains presumptive evidence, but is subject to section 230AF of the TCM Act.

Section 230AE of the TCM Act provides that if the informant in proceedings relating to a ticket offence serves on the accused, by the required time, a copy of a certificate referred to in section 230AC, the certificate is conclusive proof of certain matters including the facts and matters stated in the certificate, and that the facts that are the subject of the presumptions are to be taken to have been conclusively proved.

Section 230AF then provides that the accused in any proceedings relating to a ticket offence may give notice in writing to the informant not less than 28 days before the hearing, or any shorter period ordered by the court or agreed to by the informant, that they require the person giving a certificate referred to in section 230AD to be called as a witness; or that they intend to adduce evidence in rebuttal (in which case the notice must specify the evidence in rebuttal of any fact that is the subject of a presumption, or the fact or matter with which issue is taken, and indicate the nature of any expert evidence that the accused intends to have adduced at the hearing, as the case requires).

In that case, the certificate remains admissible as evidence but ceases to be conclusive proof of the facts or matters (as the case requires).

The changes to the provisions give effect to the use of tokens and, without the amendments, the ability to effectively enforce the requirement to have a valid ticket and conduct efficient and effective prosecutions, and to control fare evasion, will be undermined.

The organisational and administrative burden involved in providing offences would be extensive, even where no real challenge to the reliability of the technology, devices and ticketing computer system. Experts might be required to give highly technical evidence for each court case, and this would result in more cases, and an increased burden on the courts.

Clause 31 of the Bill also enables regulations to be made to prescribe associated processes by amending section 230AH of the TCM Act. These are linked to the evidentiary provisions and relate to the prescription of devices and processes. These are essentially machinery or mechanical in nature.

Noting the provisions in section 230AF, I consider that while this limits the right to a fair hearing, there are no less restrictive means available. I consider that these provisions are compatible with the Charter.

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

The Hon Gabrielle Williams MP
Minister for Transport Infrastructure
Minster for Public and Active Transport

Second reading

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (10:41): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

Overview

This Government is committed to delivering improvements that enhance safety and amenity to Victoria's transport system. We recognise that Victorians do not just rely on trains, trams and buses to move throughout

our beloved State. Commercial passenger vehicles also play a critical role in our community to get Victoria moving, forming an integral part of our transport network. This Bill will improve consumer confidence and safety in the commercial passenger vehicle industry. Amendments in the Bill will strengthen compliance and enforcement of commercial passenger vehicle industry laws by broadening the tools available to the regulator to deal with fare overcharging and other driver misconduct. The reforms also increase transparency in the industry by requiring relevant and accurate information in relation to industry participants to be made available to the industry regulator, Safe Transport Victoria, as well as the broader community. The package of reforms in the Bill will ensure the commercial passenger vehicle industry continue to deliver services to the community in line with Victoria's expectation of a safe and efficient service.

This Government is also committed to improving the public transport ticketing system in Victoria. We know the Victorian community expects our public transport network to keep pace with technological advancements in ticketing. Victorians want to be able to use different methods – such as credit and debit cards – to pay for public transport services rather than always having to carry a myki smartcard. This Bill provides technical amendments that will support the introduction of alternate methods of paying for public transport to improve accessibility and convenience when using Victoria's public transport system.

Commercial passenger vehicle industry reforms

In 2017, the Victorian Government introduced a series of reforms to the commercial passenger vehicle industry with the *Commercial Passenger Vehicle Industry Act 2017*. These reforms delivered more choice, safer services and improved customer service to Victorians. Both taxis and rideshare services now make up the commercial passenger vehicle industry, with the size of the industry progressively maturing over the past eight years to deliver more services to the Victorian community.

However, this Government recognises there are still areas for improvement. The Bill amends the *Commercial Passenger Vehicle Industry Act 2017* to implement a package of reforms to the commercial passenger vehicle industry to strengthen compliance and enforcement of industry laws and improve industry transparency, while maintaining a competitive industry and supporting consumer choice.

The Bill reforms the recording, access, use and disclosure of security camera and audio data in commercial passenger vehicles. The reforms will support the monitoring of compliance with commercial passenger vehicle industry laws by creating a more efficient and effective security camera and audio recording framework for investigations of commercial passenger vehicle complaints and incidents.

The Bill will permit security cameras and approved recording devices installed in commercial passenger vehicles to record audio. Presently, audio recordings in commercial passenger vehicles are not permitted in any circumstance. This has placed limitations on what the regulator and Victoria Police can use as evidence when investigating an incident or complaint. Enabling recording of images in conjunction with audio establishes a more comprehensive picture of what has occurred in a commercial passenger vehicle. A verbal exchange or agreement between a driver and passenger can be key to determining the outcomes of certain incidents, such as fare overcharging. Enabling audio recording significantly enhances the tools available to the regulator and other law enforcement agencies for compliance, enforcement and investigative purposes.

Access to security camera and audio recording data will be streamlined under the Bill. In addition to the regulator, Victoria Police and booking service providers will have direct authority to access, use and disclose security camera and audio recording data for investigative purposes. A direct legislative authority will reduce administration burden and enable more rapid investigations of incidents. The Bill also enables other persons to be prescribed or specified by the regulator as an authorised person who can access, use and disclose security camera and audio recording data.

The direct access to security camera and audio recording data will be limited under the Bill. Persons authorised to access, use and disclose security camera and audio recording data may only do so if it is for an authorised purpose. The Bill will ensure that the regulator can access, use and disclose security camera and audio recording data to carry out their functions, including the investigation of an offence against commercial passenger vehicle laws. Victoria Police will be able to access, use and disclose security camera and audio recording data so that police officers can carry out police officer duties, such as investigating and prosecuting crime and road safety laws. Booking service providers will only be allowed to access security camera and audio recording data if the purpose is to assist the regulator or Victoria Police in carrying out their purposes. These measures are cognisant of the importance of providing for legislative constraints on the purposes by which images and audio are used. The Bill ensure that this type of data is only directly accessible for purposes that enable the regulator and Victoria Police to do their jobs.

However, this Government recognises that flexibility may be needed to access commercial passenger vehicle security camera images and audio recording data for purposes other than regulatory means. The Bill enables other purposes to be prescribed or specified by the regulator. This means over time, there is flexibility for the types of authorised purposes by which an authorised person may access, use and disclose security camera

audio recording data to be expanded. An example of possible additional purposes for booking services providers could include access to security camera data to assist with training and managing complaints.

Even though the Bill provides for streamlined access to security camera data and audio recording data, strict safeguards will be put in place to ensure that security camera and audio recording data are protected from misuse. The Bill empowers the regulator to determine minimum standards in relation to the collection, possession, transmission, disclosure and destruction of security camera and audio recording data. All authorised persons will be required to comply with the minimum standards, except for public sector organisations who are already subject to privacy standards under the *Privacy and Data Protection Act 2014*.

Reforms to the recording, access, use and disclosure of security camera and audio data in commercial passenger vehicles will be supported by the introduction of a ‘two strikes and out’ system to further strengthen enforcement against driver misconduct. Safe Transport Victoria is currently required to cancel the accreditation of drivers that are found guilty of serious offences including sexual offences, terrorism offences and serious motor vehicle offences. The Bill requires Safe Transport Victoria to also cancel a driver’s accreditation if the driver is found guilty of specified offences on two separate occasions within a 10-year period. This means a driver found guilty of two fare overcharging offences under the *Commercial Passenger Vehicle Industry Act 2017* will now face expulsion from the industry. The Bill also provides for other offences to be specified in regulations. This allows other serious offences relating to driver misconduct, such as failing to operate a taximeter as required or refusing an assistance animal, to be subject to the ‘two strikes and out’ system. This Government is sending a strong signal to the industry that fare overcharging and other specified driver misconduct will not be tolerated. However, a second chance will be given to drivers who do the wrong thing to correct their behaviour. Only drivers caught doing the wrong thing on more than one occasion are set to face expulsion from the industry.

Commercial passenger vehicle drivers will also be subject to a strengthened public care objective. The Bill clarifies the scope of the public care objective to ensure that services provided by drivers of commercial passenger vehicles are provided to passengers without discrimination, sexual harassment or other conduct that is inconsistent with community standards of acceptable conduct. The change makes clear that Safe Transport Victoria can take disciplinary action for such unacceptable conduct.

A number of reforms to improve transparency and information available to the regulator, Safety Transport Victoria and the broader community will further make improvement to the commercial passenger vehicle industry:

- The Bill requires drivers and booking service providers to notify Safe Transport Victoria of the booking service provider a driver is associated with and whether a driver is a small booking service provider. Greater transparency around driver association and booking services will enable the regulator to gather more comprehensive information on the structure and composition of the commercial passenger vehicle industry.
- The Bill introduces a new offence for drivers who use signage of a booking service provider if the driver is not associated with that booking service provider. Prohibiting false or misleading signage supports customer choice and will facilitate more accurate complaints and incident reporting.
- The Bill also requires that Safe Transport Victoria publish disciplinary actions taken against industry participants on their public register. This will facilitate transparency, act as a deterrent against non-compliance and mitigate the risk of industry participants continuing to behave contrary to the law.

The Bill also makes minor amendments in relation to driver accreditation paper certificates by repealing outdated offences applicable to persons who fail to sign a paper certificate of driver accreditation issued to them by Safe Transport Victoria.

Facilitating improvements to the public transport ticketing system

Over 450 million trips were made on Victoria’s public transport myki network in the past year, with each of these trips requiring passengers to touch on and touch off at a train station myki barrier gate or myki reader on trams and buses. The myki system is integral to keeping the community moving on Victoria’s vast public transport network.

We know the Victorian community wants a public transport system that can meet their changing needs. Victorians no longer want to have to carry a myki smartcard or digital myki to travel on public transport when they know other methods of payment, such as credit and debit cards, can be used to pay and travel on our trains, trams and buses. Victorians want convenience and flexibility. This Government is listening to what Victorians want.

The Bill will amend the *Transport (Compliance and Miscellaneous) Act 1983* to support the option for passengers to use credit and debit cards in the place of myki cards when travelling on public transport in

Victoria. To enable this change, the Bill will introduce new definitions, and amend existing definitions, relevant to public transport ticketing offences, defences, and evidentiary provisions.

When the legislation commences, passengers will continue to be able to use State-issued products, like myki smartcards, to travel on public transport. However, this legislation will open the way for passengers to have the choice: to use other physical and digital options – such as credit and debit cards – to validate their entitlement to use public transport services. This enhances convenience and improves access to the public transport network for all people that use our public transport system – whether they be Victorians or visitors from interstate and abroad.

The ticketing amendments in the Bill provide flexibility for Victoria's ticketing system to progress, evolve and mature in the future. The legislative amendments provide for powers to make regulations and publish notices on matters related to the new types of entitlement to travel on public transport, as well as concession entitlements for public transport services, ensuring we are able to respond to the continuously changing landscape of ticketing technology. The Bill will also ensure evidentiary provisions apply to the new methods of obtaining or proving an entitlement to use public transport.

Although the ticketing changes are largely technical in nature, they are important changes that will assist in enhancing Victoria's public transport ticketing system, making our vast public transport more convenient and accessible to the community.

Conclusion

This Bill represents the Victorian Government's continued commitment to improving access to our transport network. The important commercial passenger vehicle reforms will enhance consumer confidence in this critical transport sector that is safe and reliable.

Similarly, updating our ticketing legislative framework enables the Government to make important changes to the State's public transport ticketing system for Victorians and visitors alike.

I commend the Bill to the House.

Sam GROTH (Nepean) (10:42): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 29 October.

Labour Hire Legislation Amendment (Licensing) Bill 2025

Statement of compatibility

Danny PEARSON (Essendon – Minister for Economic Growth and Jobs, Minister for Finance) (10:43): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Labour Hire Legislation Amendment (Licensing) Bill 2025:

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 *Labour Hire Legislation Amendment (Licensing) Bill 2025* (the **Bill**).

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

Overview of the Bill

The purposes of this Bill are to amend the *Labour Hire Licensing Act 2018* (**LHL Act**):

- to further provide for:
 - the meaning of labour hire services; and
 - determining if a person is a fit and proper person; and
 - the Labour Hire Authority's (**Authority**) monitoring, investigation and enforcement powers; and
 - information sharing; and
 - the subject matter for regulations; and
- to make minor and consequential amendments.

The Bill also amends the *Workforce Inspectorate Victoria Act 2020* to prohibit persons from causing or threatening to cause detriment to other persons in certain circumstances.

Human rights issues

The following rights are relevant to the Bill:

- right to privacy and reputation (s 13);
- right to freedom of expression (s 15);
- right to property (s 20);
- presumption of innocence (s 25(1)); and
- right to protection against self-incrimination (s 25(2)(k)).

Declaration of financial viability

Clause 8 of the Bill amends section 17 of the LHL Act to, amongst other things, add the requirement that an application for a labour hire licence must include a declaration by the applicant, or if the applicant is a body corporate then an officer of the body corporate, that to the applicant's or the officer's knowledge, the applicant is financially viable.

The Bill imposes a similar requirement to include this declaration with applications for the renewal of licences (see new section 29(1)(da)).

Relatedly, the Bill amends:

- sections 24 and 29 (respectively, grant or refusal to grant a licence and renewal and refusal of application to renew a licence) to provide that the Authority must grant or renew a licence if, amongst other considerations, the Authority is satisfied that the person who made the application is financially viable at the time of deciding the application; and
- section 34 (licence condition relating to information that must be provided annually) to add that it is a condition of a licence that the holder of the licence provide to the Authority a declaration that the holder of the licence is financially viable for each reporting period for the licence (clause 16 of the Bill).

These requirements will be subject to the existing powers of the Authority under section 21 to require an applicant to give further information and under section 47 to conduct inquiries and require a relevant person to provide further information or consent to the disclosure of information in considering an application for a licence, or a variation or renewal of a licence.

Further, the Authority retains the discretion to grant a licence even if a business may not be demonstrated as financially viable where appropriate in all the circumstances (for example, this discretion may be exercised for new market entrants who may not yet have the requisite documents to demonstrate viability).

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.

The right to privacy is relevant to the provisions governing licence applications. The amendments require a licence application to include a declaration of financial viability. While financial information is not required as part of an application, the Authority may request further information on the applicant's financial viability if such information is necessary for, or relevant to, the determination of the application. This may include personal information that would come under the protection of this right. The right to privacy will only be engaged where the provisions affect the privacy of an individual (or an individual's personal information), rather than the information of a corporation.

In my view, these provisions are compatible with the right. The addition of a declaration of financial viability helps to ensure that workers will be paid for their work, strengthens the labour hire licensing system and consequently supports the objects of the LHL Act, namely, protecting workers from being exploited and improving the transparency and integrity of the labour hire industry. A licence applicant (or renewal applicant) is required to provide a declaration that they are financially viable, and may be required to provide evidence in support of their viability if requested by the Authority. This may include financial documents such as profit and loss statements, balance sheets, or bank statements. The Authority is a public authority under the Charter and will be required to exercise its powers to require additional information compatibly with the right to privacy.

Further, applicants who are seeking to participate in a regulated industry have a diminished expectation of privacy. The licensing regime has been in place for a number of years already, it imposes various requirements

on applications and is already subject to the Authority's power to request further information. Consequently, persons who involve themselves in a business providing labour hire services are already aware of the existing requirements of the regime. Relevant persons are likely to have a relatively limited expectation of privacy regarding the information obtained and reviewed by the Authority in assessing applications. Given the aims of the licensing system, I consider the addition of the financial viability declaration and the Authority's ability to request further information in relation to it under the LHL Act, to be lawful and not to be arbitrary in the circumstances. Accordingly, in my opinion, it is compatible with the right to privacy.

Amendment to the fit and proper test and compliance with legal obligations requirement

Clause 10 of the Bill amends section 22 of the LHL Act to strengthen the fit and proper test and introduce mandatory consideration that the Authority must have regard to in determining if a person is fit and proper to hold a licence. Clause 11 of the Bill amends section 23 of the LHL Act to require ongoing compliance with a broader range of laws specified in section 23(1A). These sections are relevant to the grant, renewal, variation, cancellation and suspension of a licence.

The transitional provision in new section 121 (added by clause 29 of the Bill) provides that these amendments (and other amendments made by the Bill) apply in relation to an application for the issue or renewal of a licence irrespective of whether the application is made before, on or after the commencement of the amendments in the Bill. The amendments will commence on a day or days to be proclaimed and if a provision has not come into operation before 1 October 2026, then it comes into operation on that day.

Right to property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

By amending the criteria in sections 22 (fit and proper person test) and 23 (compliance with legal obligations) of the Act, the Bill amends the grounds by which the Authority may exercise its powers of variations, suspensions and cancellations of licences.

This could have the effect of exposing existing licence holders to variation, suspension or cancellation of their licence by way of no longer satisfying the amended eligibility criteria or ongoing obligations for holding a licence.

While the effect of these provisions could lead to a deprivation of property (ie loss of a licence), I consider the provisions to be compatible with the right. The amendments to sections 22 and 23 are formulated precisely and will be publicly available and accessible to licence holders and applicants prior to their commencement. Further, these amendments are not arbitrary (capricious, unpredictable, unjust or unreasonable), in the sense of being disproportionate to the legitimate aim sought. The amendments to the fit and proper test are in part a response to a recommendation by the *Formal Review into Victorian Government Bodies' Engagement with Construction Companies and Construction Unions* and aim to strengthen the licensing scheme and address identified problems in the labour hire sector. Further, the amendments to section 23 to require applicants and licence holders to demonstrate continued compliance with an expanded set of laws are proportionate and legitimate in circumstances where these laws should be being complied with in any event.

Accordingly, I do not consider these amendments to be arbitrary and any deprivation of property (resulting from a cancellation, suspension or variation on the basis of the amended section 22 or section 23) will be 'in accordance with the law'. Applicants are choosing to participate in a regulated industry and have a conditional right to a licence. It will also occur in accordance with the existing provisions of the Act, which provide for procedural fairness (in the form of a show cause notice and opportunity for the holder to give a written response to the proposed variation or cancellation) and the right of review to VCAT.

In conclusion, I do not consider that these amendments limit the right to property.

Publication of information

The LHL Act requires that the Authority keep a register of licensed labour hire providers that records information about licence-holders, licences and decisions of the Authority. The register is publicly available and includes prescribed particulars such as the name and contact details of licence-holders and each nominated officer, and details of any condition to which the licence is subject.

Clause 20 of the Bill amends section 49 to provide that the Authority's power to publish certain information must be 'in, or in connection with, the performance of a function or duty' under the LHL Act and that it can be in any manner the Authority considers appropriate.

In terms of amendments to the information that may be published under this provision, subsection 49(1)(a) is amended by the Bill to provide that in the case of an application for a licence that is withdrawn or a licence

that is cancelled at the request of the licence holder, the name and business name of the applicant or licence holder may be published.

New subsection 49(1)(b) provides that in any case the Authority may publish specified information. New subsection 49(1)(b)(i) provides that the Authority may publish the name and business name of a person against whom ‘the Authority has exercised, or is considering whether to exercise, a power’ under the LHL Act ‘in connection with investigating, monitoring or enforcing compliance’ with the LHL Act or the regulations. Under new subsections 49(1)(b)(ii) the Authority may also publish the particular power being exercised or considered. This includes but is not limited to an investigation commenced by the Authority that is currently on foot, consideration of whether to suspend or cancel a licence, a decision to suspend or cancel a licence, a decision to impose a condition to which a licence is subject, and a proceeding commenced under the LHL Act. Further, new subsection 49(1)(b)(iii) and (iv) provide that the Authority may publish the contravention that the Authority has formed the view has occurred or is occurring, and, in relation to conduct of a person who is not a licence holder, the matters the Authority was satisfied of before exercising that power.

New subsection 49(1)(b)(v) is also added by the Bill. It provides that the Authority may publish any other information about decisions made under Division 4 of Part 3 (grant, duration and renewal of licenses), Division 6 of Part 3 (conditions and notices to comply) or Division 7 of Part 3 (variations, suspensions and cancellations) of the LHL Act.

The amendments to section 49 provide the Authority with the power to publish contextual information about its licensing decisions. Publication of this information is limited in order to avoid the publication of information that may be protected by other legislative regimes relating to information privacy or secrecy (as provided under new subsection 49(2)). Further, the Authority’s exercise of the power to publish the information specified must be in, or in connection with, the performance of a function or duty under the LHL Act.

Right to privacy and reputation

As noted above, s 13(a) of the Charter protects the right to privacy from arbitrary or unlawful interference. Section 13(b) provides that a person has the right not to have their reputation unlawfully attacked. An ‘attack’ on reputation will be lawful if it is permitted by a precise and appropriately circumscribed law.

The publication of information about applicants involves identifying individuals and may negatively affect the reputation of those individuals.

In my opinion, any interference with the right to privacy and reputation resulting from the amendments to section 49 is neither unlawful nor arbitrary. The details of what may be published under amended section 49 are clearly outlined. The Register is already publicly available and in operation pursuant to existing sections 48 and 49. The scope of amended section 49 will be a known condition of any person seeking to be licensed as a labour hire provider after the commencement of this Bill.

Further, the publication of information listed in amended section 49, including contextual information, is appropriate and limited to being in or in connection with, the Authority’s performance of a function or duty under the LHL Act. It will not include information that is otherwise protected by the operation of another Act relating to privacy or secrecy. This provision is precise and is appropriately tailored to ensuring compliance with the licensing scheme and promoting transparency, and accordingly does not constitute an arbitrary interference with privacy or reputation. The publication of this information helps to ensure compliance with the licensing scheme, which in turn protects workers.

Production of documents

Clause 24 of the Bill adds new section 67A to the LHL Act. It provides an inspector with the power to request, by written notice, that a person produce a document or provide information. This power is additional to the existing power in section 67 for inspectors to require holders of licences to produce documents.

An inspector may make a request to a person to produce a document or provide information under new section 67A if they reasonably believe that the person is in possession of the document or the information is known to the person, and the document or information is reasonably required for the purposes of investigating, monitoring or enforcing compliance with the LHL Act or regulations. The written notice must state that a person may refuse to produce the document or provide the information.

If a person refuses to produce a document or provide information requested under this section, an inspector may, by written notice, direct a person to produce the document or provide the information to the inspector in the form and manner specified in the notice, and before the date specified in the notice. Such a notice directed to a natural person must inform them that it is a reasonable excuse for them to refuse or fail to give information if giving the information would tend to incriminate them. A failure to comply with such a notice, without reasonable excuse, is an offence.

Right to privacy and right to freedom of expression

The exercise of this additional power may interfere with the privacy of an individual in some cases; however, in my opinion, any such interference will be lawful and not arbitrary. The purpose of this additional power is to assist inspectors in enforcing compliance with the licensing regime. While this power will apply more broadly than just to licence-holders, it is limited to information or documents reasonably required for the purposes of investigating, monitoring or enforcing compliance with the LHL Act and regulations, and consequently will be limited to information relevant to the provision of labour hire services. Licence-holders and persons with information relevant to the labour hire regime will have a diminished expectation of privacy in the regulatory context, and it is reasonable that they can be required to produce information for compliance purposes.

Further, existing section 89 protects the confidentiality of information provided to inspectors by making it an offence for an inspector to give such information to any other person unless authorised, and existing section 91 preserves the privilege against self-incrimination in relation to the provision of information to inspectors.

The provision may also engage the right to freedom of expression under section 15 of the Charter, which can include a right not to impart information. In my view, this provision furthers appropriate oversight and monitoring of compliance with the licensing regime, and is reasonably necessary to protect labour hire workers. Therefore, to the extent that the freedom of expression is engaged, I consider that this provision falls within section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons.

Right to protection against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

At common law, the High Court has held that the protection accorded to pre-existing documents is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the requirement that verbal answers be provided.

The right in section 25(2)(k) of the Charter is relevant to new section 67A in light of the operation of existing section 91 in respect of new section 67A. Existing section 91 provides that it is a reasonable excuse for a person to refuse or fail to give information or do any other thing that the person is required to do under Part 5, if the giving of the information or the doing of the thing would tend to incriminate the person. Under new section 67A(4) a notice under new section 67A(3) given to a natural person must inform the person that it is a reasonable excuse for the person to refuse or fail to give information if the giving of the information would incriminate the person.

Section 91 does not apply to the production of a document that the person is required to produce under the existing provisions in Part 5. New section 67A will be part of Part 5 of the LHL Act and so section 91 will operate in this way in respect of new section 67A.

Accordingly, section 91 is a limited abrogation of the privilege against self-incrimination. A document required to be produced under a provision in Part 5 may contain evidence that would tend to incriminate the person with respect to certain offences under the LHL Act and, as section 91 does not apply to such documents, such documents will need to be provided under new section 67A. However, section 100 (evidence given in proceedings for pecuniary penalty) will continue to apply in the same way that it applies to the existing provisions in the LHL Act. This means that new section 67A does not alter the position that information produced in a proceeding for a pecuniary penalty order against a person for a contravention of a civil penalty provision, will not be admissible in subsequent criminal proceedings against that person on the basis of the same conduct (except in respect of the falsity of the evidence).

As has been previously discussed in relation to those existing provisions, the purpose of the abrogation in relation to documents is to facilitate compliance with the licencing scheme, and there is significant public interest in ensuring compliance by labour hire providers. There are no less restrictive means available to achieve the purpose of enabling inspectors to have access to relevant documents to facilitate and ensure compliance.

This limitation is related to this purpose, appropriately tailored and is reasonable and justified under section 7(2) of the Charter.

Presumption of innocence

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right in section 25(1) is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Clause 24 of the Bill which adds new section 67A makes it an offence for a person, without reasonable excuse, to refuse or fail to comply with a direction in a notice to produce documents under new subsection 67A(3) that are reasonably requested by an inspector for the purposes of investigating, monitoring or enforcing compliance with the LHL Act and the regulations (see new subsection 67A(5)).

In providing that it is an offence for a person to refuse or fail to comply if they do not have a ‘reasonable excuse’, this exception may be viewed as placing an evidential burden on the person alleged to have refused or failed to comply with a direction in a notice provided under new subsection 67A(3). The Supreme Court has held that evidential onus provisions on an accused to establish an exception does not transfer the legal burden of proof and do not limit the right to the presumption of innocence. Once the accused has pointed to evidence of a reasonable excuse, the burden shifts back to the prosecution who must prove the essential elements of the offence to a legal standard. Further, the exceptions relate to matters which are peculiarly within an accused’s knowledge and would be unduly onerous for a prosecution to disprove at first instance.

Accordingly, I do not consider that an evidential onus to show a reasonable excuse such as this provision limits the right to be presumed innocent.

Public interest disclosure

Clause 28 of the Bill introduces new section 103A into the LHL Act and provides that, despite the secrecy provision in section 103(2) of the LHL Act, the Commissioner may disclose any information acquired under or for the purposes of this Act relating to a labour hire provider or the labour hire industry if the Commissioner is reasonably satisfied that it is in the public interest to disclose the information and the disclosure is to a person employed in a department or agency of a State or Territory or of the Commonwealth, or to the Minister.

Right to privacy and reputation

New section 103A may interfere with the privacy and reputation of an individual in some cases; however, in my opinion, it does not limit these rights as any interference will be lawful and not arbitrary. Disclosure under new section 103A is limited to where the Commissioner is satisfied that it is in the public interest and is limited to only certain particular persons, who in turn are subject to existing information privacy obligations.

Further, this power cannot be delegated by the Commissioner. In my opinion, this provision appropriately balances the right to privacy and reputation with the public interest in ensuring compliance with the licensing regime and the protection of workers.

Hon. Danny Pearson
Minister for Finance

Second reading

Danny PEARSON (Essendon – Minister for Economic Growth and Jobs, Minister for Finance) (10:43): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Formal Review into Victorian Government Bodies’ Engagement with Construction Companies and Construction Unions, led by Mr Greg Wilson (Wilson Review), has further highlighted a rotten culture in the construction sector and the Victorian Government is taking strong action to stamp it out.

That is why I am introducing a Bill to implement the Victorian Government’s response to recommendations 3–6 of the Wilson Review to strengthen Victoria’s labour hire licensing laws. Labour hire was identified as a particularly problematic area in relation to the allegations which led to the Review. Mr Wilson noted in his final report how important it is to ensure that the regulation of labour hire firms is effective and proposed four key areas of legislative change aimed at strengthening the regulatory scheme.

The Bill will also amend the *Workforce Inspectorate Act 2025* (WI Act) to provide protection for people making complaints to the Workforce Inspectorate. A new offence will ensure that persons who make a complaint or provide information to the Workforce Inspectorate as part of its new construction industry

complaints referral function are appropriately protected from reprisal. The establishment of the complaints referral function in the Workforce Inspectorate acquits recommendation 1 of the Wilson Review.

Background

In July 2024, the Victorian Government commissioned the Wilson Review as part of a range of actions responding to allegations of criminal and other unlawful conduct in the construction industry, to examine how Victorian Government bodies interact with construction companies and unions.

Mr Wilson's Final Report was delivered to the Victorian Government on 29 November 2024. The review made eight recommendations about how the powers and processes of Victorian Government bodies can be strengthened to better respond to allegations of criminal and other unlawful behaviour. The recommendations emphasise collective action among employers, agencies and law enforcement to encourage complaints, share information and act on misconduct, as well as highlighting the need for a multifaceted approach involving cultural, regulatory, legal, policy and contractual changes.

The Government released its response to the final report on 18 December 2024, accepting all recommendations either in-full or in-principle.

The Review found that most relevant interventions sit with the Commonwealth under its broad industrial relations and regulation of employee associations powers, but that there are a number of actions Victorian Government agencies can take to enhance oversight and management to deter criminal and unlawful activity.

The measures the Victorian Government is adopting aim to complement Commonwealth reforms and the placement of the Construction Division of the CFMEU into administration, as well as actions already taken by this Government, which include passing anti-bikie laws in 2024 that make it easier to prevent certain individuals from associating with each other.

The Bill will amend the *Labour Hire Licensing Act 2018* (LHL Act) broadly in line with recommendations 3–6 of the Wilson Review as well as introduce other amendments to improve the overall operation of Victoria's labour hire laws.

The Bill in detail

Recommendation 3 proposes that the “fit and proper person” test in the LHL Act be broadened so that additional factors can be considered when assessing the suitability of an applicant for a labour hire licence.

The Bill amends the LHL Act to delete the current mandatory prescriptive considerations and replaces them with new provisions similar to Queensland's mix of mandatory and discretionary considerations. The amendments incorporate the Wilson recommendation considerations that are not otherwise covered by the Queensland test and retain some elements of the current Victorian test.

The proposed amendments are broader than those in recommendation 3. This will provide the Labour Hire Authority (LHA) with greater flexibility to respond to practices by labour hire providers that may be unlawful, criminal, coercive and/or systemic at the licensing decision stage. Further, providing the LHA with a general discretion to have regard to any other matter it considers relevant in considering whether an applicant is fit and proper is an additional protective factor in response to the harms observed in the industry.

Recommendation 4 proposes amending the *Labour Hire Licensing Regulations 2018* (LHL Regulations) to define certain activities connected to construction to be explicitly regulated under Victoria's labour hire licensing scheme. The recommendation aims to provide clarity about which construction activities are covered by the scheme to prevent businesses from structuring themselves to avoid regulatory oversight.

This recommendation was supported in principle to ensure it could be acquitted without risking some forms of labour supply or construction activities falling outside of the regulations or conversely covering businesses that are not intended to be covered. This Bill broadly implements the intent of recommendation 4 with specific amendments to the general definition of ‘provides labour hire services’ in the LHL Act. Further amendments to the LHL Regulations in line with recommendation 4 will be prepared following the preparation of the requisite regulatory impact statement.

The Bill amends the general definition of ‘provides labour hire services’ to state that a person will be a provider where they enter into an arrangement with another person, the character of which is the supply of labour by the provider to another person (either directly or indirectly); and the labour is performed by individuals who are workers for the provider, or another provider, within the meaning of the Act.

The amended definition addresses identified issues and ambiguity about who is a labour hire provider under the current definition and, therefore, subject to regulation under the LHL Act as well as the practice of businesses deliberately structuring themselves to avoid regulation. It focuses on the character of the arrangement itself (being the supply of labour) rather than the business structure or requirement for workers to be integrated into a host business. Whether the character of an arrangement is for the supply of labour will be assessed on the basis of the real substance, practical reality and true nature of the arrangement. The

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amended definition focuses on what the arrangement is in practice, irrespective of how the business may describe itself, and makes clear that arrangements involving supply chains and intermediary businesses may be covered where they have the character of labour supply.

The amended definition is not intended to cover genuine sub-contracting arrangements.

Recommendation 5 proposes providing the LHA with a power to request that a person provide information or documents that an inspector has a reasonable belief are necessary for monitoring or enforcing compliance with the Act (broadly referred to as a ‘notice to produce’ or NTP power). Currently this power is broadly linked to an entry power which first must be exercised before making the request for documents.

This recommendation is implemented by the proposed amendments in the Bill. They specify that the request should give the recipient the option to consent to providing the document or information at first instance (which preserves their right of refusal in line with the Wilson recommendation) and also includes protection against self-incrimination for individuals. The LHA can serve a notice to produce any documents that are not provided by consent. It is an offence to fail to comply with ‘notice to produce’ without a reasonable excuse.

Recommendation 6 proposes that the LHA be provided with expanded publication powers. It recommends that the LHL Act be amended to empower the LHA to publish additional contextual information about suspensions and cancellations of licences on the Register of Licensed Labour Hire Providers (Register).

This recommendation is being implemented by permitting the LHA to publish certain information in, or in connection with, the performance of a function or duty under the Act. This could include specified information about investigations on foot or proceedings commenced. The Bill also includes a broader power for the LHA to publish any information about decisions made under Part 3, Divisions 4, 6 or 7 of the Act and specified information connected to the exercise of certain powers. The amendments go further than the Wilson recommendation, in that they will permit the publication of information about a broader range of licensing decisions in any manner considered appropriate by the LHA. In doing so, the amendments will better equip the LHA to perform its functions under the LHL Act to promote compliance, and disseminate information about the duties, rights and obligations of persons under the LHL Act.

The Bill makes other amendments to the LHL Act which complement the changes arising out of the Wilson recommendations and strengthen the overall labour hire regulatory scheme. These include amendments to the hinder or obstruct offence to cover all LHA staff and the Commissioner; expanding the list of laws that licence applicants and holders must comply with; requiring licence applicants and holders to demonstrate that the labour hire business is financially viable; and providing the Commissioner with a power to disclose information to government departments or agencies, as well as the Minister, where the Commissioner is reasonably satisfied that the disclosure is in the public interest.

The Bill ensures that persons who make a complaint or provide information to the Workforce Inspectorate as part of their new complaints referral function will be protected from reprisal through the inclusion of a criminal offence in the WI Act. The offence prohibits detrimental conduct being taken (or threatened) against a person who makes a complaint or provides information about public construction to the Inspectorate (broadly referred to as the ‘detiment offence’). The detriment offence will have a significant maximum penalty of 1200 penalty units or level 5 imprisonment (10 years maximum) or both. The culture of coercion and intimidation which led to the Wilson Review has to stop and the maximum penalty for the detriment offence reflects the seriousness with which government views this conduct. The offence will be enforced by Victoria Police, reflecting the serious nature of the conduct.

Commencement date

The Bill will come into operation on proclamation or on default commencement. The commencement of the detriment offence in Part 3 of the Bill will align with the commencement of the complaints referral function provisions in the *Workforce Inspectorate Act 2025*.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (10:43): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 29 October.

State Taxation Further Amendment Bill 2025

Statement of compatibility

Danny PEARSON (Essendon – Minister for Economic Growth and Jobs, Minister for Finance) (10:45): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the State Taxation Further Amendment Bill 2025:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (**Charter**), I make this Statement of Compatibility with respect to the State Taxation Further Amendment Bill 2025.

In my opinion, the State Taxation Further Amendment Bill 2025 (**Bill**), as introduced to the Legislative Assembly, is compatible with the human rights as set out in the Charter. I base my opinion on the reasons outlined in this Statement.

Overview

The Bill makes a number of amendments to the *Building Act 1993* (**Building Act**), *Commercial and Industrial Property Tax Reform Act 2024* (**CIPT Act**), the *Congestion Levy Act 2005* (**CGL Act**), the *Domestic Animals Act 1994*, the *Duties Act 2000* (**Duties Act**), the *First Home Owner Grant and Home Buyer Schemes Act 2000*, the *Land Tax Act 2005* (**Land Tax Act**), the *Limitation of Actions Act 1958* (**LA Act**) and the *Taxation Administration Act 1997* (**TA Act**). The Bill also repeals the *Taxation (Interest on Overpayments) Act 1986* and makes consequential amendments to the *Planning and Environment Act 1987* and the *Development Victoria Act 2003*.

Many provisions of the Bill do not engage the human rights listed in the Charter because they merely clarify the operation of the law, do not affect natural persons, or they operate beneficially in relation to natural persons.

Human rights issues

The rights under the Charter that are relevant to the Bill are the right to property, the right to privacy, the right to recognition and equality before the law and the right to protection from retrospective criminal laws.

Right to property: section 20

Section 20 of the Charter provides that a person must not be deprived of his or her property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than arbitrary or unclear, are accessible to the public, and are formulated precisely.

The right to property under section 20 of the Charter will be limited when all three of the following criteria are met:

- the interest interfered with must be ‘property’
- the interference must amount to a ‘deprivation’ of property, and
- the deprivation must not be other than ‘in accordance with law’.

In *PJB v Melbourne Health* (Patrick’s Case) ([2011] VSC 327 at [87]), Bell J observed that in the Charter, ‘neither “property” nor “deprived” is defined. On first principles, these terms would be interpreted liberally and beneficially to encompass economic interests and deprivation in a broad sense. “In accordance with law” has a particular meaning in this context.’ Money paid as State taxes is deemed to be property under its ordinary definition.

Building Act amendments

The purpose of the clauses in Part 10 of the Bill is to amend the Building Act so as to:

1. clarify the how the cost of the building work is to be calculated for purposes including the imposition and collection of the building permit levy under Part 12 of the Building Act; and
2. retrospectively validate all past estimates of the cost of building work, the calculation, imposition and collection of building permit levies in the past and all past actions, matters and things taken, arising or done based on those estimates, calculations, impositions and collections of the building permit levy.

The clauses in Part 10 of the Bill have been included as part of a response to the decision made in *May21 Pty Ltd v Building Appeals Board* [2023] VSC 203, which was affirmed by the Court of Appeal in *Victorian Building Authority v May21 Pty Ltd* [2024] VSCA 150 (the **May21 Decision**). The May21 Decision concerned Subdivision 4 of Division 2 of Part 12 of the Building Act which provides for a scheme by which a building permit levy must be calculated and paid before a building permit can be issued. Specifically, the

matter considered the basis on which the cost of building work should be estimated by a relevant building surveyor, which has implications for the calculation of the building permit levy by the Victorian Building Authority (**VBA**) under sections 205I and 205G of the Building Act.

As a result of the May21 Decision, it became clear that the provisions in Division 2 of Part 12 of the Building Act could be improved to ensure that all relevant building surveyors calculate the cost of the building work in a consistent manner. The clauses in Part 10 of the Bill amend various provisions in Division 2 of Part 12 of the Building Act to give effect to this intent.

To the extent the May21 Decision raised doubt about the validity of past estimations of the cost of building work made by relevant building surveyors, or past calculations of the amount of building permit levy payable made based on those estimates, Part 10 of the Bill provides for the retrospective validation of all past estimates of the cost of building work and all past calculations, impositions and collections of the building permit levy. The validation provisions affect all calculations, impositions and collections up to the day on which new section 260A of the Building Act comes into operation.

Part 10 of the Bill inserts new section 260A in the Building Act. This provision retrospectively validates:

- previous estimates of the cost of building work calculated by the relevant building surveyor under the Building Act (section 260A(1)(a));
- previous calculations made under the Building Act of an amount of building permit levy (sections 260A(1)(b), (c) and (d));
- amounts of the building permit levy, and amounts of any penalty levies, previously imposed under the Building Act (sections 260A(1)(e), (f) and (g));
- previous collections, receipts of and recoveries of the building permit levy and any penalty levies (sections 260A(1)(h) and (i));
- previous reassessments made under the Building Act of an amount of the building permit levy (sections 260A(1)(j), (k) and (l));
- previous actions, matters or things taken, arising or done as a result or consequence of, or in reliance upon, an estimate, calculation, imposition, collection, receipt or recovery referred to in section 260A(1) (section 260A(2)).

New section 260A(3) expressly provides that section 260A does not affect a proceeding relating to an estimate, calculation, imposition, collection, receipt or recovery where the proceeding is commenced but not finally determined before the day on which the motion for the second reading of the Bill for the State Taxation Acts Further Amendment Act 2025 is moved in the Legislative Assembly.

The right to bring a claim constitutes property

While the Victorian courts have not determined whether the right to bring a claim against the State constitutes ‘property’ for the purposes of section 20 of the Charter, the Supreme Court has indicated that the term should be ‘interpreted liberally and beneficially to encompass economic interests’. As such, any accrued right to bring an action for the refund of part of a levy which may have been invalidly imposed by the State may be argued to constitute a property right for the purposes of section 20 of the Charter.

Deprivation of property

Further, the Supreme Court has noted that the term ‘deprivation’ should be construed in a similarly broad sense. New section 260A has the effect of altering any accrued rights to bring an action. Removing the grounds on which a claim could be brought could arguably constitute a deprivation of property under section 20 of the Charter.

The deprivation of property is ‘in accordance with law’

However, any deprivation of property is ‘in accordance with the law’ where the law providing for the legal authorisation for the deprivation is ‘publicly accessible, clear and certain’. New section 260A meets these requirements. Further, the retrospective application of these provisions will not, in of itself, contravene the lawfulness requirement.

Existing case law (*PJB v Melbourne Health* (2011) 39 VR 373) also requires that it be shown that the Bill does not operate arbitrarily. In the context of discussing the meaning of ‘arbitrary’ in section 13(a) of the Charter, the Court of Appeal said that a law is arbitrary where it is capricious, unjust, unpredictable or unreasonable in the sense of not being proportionate to a legitimate purpose in (*WMB v Chief Commissioner of Police* (2012) 43 VR 446). In my view, the new section 260A of the Building Act is proportionate to the legitimate purpose of the retrospective validation of the estimations, calculations, impositions, actions, matters or things referred to in new section 260A(1) and (2) for the following reasons.

There is a significant public interest in limiting the exposure of the VBA to claims for recovery of part of a levy on the basis of invalid levy calculation. The VBA is reliant on the building permit levy as a significant source of its revenue for the delivery of its regulatory work which includes providing assistance and protection to consumers through its dispute resolution functions and, regulation of the behaviour of industry participants. Drawing a line under all previous estimates of the cost of building work will ensure that the money collected via the building permit levy can continue to be put towards the regulatory work of the VBA rather than toward defending cases about how the cost of building work was estimated by relevant building surveyors.

There would also be significant resource and feasibility implications were the VBA to be required to review all previous instances where the building permit levy has been paid to determine whether the cost of the building work was accurately estimated by the relevant building surveyor. This is because the VBA, when calculating the building permit levy (under section 205I of the Building Act) relies on the accuracy of the estimates of the cost of building work produced to it by the relevant building surveyor. The VBA does not engage or control relevant building surveyors and it does not test the estimates produced by them. Therefore, the VBA has not collected data concerning how these estimates have been calculated in each instance where a building permit levy has been charged. For this reason, it is not possible for the VBA to ascertain whether the estimates of the cost of building work relied on by the VBA when calculating the building permit levy may have been affected by error.

The nature and extent of any limitation on rights is estimated to be low. The number of persons whose rights would be practically affected by the validation provision is likely to be relatively small. Importantly, the provision will not affect the rights of any person who has proceedings on foot at the time when the Bill is moved in the Legislative Assembly (section 260A(3)). Further, noting that the May21 Decision was made by the Supreme Court in 2023, there has been a period of more than two years in which a person who believed that the calculation of their building permit levy was affected by an inaccurate estimate of the cost of the building work, may have commenced proceedings. Accordingly, I do not consider it likely that there will be a significant number of persons who, having not so far chosen to exercise their right to commence proceedings, would, but for new section 260A of the Building Act, subsequently commence proceedings. Moreover, the LA Act imposes a 12-month limit for persons to commence proceedings to recover monies paid that constitute a tax or an amount attributable to tax for the purposes of section 20B of that Act.

On this basis, I do not consider that new section 260A of the Building Act will operate arbitrarily. Any deprivation of property under this provision is therefore ‘in accordance with law’ and does not limit the right to property in section 20 of the Charter.

CGL Act amendments

Clause 10 of the Bill amends the CGL Act to increase the congestion levy rate for category 1 and category 2 levy areas. Clauses 9, 16 and 17 of the Bill amend the CGL Act to expand the current category 2 levy area. These amendments may engage the right to property as car parks owned by natural persons may be subject to increased congestion levy rates or become liable for congestion levy when they were not previously.

However, to the extent that a natural person’s property rights is affected by these amendments, any limit is in accordance with the law, which is clearly articulated, not arbitrary, and sufficiently precise to enable affected natural person levy payers to inform themselves of their legal obligations and to regulate their conduct accordingly.

Duties Act and Land Tax Act amendments: New Zealand citizens

Part 4 of the Bill amends the Duties Act to introduce a requirement that New Zealand citizens must ordinarily reside in Australia after a relevant transfer of property in order to be exempt from the Foreign Purchaser Additional Duty (**FPAD**). Clause 31 of the Bill amends the meaning of **natural person absentee** in the Land Tax Act with the effect that New Zealand citizens who are merely present in Australia on 31 December but are not ordinarily resident in the year preceding the tax year will become liable for Absentee Owner Surcharge (**AOS**). These amendments may engage the right to property as New Zealand citizens that were previously not liable for the FPAD or AOS, may now be liable if they do not meet the amended residence conditions.

However, to the extent that a natural person’s property rights is affected by these amendments, any limit is in accordance with the law, which is clearly articulated, not arbitrary, and sufficiently precise to enable affected natural person taxpayers to inform themselves of their legal obligations and to regulate their conduct accordingly.

LA Act amendments

Clauses 43 and 44 of the Bill amend the LA Act to clarify that section 27 of the LA Act, which allows for a postponement of limitation periods in case of fraud or mistake, does not apply to the limitation period provided for in section 20A(2) of the LA Act.

The purpose of the amendment is to remove any uncertainty about the operation of the limitation periods contained in section 20A(2) and section 27 of the LA Act, and to unequivocally clarify that section 27 does not affect proceedings to which section 20A(2) applies. In so doing, this confirms the original and current intention of section 20A(2).

Section 27 is an original provision of the LA Act. Its purpose is to postpone the commencement of time of limitation periods in cases of fraud and mistake until such time as the plaintiff had discovered the fraud or mistake, or could, with reasonable diligence have discovered it. Section 20A was subsequently inserted into the LA Act by the Limitation of Actions (Recovery of Imposts) Bill 1961 following contemporaneous challenges to the validity of certain government charges and following a decision of the High Court that a New South Wales (NSW) plaintiff was entitled to the recovery of payments made to the NSW government over a period of approximately 17 months.¹

At the time, parliament was informed that the insertion of section 20A addressed a risk that a successful challenge to the validity of a government tax or other impost could affect the ability of the State to 'meet the claims upon it and at the same time carry on the ordinary financial administration of the State.' Inserting section 20A into the LA Act addressed this concern and established that 'actions for the recovery of moneys paid as taxes or other imposts should be limited to the recovery of sums paid within twelve months before the commencement of the action.' If section 27 was intended to apply to section 20A at the time it was inserted into the LA Act, then section 20A would have no work to do.

In consideration of the history of section 27 of the LA Act and the intended operation of section 20A, it is my view that the proposed amendment to section 27 of the LA Act does not limit the right to property as the amendment does nothing more than confirm the existing operation of the law as parliament intended it to operate upon commencement of section 20A.

Notwithstanding the above, to the extent it may be considered that the amendment to section 27 of the LA Act does limit the right to property, the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily and is sufficiently clear and certain to be considered 'in accordance with the law'.

Both section 20A and section 27 of the LA Act operate as a bar to remedy, by establishing the time period after which a plaintiff is not entitled to the recovery of past money paid – in effect this deprives the prospect of recovery of past payments made.

The right to property protects the right of all persons to own property (alone or with others) and provides that people have a right to not be arbitrarily deprived of their property. Whether property is deprived arbitrarily will depend on whether the property is removed in a way that is capricious, unjust or unreasonable in the sense of being disproportionate to a legitimate aim sought. The amendment of section 27 does not prohibit a plaintiff from seeking to recover money paid by way of tax or purported tax or by way of an amount that is attributable to tax if the plaintiff so chooses to challenge the validity of that tax or purported tax. It does however put beyond doubt that the limitation period for doing so is 12 months from the date of payment.

The balance between the importance of the purpose of the Bill must be considered against the importance of preserving the human rights, taking into account the nature and extent of the limitation. The purpose of the amendment of the LA Act is to provide certainty to the community and to the Victorian Government as to the applicable limitation period that would apply to permit a challenge to the validity of a government tax. In so doing, this ensures there is a level of certainty in the ability of Government to allocate public revenue to support effective economic management, the development and maintenance of public infrastructure and services for the community in a predictable fashion. The countervailing outcome is that this amendment confirms the limit of time in which an individual may be entitled to recover past payments for an invalid tax. In consideration of the broad public benefit of ensuring certainty to Government expenditure, I consider this limitation to be proportionate, reasonable and justifiable.

It is my opinion that there are no less restrictive and reasonably available ways to achieve the purpose of clarifying beyond doubt the intended operation of the LA Act. It is reasonable and justifiable for there to be time limits on the recovery of past payments of taxes to ensure the orderly and predictable functioning of Government and the delivery of services and infrastructure projects that are funded by those payments. If no such time limit existed, this could result in the arbitrary deprivation of property. If such time limits were too long, this could restrain the funding of such projects due to potential funding uncertainty. A limitation period of 12 months ensures prospective plaintiffs have ample time to bring a proceeding should they so choose, while also avoiding the uncertainty that an indefinite limitation period provides.

In my opinion, the potential impact of clarifying beyond doubt the operation of section 27, with respect to section 20A(2) on an individual's property rights is outweighed by the benefits to the State and its citizens in that it protects the ability to allocate capital to services and infrastructure projects of broad public benefit. In

reaching this view, it is significant that taxes are recovered for this purpose and that this purpose is consistent with a free and democratic society based on human dignity, equality and freedom.

Right to privacy: section 13

Section 13(a) of the Charter provides that every person has the right to enjoy their private life, free from interference. This right applies to the collection of personal information by public authorities. An unlawful or arbitrary interference to an individual's privacy will limit this right.

CGL Act amendments

Clauses 14 and 15 of the Bill requires owners of private and public car parks within the expanded category 2 levy area to register with the Commissioner of State Revenue (**Commissioner**) for the congestion levy.

To the extent that the collection of any personal information from a natural person in relation to these car park registrations may result in interference with a natural person's privacy, any such interference will be lawful and not arbitrary as these provisions do not require that a person's personal information be published. Further, these provisions only require the provision of information necessary to achieve the purpose of determining a person's liability to congestion levy which is exclusively in the levy payer's possession. Therefore, there are no other reasonable means available to achieve this purpose.

Duties Act and Land Tax Act amendments: New Zealand citizens

Clause 20 of the Bill amends the Duties Act to impose notification requirements on New Zealand citizens upon becoming aware of certain circumstances that affect their liability to FPAD. Additionally, clause 31 of the Bill amends the Land Tax Act definition of **natural person absentee** in relation to New Zealand citizens such that individuals who are not currently subject to notification obligations under the Land Tax Act may be required to lodge an absentee owner notification with the Commissioner.

To the extent that the collection of any personal information from a natural person in relation to these notification requirements may result in interference with a natural person's privacy, any such interference will be lawful and not arbitrary as these provisions do not require that a person's personal information be published. Further, these provisions only require the provision of information necessary to achieve the purpose of determining a person's liability to FPAD and AOS which is in the taxpayer's possession. There are no other reasonable means available to achieve this purpose.

TA Act amendments

Clause 45 of the Bill amends the TA Act to include the Valuer-General Victoria (**VGV**) as an authorised recipient of information obtained under or in relation to the administration of a taxation law. The types of information that may be disclosed include, but are not limited to, information regarding land ownership and land use. These amendments are necessary to improve the quality of data held by the VGV and the State Revenue Office (**SRO**), help achieve efficiencies in the way the SRO receives data from the VGV and support the SRO's administration of taxation and levies.

Permitted disclosures are subject to considerable legislative safeguards. In particular, section 94 of the TA Act prohibits 'secondary disclosure', that is, on-disclosure of any information provided by a tax officer under section 92, unless it is for the purpose of enforcing a law or protecting public revenue and the Commissioner has consented, or a disclosure made with the consent of the person to whom the information relates (or at the request of a person acting on behalf of that person). Further, section 95 provides that an authorised officer is not required to disclose or produce in court any such information unless it is necessary for the purposes of the administration of a taxation law, or to enable a person to exercise a function imposed on the person by law.

Accordingly, to the extent that these provisions could interfere with a person's privacy, any interference would not constitute an unlawful or arbitrary interference.

Right to recognition and equality before the law: section 8

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, under section 6 of the *Equal Opportunity Act 2010*, includes discrimination on the basis of a person's nationality.

Duties Act and Land Tax Act amendments: New Zealand citizens

Part 4 of the Bill amends the Duties Act to impose FPAD on New Zealand citizens who do not satisfy a residence requirement in relation to certain transfers of property and to notify the Commissioner of circumstances affecting their liability to FPAD. Additionally clause 31 amends the definition of **natural person absentee** in the Land Tax Act to include certain New Zealand citizens making them liable to AOS and subject to absentee owner notification requirements.

The Charter implications of the original AOS and FPAD provisions were addressed in the Statement of Compatibility accompanying the State Taxation Acts Amendment Bill 2015. Given that FPAD and AOS

differentiate between taxpayers' liability on the basis of a person's citizenship, Part 4 and clause 31 of this Bill may limit a natural person's right to equal protection of the law without discrimination.

However, any limitation on those rights would be reasonable and justified in accordance with section 7(2) of the Charter because the amendments are required to ensure that New Zealand citizens who are not ordinarily resident in Australia are subject to FPAD and AOS consistent with other foreign purchasers of property and absentee owners of land. The amendments are consequently necessary to achieve the underlying purpose of collecting surcharge rates of land tax from absentee owners of land, which is to improve housing affordability for Victorians and to fund vital infrastructure by increasing the cost of holding land for foreign persons in the Victorian residential housing market. Differential treatment of foreign natural persons is necessary to achieve this purpose. The Bill ensures that this purpose can be achieved and further ensures citizens of all foreign countries are placed in the same position under Victorian law, limiting the extent of any discrimination between citizens of different foreign countries. There are no less restrictive means reasonably available to achieve these purposes.

Right to a fair hearing: section 24

Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have that proceeding decided by a 'competent, independent and impartial court or tribunal after a fair and public hearing'. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided.

This Bill removes the basis for any legal claims for a monetary refund or compensation in specified circumstances. It affects the substance of relevant civil claims by removing the underlying cause of action, meaning there remains no civil right over which a court may exercise jurisdiction.

It is well recognised that judicial determination of a person's civil rights and liabilities is a crucial element of the fair hearing right. This right will be engaged where a person is prevented from having their civil rights or liabilities in a proceeding considered by a court. However, this right does not prevent the State from amending the substantive law to alter the content of those civil rights.

As such, I consider that the Bill does not engage or limit the right to a fair hearing in section 24 of the Charter.

Retrospectivity: section 27

Section 27 of the Charter is concerned with the retrospective operation of criminal laws. It provides that a person has the right not to be prosecuted or punished for things that were not criminal offences at the time they were committed.

CIPT Act and Duties Act amendments

Part 2 of the Bill amends the CIPT Act and Division 3 of Part 4 of the Bill amends the Duties Act to make minor clarifications to those Acts which take effect from 1 July 2024. These provisions do not amend any criminal laws and therefore section 27 of the Charter is not engaged. In any event the amendments are necessary to ensure that only certain transactions enter the commercial and industrial property reform scheme under the CIPT Act, and attract appropriate exemptions under the Duties Act on a subsequent transfer, as has always been intended.

Conclusion

For these reasons, in my opinion, the provisions of the Bill are compatible with the rights contained in sections 8, 13, 20, 24 and 27 of the Charter.

Hon. Danny Pearson
Minister for Finance

¹ For example *Mason v New South Wales* [1959] HCA 5 – 102 CLR 108, and *Dennis Hotels Pty Ltd v Victoria* [1960] HCA 10.

Second reading

Danny PEARSON (Essendon – Minister for Economic Growth and Jobs, Minister for Finance)
(10:45): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

The Bill amends several taxation-related laws to enhance the integrity and sustainability of the tax system. The Bill also delivers reforms to the congestion levy to reduce traffic congestion in central Melbourne and surrounding suburbs, as announced in the 2024–25 Budget Update.

Vacant residential land tax

The Bill amends the *Land Tax Act 2005* (Land Tax Act) to exclude residential land in Dinner Plain village from vacant residential land tax (VRLT). This change recognises that accommodation in this area is likely to be vacant for more than 6 months of the year but is unsuitable for long-term residential use. Alpine resort areas have been excluded from VRLT since the tax expanded statewide from 1 January 2025. Dinner Plain is the only Victorian village located at a similar altitude to Victoria's alpine resorts and has a similar climate, local economy and level of amenities. However, as Dinner Plain properties are predominantly under freehold ownership, VRLT applies to vacant properties in this area. This amendment applies retrospectively from 1 January 2025 when VRLT expanded statewide. The SRO will identify and contact exempt Dinner Plain owners who paid VRLT to arrange refunds.

The Bill changes the VRLT notification date from 15 January to 15 February each calendar year. Currently, owners must notify the SRO in writing if residential land they own was vacant in the previous year, and apply for certain VRLT exemptions, before 15 January. Moving the deadline to 15 February will provide more time for taxation obligations to be met by taxpayers and their legal or tax representatives. This amendment will commence from the day after Royal Assent for the 2026 land tax year.

The Bill introduces a VRLT exemption for land with a residence under construction or renovation, or an uninhabitable residence, at any time during the year prior to the tax year. This ensures that VRLT is not imposed on a residence that was unavailable for occupation for a significant part of the year. This exemption will operate in addition to an existing exemption for construction or renovation being undertaken for a longer period on land. The new exemption does not impose a minimum period of construction or renovation to simplify administration and maintain consistency with similar exemptions. The amendment will take effect from the day after Royal Assent for the 2026 land tax year.

Land tax exemption for low-value land with non-permanent shelter

The Bill amends the *Land Tax Act 2005* (Land Tax Act) to introduce an exemption from land tax for land valued less than \$300,000 containing a non-permanent shelter used as the owner's residence. While a principal place of residence (PPR) is normally exempt from land tax, the PPR exemption requires a residential building to be affixed to the land that is lawful to use as a place of residence. Therefore, land with a non-permanent shelter such as a caravan or tent does not qualify for a PPR exemption. This has a disproportionate impact on those who may not have the means to build a home on their property. The new exemption will have similar requirements to the PPR exemption. In addition, the land's site value must be less than \$300,000, the owner must own no other land, and the land must have a non-permanent residence being used by the owner or a vested beneficiary of a fixed trust. However, partially built homes or non-residential properties will not be able to receive an exemption. Residential use requirements will align with the existing PPR exemption requiring the land to be used as a PPR since 1 July in the previous year, with some narrow exceptions. The amendment will take effect from the day after Royal Assent for the 2026 land tax year.

Application of certain tax measures to New Zealand citizens

The Bill amends the *Duties Act 2000* (Duties Act) and Land Tax Act to clarify how foreign purchaser additional duty (FPAD) and the absentee owner surcharge (AOS) apply to citizens of New Zealand. FPAD and AOS target foreign and absentee owners who do not reside in Australia permanently, and therefore they do not apply to permanent residents of Australia or holders of special category visas. Special category visas are exclusive to New Zealand citizens and enable the visa holder to live in Australia indefinitely. Unlike other visas, a special category visa ceases when the New Zealand citizen leaves Australia but a new special category visa can be granted on each re-entry. This creates anomalies in the application of FPAD or AOS. For example, New Zealand citizens who ordinarily reside in Australia can be liable for FPAD or AOS if they are outside Australia on the relevant liability date. Also, New Zealand citizens who ordinarily reside overseas can avoid FPAD or AOS by travelling to Australia briefly so that they hold a special category visa on the liability date. To address these issues, the amendments broadly align the status of New Zealand citizens with other foreign citizens. To be excluded from FPAD, a New Zealand citizen will need to satisfy a requirement to ordinarily reside in Australia for a continuous period of at least 6 months in a period commencing 12 months before the date of the dutiable transaction or relevant acquisition and ending 12 months after that date. To be excluded from AOS, a New Zealand citizen will need to be ordinarily residing in Australia and not be absent from Australia on 31 December in the year immediately preceding the tax year, or for a total period of at least 6

months in the year immediately preceding the tax year. This amendment will commence from the day after Royal Assent.

The Bill also amends the *First Home Owner Grant and Home Buyer Schemes Act 2000* (FHOGHBS Act) to remove the requirement for citizens of New Zealand to hold a special category visa to be eligible for the First Home Owner Grant (FHOG). As with FPAD and AOS the operation of special category visas can make NZ citizens ineligible for the FHOG if they are outside Australia at the time their eligible transaction is completed. For the build of a new home, the completion date is when the occupancy permit is granted. To confirm a New Zealand citizen's residency in Australia, they will still be required to meet the existing 12-month residence requirement that applies to all FHOG applicants. This amendment will commence from the day after Royal Assent.

Other duties-related amendments

The Bill amends the *Commercial and Industrial Property Tax Reform Act 2024* and Duties Act to provide that for direct transfers of land to enter the commercial and industrial property tax (CIPT) reform, duty must be payable on 50% or more of the dutiable value of the property. The broad intention of the CIPT reform scheme is for commercial or industrial land to enter the CIPT reform on a transaction of land, or an interest of 50% or more in land, where full duty is paid on the interest acquired. One of the existing requirements for an entry transaction is that it not be eligible for a *Duties Act 2000* exemption. However, there are some scenarios where duty is reduced other than by an exemption – for example, if dutiable value is reduced through a partition of land, or where duty is only payable on the value of property in excess of the entitlement of a beneficiary of a unit trust or a deceased estate. These transactions can trigger entry into the CIPT reform even though nil or nominal duty is payable. The Bill amends the entry test to require duty to be payable on 50% or more of the dutiable value. This aligns best with the policy intent of the CIPT reform and is consistent with the existing landholder acquisition entry test. The amendment will apply retrospectively to transactions from 1 July 2024 when the CIPT reform commenced.

The Bill amends the Duties Act to introduce an exemption for transfers of bare legal title between a trustee and custodian, such as the appointment or change of a custodian, a transfer back to the trustee or appointment of a sub-custodian or nominee. Custodian transfers are intended to be exempt from duty since they represent administrative restructures rather than changes to the underlying beneficial ownership of dutiable property. The SRO currently exempts custodian transfers as changes of trustee but introducing a dedicated exemption will ensure the benefit is more tailored to custodian arrangements, giving greater certainty to taxpayers. The amendment will commence from the day after Royal Assent.

Amendments to tax processes

The Bill amends the FHOGHBS Act to deem a document sent electronically by the Commissioner of State Revenue (Commissioner) to be served when the communication is received. The amendment aligns the electronic service rules for the FHOGHBS Act with the *Taxation Administration Act 1997* (TAA) to ensure consistency. The measure is intended to avoid the discrepancy that can currently result when documents are served on a person under both Acts at the same time. This discrepancy can result in different timeframes for objections and appeals in relation to different aspects of a particular electronic communication. The amendment will take effect from the day after Royal Assent.

The Bill amends the Land Tax Act to raise the threshold for the Land Tax Hardship Relief Board (Board) to consider applications from \$1,000 to \$5,000 and remove the requirement for the Treasurer to approve the Commissioner's grants of relief. The Land Tax Act gives the Commissioner discretion to grant hardship relief to landowners for assessments of \$1,000 or less in a single year. The Board must consider all hardship relief applications for amounts over \$1,000. Raising the threshold to \$5,000, and removing the requirement for the Treasurer to approve the Commissioner's waivers of land tax, will enable the Commissioner to consider a greater range of hardship applications, helping to reduce turnaround time for vulnerable taxpayers. This amendment will commence from the day after Royal Assent.

The Bill amends the TAA authorising the SRO to share tax-related information with the Valuer-General Victoria (VGV). This amendment will facilitate the administration of Victorian tax and revenue laws and protect public revenue. Any information sharing with the VGV will be conducted under the strict protections and safeguards provided by the TAA's secrecy provisions. Importantly, the information shared is at the discretion of the Commissioner. The amendment is not intended to lead to the VGV gaining full access to taxation data, only the information required to facilitate the administration of revenue laws. In this way, the amendment preserves the independence of the VGV and the SRO in undertaking their respective legislative functions. This amendment will commence from the day after Royal Assent.

The Bill repeals the *Taxation (Interest on Overpayments) Act 1986*, which contains provisions requiring the Commissioner to pay interest on refunds to taxpayers following a successful objection or appeal. These provisions have been codified as part of the TAA. The *Taxation (Interest on Overpayments) Act 1986* no

longer has any application because all historical objections, appeals and refunds have been finalised. The amendment will take effect from the day after Royal Assent.

Other amendments

The Bill also contains amendments related to tax and revenue raised under other Victorian legislation.

Building Act

The Bill also amends the *Building Act 1993* (Building Act) to ensure that the method of calculating the building permit levy is clear and fit for purpose. The amendments establish a clear calculation method going forward, validate the calculation and imposition of the levy in the past and make other consequential amendments to ensure smooth operation of the building permit levy scheme.

The Building Act currently requires building permit applications to specify the contract price for the proposed building work for the Relevant Building Surveyor to estimate the cost of building work. The Victorian Building Authority, currently trading as the Building and Plumbing Commission, is required to calculate the levy payable based on the surveyor's estimate of the cost of the building work. This reliance on cost estimations has caused uncertainty about levy calculations for the building industry, its consumers and the Commission.

The Bill will require the surveyor to calculate the cost of the building work using a prescribed formula, rather than "estimating" this cost. The cost of building work will be the sum of the contract price or agreed or estimated amount to be paid to the builder for carrying out the building work, including the cost of labour and material and including GST, less the cost of any chattels and any prescribed excluded items included in the contract or agreement. The formula is slightly different in relation to the building work carried out by an owner-builder.

GST is expressly included for the avoidance of doubt, as the cost of the building work is intended to relate to the costs incurred by the land or building owner. The term "chattel" will retain its common law meaning and the exclusion of chattels from the cost of building work is intended to exclude goods and building materials that are not permanently affixed to the land or building at the completion of the building work. The Bill creates a head of power to prescribe in regulations any item the cost of which is to be deducted when the cost of the building work is being calculated. This will allow the concept of the "cost of the building work" for the purposes of the levy to be responsive to changing industry practices over time.

Because the Bill is replacing the current method for calculating the amount of levy payable with a new formula, to address the uncertainty created by the current formula, the Bill validates all past estimates of the cost of building work and levy amounts calculated and imposed by the Commission. These validation provisions do not override any legal proceedings commenced but not finally determined before the day on which this Bill is second read in this place.

Other consequential amendments to ensure smooth operation include expanding the surveyor's authority to refuse a building permit application in certain circumstances, such as if the permit application does not set out factually correct information relevant to the cost of building work, and expanding the Commission's authority to reassess levy calculations if there has been a variation to the cost of the building work.

Animal registration fees

The Bill amends the *Domestic Animals Act 1994* (Domestic Animals Act) to give effect to a modest increase in the amounts payable to the State Government from dog and cat registration fees collected by councils, and greyhound registration fees collected by Greyhound Racing Victoria (GRV). The Bill will increase the amount payable from \$4.51 (2024–25) to \$9.00 (2026–27) for each dog and cat registration, increasing annually in line with regular increases to fees under the *Monetary Units Act 2004*, and from \$3.50 (2024–25) to \$7.00 (2026–27) for each GRV greyhound registration. The increase will support Agriculture Victoria to continue to undertake important activities such as responsible pet ownership programs, animal welfare initiatives and research.

Limitation of actions

The Bill will amend the *Limitation of Actions Act 1958* (Limitation of Actions Act) to clarify the limitation period applicable to proceedings for the recovery of invalid taxes. This amendment clarifies that section 27 of the Limitation of Actions Act does not apply to proceedings to which section 20A(2) of the Act applies.

Section 27 is an original provision of the Limitation of Actions Act. Its purpose is to postpone the commencement of time of limitation periods in cases of fraud and mistake until such time as the affected party had discovered the fraud or mistake, or could, with reasonable diligence have discovered it.

Section 20A was subsequently inserted into the Limitation of Actions Act by the Limitation of Actions (Recovery of Imposts) Bill 1961 following contemporaneous challenges to the validity of certain government charges and following a decision of the High Court that a New South Wales (NSW) plaintiff was entitled to

the recovery of payments made to the NSW government over a period of approximately 17 months (*Mason v New South Wales* [1959] HCA 5) and an unsuccessful challenge to a state tax in Victoria (*Dennis Hotels Pty Ltd v Victoria* [1960] HCA 10).

At the time, it was Parliament's intention that the inserting section 20A addressed a risk that a successful challenge to the validity of a government tax or other impost could affect the ability of the State to 'meet the claims upon it and at the same time carry on the ordinary financial administration of the State.' Inserting section 20A into the Limitation of Actions Act addressed this concern and established that 'actions for the recovery of moneys paid as taxes or other imposts should be limited to the recovery of sums paid within twelve months before the commencement of the action.' If section 27 was intended to apply to section 20A at the time it was inserted into the Limitation of Actions Act, then section 20A would have no work to do with respect to invalid taxes.

To confirm that the Limitation of Actions Act operates as Parliament intended when introducing section 20A, this amendment is being introduced to make certain of the interaction between section 27 and section 20A(2) of the Limitation of Actions Act with respect to the applicable limitation period to challenge the validity of a tax. This amendment will also ensure there is a level of certainty in the ability of Government to allocate public revenue to support effective economic management, the development and maintenance of public infrastructure and services for the community in a predictable fashion.

While the Bill does not amend section 20A(2), I note that past practice with respect to amendments of section 20A(2) has been to comply with the requirements contained section 18(2A) and section 85 of the Victorian *Constitution Act 1975* (Constitution Act) which arise with respect to legislation that directly or indirectly affects the jurisdiction, powers or authorities of the Supreme Court of Victoria. While the Government does not regard such action as having been necessary when s 20A(2) was previously amended, these steps were observed in those past instances out of an abundance of caution. It is the view of the Government that this amendment, which amends section 27 only, does not affect the jurisdiction of the Supreme Court and the manner and form requirements of section 18(2A) and section 85 of the Constitution Act are unnecessary.

To provide certainty to Government and the community, the amendment to the Limitation of Actions Act is proposed to commence the day of Royal Assent. In keeping with the past practice associated with the commencement of legislation dealing with the application of limitation periods in relation to the recovery of taxes, the amendments made by this bill apply to and in relation to money paid before, on or after the date upon which the amendment receives the Royal Assent, but do not apply to a proceeding commenced before that date.

Congestion levy

The Bill amends the *Congestion Levy Act 2005* (Congestion Levy Act) to change the category 1 area levy rate to \$3,030 per leivable parking space, in line with the parking space levy rates in Sydney's CBD. The Bill also changes the category 2 area rate to \$2,150 per space. The changes will commence from 1 January 2026 for the 2026 levy year. Levy rates in 2027 and subsequent years will be adjusted annually by Consumer Price Index.

The Bill further expands the category 2 area to include inner-eastern suburban areas not currently captured by the levy, despite having similar proximity to Melbourne's CBD as other suburbs subject to the levy. These include the suburbs of Burnley, Cremorne, South Yarra, Windsor and parts of Richmond, Abbotsford and Prahran in proximity to Chapel Street, Bridge Road, Swan Street, Victoria Street, Hoddle Street and Punt Road. The expanded zone has similar levels of congestion, distance to the Central Business District, and access to public transport when compared to areas already in category 2. It is therefore only reasonable and equitable that they be treated the same. The increased category 2 rate of \$2,150 per leivable parking space will apply to the expansion area.

The Bill also provides new congestion levy exemptions and concessions in response to specific issues brought to our attention by and car park owners and operators. First, the Bill reduces the levy to 50% of the amount otherwise payable, for conditional free parking provided by shopping centres and other retailers in the category 2 area exclusively for retail customers. To be eligible, the parking space must be exclusively set aside for retail customer parking and connected to a retail premises or retail shopping centre such that the parking space is located on, or adjacent to, the retail premises or retail shopping centre. The parking must be either provided free of charge for at least 60 minutes to all customers or provided free of charge to customers who make a purchase at the retail premises or shopping centre. Finally, the Bill will move the Queen Victoria Market from the category 1 to the category 2 area to equalise levy rates between Queen Victoria Market and other like markets, such as South Melbourne Market and Prahran Market.

Secondly, government schools and government boarding schools providing free parking will be exempted from the levy. The levy currently applies to all non-exempt parking spaces located on state government land,

including government schools. This change will ensure they are treated the same way as non-government schools, which are generally exempt from the levy if they are charitable or religious organisations.

The Bill also improves congestion levy administration by excluding exclusively residential parking spaces from the levy framework, which will remove the requirement for home-owners to register as levy-payers with the State Revenue Office (SRO). As owners of exclusively residential parking are already fully exempt from the levy, this amendment will reduce red tape.

The amendments to the Congestion Levy Act all commence from 1 January 2026.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (10:45): I move:

That this debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 29 October.

Voluntary Assisted Dying Amendment Bill 2025

Statement of compatibility

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (10:46): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Voluntary Assisted Dying Amendment Bill 2025:

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 Voluntary Assisted Dying Amendment Bill 2025 (the **Bill**).

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

Overview of the Bill

This Bill introduces amendments to the *Voluntary Assisted Dying Act 2017 (VAD Act)* which was introduced in 2017 and came into effect in June 2019. The purpose of the Bill is to improve equity of access to, and the experience of people in Victoria who seek voluntary assisted dying as part of their end-of-life care.

The importance of the Bill

The VAD Act establishes a mechanism for adults with decision-making capacity who are suffering from a serious and incurable condition to access voluntary assisted dying. The voluntary assisted dying framework established in the VAD Act seeks to strike the appropriate balance between ensuring that eligible persons have access to high quality end-of-life care, consistent with their preferences, while at the same time requiring robust eligibility criteria to protect against abuse, such as through undue influence or coercion.

Following the commencement of the VAD Act, the framework provided for in the VAD Act – which includes a prescriptive, multi-stage assessment process with numerous safeguards and comprehensive oversight – has received consistent stakeholder feedback, including by way of stakeholder contributions to the ‘Five Year Review into the Operation of the Voluntary Assisted Dying Act 2017’ (the **5-Year Review**), identifying some processes and safeguards having the unintended effect of impeding access to, and the timeliness of, voluntary assisted dying in Victoria.

In response to this feedback and the evidence set out in the 5-Year Review, this Bill removes a number of access barriers in, and unintended consequences flowing from, the VAD Act. The amendments set out in the Bill seek to uphold the rights of persons who face death because of an incurable disease, illness or medical condition, to live their lives with freedom and dignity, while at the same time, retaining the necessary safeguards to prevent any potential exploitation or abuse arising in the context of voluntary assisted dying, ensuring confidence in the operation of the VAD Act.

In this context, the Bill makes the following amendments to the VAD Act:

- allowing registered health practitioners to initiate discussions about voluntary assisted dying with patients;
- requiring registered health practitioners who conscientiously object to voluntary assisted dying to provide minimum information about voluntary assisted dying to patients;

- adding an ‘ordinarily resident’ requirement to satisfy Australian residency requirements;
- providing an exemption to the Victorian residency requirement;
- removing the third assessment requirement for neurodegenerative conditions;
- introducing an exemption process to interpreter accreditation requirements;
- providing that medical practitioners cannot be a family member, beneficiary or otherwise benefit from a voluntary assisted dying applicant’s death;
- reducing the timeframe between the first and final request for voluntary assisted dying;
- extending the prognosis requirement from 6 to 12 months;
- simplifying permits to improve applicant choice and prevent delays due to permit change and introducing an ‘administering practitioner’ role;
- amending the medical practitioner eligibility requirements to reduce years of experience required;
- removing forms from the VAD Act and instead providing in regulations; and
- requiring additional review of the VAD Act.

Human rights

In light of the scope of this Bill, this Statement of Compatibility commences with an outline of the rights generally engaged by the Bill and then discusses the compatibility of relevant provisions of the Bill with those rights.

The human rights protected by the Charter that are relevant to this Bill are as follows:

Right to equality and protection from discrimination (section 8)

Section 8(1) of the Charter provides that every person has the right to recognition as a person before the law. Section 8(3) provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The purpose of this component of the right to equality is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect. ‘Discrimination’ under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010 (EO Act)* on the basis of an attribute in section 6 of that Act. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs where a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute, but only where that requirement, condition or practice is not reasonable.

Right to life (section 9)

Section 9 of the Charter provides that every person has the right not to be arbitrarily deprived of life. An ‘arbitrary’ deprivation of life may be described as one that is unreasonable or disproportionate. The right imposes a negative obligation on public authorities to refrain from conduct that causes an arbitrary deprivation of life, and it is possible that it also imposes some positive obligations to take steps to prevent arbitrary deprivation of life such as introducing appropriate safeguards to minimise the risk of loss of life. The right to life is said to be an inherent and ‘supreme’ right, without which all other human rights would be devoid of meaning. However, despite the fundamental nature of the right, it is not absolute, meaning that it can be limited where justifiable.

Right to protection from torture and cruel, inhuman or degrading treatment (section 10)

Sections 10(a)–(b) of the Charter provide that a person must not be subjected to torture or treated or punished in a cruel, inhuman or degrading way. The right is concerned with the physical and mental integrity of individuals, and their inherent dignity as human beings.

Cruel or inhuman treatment or punishment includes acts which do not constitute torture, but which nevertheless possess a minimum level of severity. Degrading treatment or punishment involves acts of a less severe nature again but which inflict a level of humiliation or debasement of the victim. Whether conduct meets the necessary threshold will depend upon all the circumstances, including the duration and manner of the treatment, its physical or mental effects on the affected person, and that person’s age, sex and state of health.

Right to privacy (section 13)

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. The fundamental values which the right to privacy protects include physical and psychological integrity, individual and social identity, and the autonomy and inherent dignity of the person. 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.

Right to freedom of thought, conscience religion and belief (section 14)

Section 14(1) of the Charter provides that every person has the right to freedom of thought, conscience, religion and belief, including the freedom to have or adopt a religion or belief of one's choice, and to demonstrate one's religion or belief individually or as part of a community. The concept of 'belief' extends to non-religious beliefs, as long as they possess a certain level of cogency, seriousness, cohesion and importance. This right is grounded in the principles of personal autonomy and self-determination. It also acknowledges that people may live their lives in accordance with their beliefs and that the State should not arbitrarily interfere with the expression of people's beliefs. While the freedom to hold a belief is considered absolute, the freedom to manifest that belief may be subject to reasonable limitations.

Right to liberty and security of the person (section 21)

Section 21 of the Charter provides that every person has the right to liberty and security, including the right not to be subject to arbitrary arrest or detention. It has been suggested by the Victorian courts that the right to security of the person in section 21(1) may be broader than just physical freedom and is an instance of the human right to personal integrity or inviolability, which in turn is an expression of the bedrock value of human dignity.

Human rights issues***Allowing registered health practitioners to initiate discussions about voluntary assisted dying with eligible patients***

Clause 7 of the Bill substitutes current section 8 of the VAD Act with new sections 8 and 8A.

Current section 8 of the VAD Act prohibits registered health practitioners who provide health services or professional care services from initiating discussions with their patient about the availability of voluntary assisted dying. That is, a registered health practitioner can only provide information about voluntary assisted dying if the patient requests such information on their own initiative. The provision was inserted as a safeguard to ensure that patients were not pressured, or felt pressured, by their health practitioner to consider, or undergo, voluntary assisted dying. However, the 5-Year Review, and stakeholder feedback generally, has shown that that the prohibition in current section 8 has had the unintended effect of negatively affecting patients' awareness of the end-of-life options available to them.

It is against this background that new section 8 provides that a registered medical practitioner or a nurse practitioner who provides health services or professional care services to a person may initiate a discussion with that person about voluntary assisted dying if the discussion is in the course of a discussion about end-of-life care, and in doing so, they take reasonable steps to ensure that the person knows about the treatment and palliative care options available to the person and the likely outcome of those treatments.

New section 8A provides that registered health practitioners – who provide health services or professional services to a person and are not a registered medical practitioner or nurse practitioner – may initiate a discussion about voluntary assisted dying with the person if the discussion is in the course of a discussion about end-of-life care, and, in doing so, advises the patient that the most appropriate person with whom to discuss available treatment and palliative care options and voluntary assisted dying, is their medical practitioner.

Right to life (section 9)

The scope of the right to life in section 9 of the Charter is unsettled and may, on a broad reading, impose a positive obligation on the State to take positive steps to prevent arbitrary deprivation of life, such as by implementing safeguards to minimise the risk of loss of life. The removal of the prohibition on registered health practitioners to raise voluntary assisted dying may be seen as the removal of a safeguard previously legislated to minimise the risk of loss of life. This being so, the voluntary assisted dying framework provided under the VAD Act is carefully and appropriately confined through stringent eligibility criteria (Part 2 of the VAD Act), a multi-stage request and assessment process (Part 3 of the VAD Act) as well as other safeguards that protects against abuse of vulnerable persons in end-of-life care.

Accordingly, to the degree that clause 7 of the Bill engages the right to life, the very limited circumstances in which voluntary assisted dying may be accessed, together with the numerous safeguards embedded in the voluntary assisted dying process, I am of the view that any possible limit on right to life is demonstrably justified in a free and democratic society.

Right to personal autonomy and dignity of the person (sections 13(a) and 21(1))

In Canada, the Supreme Court has held that a prohibition on voluntary assisted dying would contravene the 'right to life, liberty and security of the person'. The Court found that the right relates to a person's autonomy

and quality of life and by denying a person the opportunity to determine the manner and timing of their death in response to serious pain and suffering, the person was denied their right to liberty and security. While section 21(1) of the Charter differs from the Canadian provision in that it does not include the word 'life', section 21(1), if directly considered by the Victorian courts, may be found to relate to the autonomy and quality of life of a person, rendering the withholding of an opportunity to determine the manner and timing of one's death in response to serious pain and suffering an infringement on the right to security.

It follows that clause 7 of the Bill, which seeks to ensure that eligible persons are properly informed of their end-of-life options and provided the ability to make well informed choices about the manner and timing of their death, promotes their right to physical and psychological integrity, personal security, mental stability, autonomy and inherent dignity. Accordingly, the rights in section 13(a) and 21(1) of the Charter are, in my view, promoted by clause 7 of the Bill.

Right to protection from inhuman treatment (sections 10(b))

Whether conduct meets the necessary threshold of cruel, inhuman or degrading treatment for the purposes of section 10(b) depends upon all the circumstances, including the duration and manner of the treatment, its physical or mental effects on the affected person, and that person's age and state of health. Ensuring that eligible persons who are suffering without relief from a serious and incurable condition are informed by their medical practitioner or medical team of voluntary assisted dying which would allow them to determine the timing and manner of their death and reduce their suffering at the end of their lives, does, in my view, promote the right in section 10(b).

Requiring health practitioners who conscientiously object to voluntary assisted dying to provide minimum information about voluntary assisted dying to patients

Recognising that some medical practitioners conscientiously object to voluntary assisted dying, section 7 of the VAD Act currently provides registered health practitioners with the right to refuse participating in the voluntary assisted dying process. This includes the right to refuse the provision of information about voluntary assisted dying to a patient. Further, section 13 provides registered medical practitioners to whom a first request for access to voluntary assisted dying is made, the right not only to refuse the request, but also to refrain from providing the patient with information about the process and other medical practitioners able to assist the patient.

Recognising that the right of refusal in sections 7 and 13 of the VAD Act has negatively affected equitable access to voluntary assisted dying, clause 6 of the Bill amends section 7 so as to require all registered health practitioners who conscientiously object to voluntary assisted dying to advise patients that another registered health practitioner or health service provider may be able to assist them in relation to information about, or access to, voluntary assisted dying, and to provide patients with pre-approved information about voluntary assisted dying. Similarly, clause 12 introduces new section 13A to require all registered medical practitioners who refuse a first request for voluntary assisted dying to advise patients that another registered medical practitioner may be able to assist them in relation to the person's first request, and to provide patients with pre-approved information about voluntary assisted dying.

Right to freedom of thought, conscience religion and belief (section 14)

Introducing the requirement that registered health practitioners who conscientiously object to participate in the voluntary assisted dying process or registered medical practitioners who refuse a first request for voluntary assisted dying, must provide to patients who request information about, or access to, voluntary assisted dying, with pre-approved information about the service and advise patients that another registered health practitioner or health service provider may be able to assist the patient, may engage these practitioners' right to freedom of thought, conscience, religion and belief. This right is grounded in the principles of personal autonomy and self-determination and the principle that the State should not arbitrarily interfere with the expression of people's beliefs. However, while the freedom to hold a belief is considered absolute, the freedom to manifest that belief may be subject to reasonable limitations.

Having regard to the findings in the 5-Year Review discussed above, I consider the requirements imposed on practitioners to be a reasonable limitation on their freedom to manifest their objection to voluntary assisted dying. This is particularly so when having regard to the fact that practitioners who conscientiously object to voluntary assisted dying remain free to refuse to participate in the request and assessment process; apply for a voluntary assisted dying permit; supply, prescribe or administer a voluntary assisted dying substance; be present at the time of administration of a voluntary assisted dying substance, or dispense a prescription for a voluntary assisted dying substance.

Furthermore, when balancing practitioners' and patients' right to freedom of thought, conscience, religion and belief, and the patients' rights to personal autonomy and dignity and protection from inhuman treatment, I consider the limitation on practitioners' freedom to manifest their belief, by way of consciously objecting to

voluntary assisted dying, to be minimal and demonstrably justified in a free and democratic society. This is especially so, when considering that health professionals should not allow their own beliefs to interfere with their patients' access to lawful medical treatment.

For these reasons, I am of the opinion that the right to freedom of thought, conscience, religion and belief, if limited by clauses 6 and 12 of the Bill, is reasonably justified.

Adding an 'ordinarily resident' requirement to satisfy Australian residency requirements and providing an exemption to the Victorian residency requirement

Section 9 of the VAD Act contains the eligibility criteria for access to voluntary assisted dying in Victoria. Section 9(1)(b) deals with the residency requirements and subsection 9(1)(b)(i) provides that in order to be eligible to access voluntary assisted dying the person must be a citizen or permanent resident in Australia. The meaning of 'permanent resident' has been interpreted consistently with Commonwealth law as being limited to a holder of a permanent resident visa. This has had the effect of precluding many Australian residents who, while entitled to reside in Australia, are not permanent residents. New section 9(1)(b)(iii), extends the eligibility requirement to persons who at the time of making a first request, have been ordinarily resident in Australia for at least 3 years.

Further to the Australian residency requirement, current subsections 9(1)(b)(ii) and (iii) imposes a Victorian residency requirement by providing that a person must be an ordinarily resident in Victoria and, at the time of making a first request, the person must have been an ordinarily resident in Victoria for at least 12 months. This State residency requirement has had the effect of excluding persons who live in communities outside of Victoria but near the border and who access health, residential aged or palliative care or have family support in Victoria. It also excludes persons who have only recently moved to Victoria. Clause 9 of the Bill inserts new section 9A which provides an exemption to the State residency requirement where the applicant can show that they have a substantial connection to Victoria or there are compassionate grounds that warrants an exemption.

Right to equality and protection from discrimination (section 8)

Section 6(1) of the Charter provides that all persons physically present in Victoria – irrespective of their citizenship or residency status – have the human rights set out in Part 2 of the Charter. Section 8(3) of the Charter provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

Under the current s 9(1)(b) of the VAD Act, only a person who is ordinarily resident in Victoria and either an Australian citizen or permanent resident may access assisted dying. Although citizenship or permanent residency status is not an attribute protected in section 6 of the EO Act, the attribute 'race' has been defined to include 'nationality or national origin'. Courts have in turn considered that the term 'nationality' can be equivalent to citizenship, leaving it open that a requirement that a person must be an Australian citizen or permanent resident in order to access voluntary assisted dying amounts to discrimination on the ground of race.

Extending the eligibility criteria in current s 9(1)(b) of the VAD Act, so as to include persons who while entitled to reside in Australia, are not citizens or permanent residents, arguably promotes the right to equality and protection from discrimination in s 8 of the Charter. Further, the amendments to the Australian and State residency requirements promotes the rights of persons who suffer from a terminal illness at the end of their lives, and who previously did not fulfill the residency criteria under section 9(1)(b), to personal autonomy and dignity and protection from inhuman treatment under sections 13(a), 21(1) and 10(b) of the Charter.

Removing third assessment requirement for neurodegenerative conditions

A person suffering from a life-limiting illness who wants to access voluntary assisted dying is under the VAD Act required to be assessed for eligibility by two separate medical practitioners, and for neurodegenerative conditions, by three separate medical practitioners.

The 5-Year Review has shown that the requirement for an additional third consultation for those suffering from a neurodegenerative condition unnecessarily lengthens and complicates the voluntary assisted dying process for patients. To remove the third assessment requirement in the VAD Act, clause 15 repeals sections 18(4), 18(5) and 18(6) of the VAD Act.

Right to equality and protection from discrimination (section 8)

A neurodegenerative condition that affects a person's physical or mental functions is a disability which is an attribute protected under section 6 the EO Act. Accordingly, a person must not be discriminated against based on their neurodegenerative condition. The removal of the additional third consultation applicable to persons suffering from a life-limiting neurodegenerative condition promotes their right not to be discriminated against under s 8(2) of the Charter as it removes the additional hurdle presented by the legislation in regard to persons

suffering from this condition seeking to access voluntary assisted dying. By repealing sections 18(4), 18(5) and 18(6) of the VAD Act and aligning the voluntary assisted dying process for persons with neurodegenerative conditions with persons with other life-limiting illnesses, the inequitable application of the VAD Act to the subset of applicants suffering from a neurodegenerative condition is removed.

By reducing the burden on, and improving assessment timeliness for, persons suffering from life-limiting neurodegenerative conditions, their right to personal autonomy and dignity in sections 13(a) and 21(1) and their right to protection from inhuman treatment in section 10(b) are also promoted by the Bill.

Introducing an exemption process to interpreter requirements

Section 115(a) provides that an interpreter who assists a person in relation to requesting access to or accessing voluntary assisted dying must be accredited by a prescribed body. Clause 75 of the Bill inserts new section 115A which provides that a person who requires the assistance of an interpreter may apply to the Secretary for an exemption from the requirement of having an accredited interpreter where an interpreter accredited in accordance with section 115(a) is not available and there are exceptional circumstances that warrant the exemption.

Right to equality and protection from discrimination (section 8)

The amendments introduced in the VAD Act seek to improve access to the voluntary assisted dying process for Victorians that are from small language communities where accredited interpreters are either not available or are difficult to access. New section 115A creates an exemption process overseen by the Secretary, where the Secretary is able to grant an exemption if satisfied that no accredited interpreter is available in the particular case and there are exceptional circumstances for granting the exemption.

Although language is not in and of itself an attribute protected in section 6 of the EO Act, the attribute 'race' is often seen to encompass the language spoken by members of the race. Current section 115(a) therefore has the potential of indirectly discriminating against members of small language communities who are unable, or experiencing significant delay in accessing information about, or accessing, the voluntary assisted dying process.

The exemption provision in new section 115A removes the difficulty and inequity currently experienced by members of small language communities who face these circumstances. By facilitating access to voluntary assisted dying for persons in these communities, clause 75 of the Bill promotes the right to equality and protection from discrimination in s 8 of the Charter. It is also likely to promote their right to personal autonomy and dignity in sections 13(a) and 21(1) and their right to protection from inhuman treatment in section 10(b).

Restricting medical practitioners from being a family member, beneficiary or otherwise benefit from a voluntary assisted dying applicant's death

The VAD Act does not currently prevent a coordinating or consulting medical practitioner from being a beneficiary or family member of the person applying to access voluntary assisted dying. Recognising that further safeguards are needed to prevent any actual or perceived conflicts of interest between a medical practitioner and the person requesting access to voluntary assisted dying, clauses 11 and 19 introduces new sections 13(3) and 23(2A) in the VAD Act.

New subsection 13(3) provides that a registered medical practitioner must refuse a person's first request if the practitioner is a family member, beneficiary or otherwise benefits financially or in any other material way from that person's death. New section 23(2A) provides that a registered medical practitioner must refuse the referral for a consulting assessment of a person if the practitioner is a family member, beneficiary or otherwise benefits financially or in any other material way from that person's death. New section 63B provides that a registered medical practitioner, nurse practitioner or nurse must not accept transfer of administration authorisation under a permit if the practitioner is a family member, beneficiary or otherwise benefits financially or in any other material way from that person's death.

The right to life (section 9)

Clause 11 and 19 inserts in the VAD Act additional safeguards to prevent abuse of vulnerable persons in end-of-life care by family members, beneficiaries or persons who in any other way benefits financially, or in any other material way from that person's death. By inserting this requirement, the Bill removes any risk of a conflict of interest arising in regard to a health professional involved in the voluntary assisted dying process and thereby minimise the risk of loss of life. Accordingly, assuming the right to life in section 9 of the Charter imposes positive obligations on the State, clauses 11 and 19 of the Bill promote that right.

Amendments to various provisions providing safeguards that regulate access to voluntary assisted dying

The framework for voluntary assisted dying set out in the VAD Act seeks to achieve the appropriate balance between ensuring all Victorians have access to high quality end-of-life care, consistent with their preferences, while requiring robust eligibility criteria to protect against the abuse of vulnerable persons at the end of their

life. However, to reflect stakeholder feedback and the evidence emerging from the 5-Year Review, this Bill makes a number of amendments to the existing framework so as to improve equity of access, remove unintended consequences and improve the experience of people involved in the voluntary assisted dying process. The amendments to these processes are set out in turn below.

1. Reducing the timeframe between the first and final request for voluntary assisted dying

Clause 28 of the Bill amends section 38(1)(a) of the VAD Act so as to require that a person's final request for voluntary assisted dying be made at least 5 days, rather than 9 days, as required in the current provision, after the day on which the person made their first request. The new provisions further clarify how these days are to be counted.

2. Extending the prognosis requirements from 6 to 12 months

Clause 8(2) of the Bill amends the time prognosis requirement in section 9(1)(d)(iii) of the VAD Act from 6 to 12 months, so as a person diagnosed with a disease, illness or medical condition that is:

- incurable; and
- advanced, progressive and will cause death; and
- expected to cause death within 12 months;
- causing suffering to the person that cannot be relieved in a manner that the person considers tolerable,

may be eligible to access voluntary assisted dying.

3. Simplifying permits to improve applicant choice and prevent delays due to permit change

The Bill amends the VAD Act by replacing the current voluntary assisted dying permit system – consisting of two separate permits: the 'self-administration permits' and the 'practitioner administration permits' – with a one-permit system. This is achieved through clauses 29–68 of the Bill which repeal or amend all provisions in the VAD Act dealing with, or referencing, self-administration permits and practitioner administration permits and inserts new provisions providing the framework for the newly created voluntary assisted dying permit. Some notable clauses are set out below.

Clause 32 inserts new Part 3A and 3B (sections 44A–44F) in the VAD Act, introducing a new 'administration decision'. A person who makes a final request may decide, in consultation with the person's co-ordinating medical practitioner, that the person intends to access voluntary assisted dying by self-administering a voluntary assisted dying substance or having an administering practitioner administer a voluntary assisted dying substance to the person. New Part 3A provides the framework for making and revoking administration decisions. Part 3B sets out the requirements for the appointment of a contact person in relation to self-administration decisions.

Clause 36 inserts new section 47, which provides the process applicable to applications for the new voluntary assisted dying permit. Clause 39 inserts new division 2 of Part 4 (sections 51A–51D) in the VAD Act, which provides for what is authorised under the voluntary assisted dying permit, including the requirements applicable for obtaining, possessing, storing, using and destroying voluntary assisted dying substance. Clauses 43–49 regulates the prescription, dispensing and administration of voluntary assisted dying substance, including the information to be provided to the person administering the substance, by the dispensing pharmacy.

Clause 49 of the Bill inserts new Division 1A of Part 5 (sections 63A–63E) of the VAD Act which regulates instances where the co-ordinating medical practitioner transfers the authorisation to administer the voluntary assisted dying substance to another medical practitioner, a nurse practitioner or a registered nurse with 5 years' experience.

Clause 51 amends section 64(1) which provides for when a person may request their administering practitioner to administer a voluntary assisted dying substance. Clause 52 amends section 65 which sets out the requirements for witnessing a person make a practitioner administration request and for witnessing the administration of a voluntary assisted dying substance. Clauses 53 and 54 make amendments to the provisions of the VAD Act setting out the processes applicable after the administration of the voluntary assisted dying substance to a person has occurred.

4. Introducing an 'administering practitioner' role

Under the current Act, practitioner administration of voluntary assisted dying substances can only be administered by the coordinating medical practitioner (or the consulting medical practitioner or a third medical practitioner, if the coordinating medical practitioner role is transferred to them). In order to provide more flexibility regarding the administration of a voluntary assisted dying substance, the Bill introduces a new 'administering practitioner' role.

Clause 42 inserts new Division 1AA of Part 5 of the VAD Act which deals with the minimum requirements for administering practitioners, and provides in new section 56A that an administering practitioner must be either a registered medical practitioner who holds specialist registration, a vocationally registered general practitioner, a nurse practitioner or a registered nurse who has held registration as a registered nurse for at least 5 years. The Bill further makes the necessary amendments to authorise the newly introduced administering practitioner role to handle and administer the voluntary assisted dying substance in accordance with the processes and requirements provided for in the VAD Act.

5. Amending medical practitioner eligibility requirements to reduce years of experience required

Current section 10 of the VAD Act sets out the minimum requirements for coordinating medical practitioners and consulting medical practitioners to provide voluntary assisted dying. Clause 10 of the Bill amends section 10 so as to require that co-ordinating medical practitioners and consulting medical practitioners hold specialist registration or are vocationally registered general practitioners. Clause 10 further reduces the number of years co-ordinating medical practitioners and consulting medical practitioners must have practised as a registered medical practitioner from at least 5 years after completing a fellowship with a specialist medical college or vocational registration, to 1 year after completing the fellowship or attaining vocational registration.

The right to life (section 9)

The various amendments to the existing legislative framework (as set out above) may be seen to remove safeguards currently in place in the legislation to minimise the risk of loss of life and thus potentially limit the right to life. However, the amendments made to the voluntary assisted dying framework make the voluntary assisted dying process more efficient and accessible while at the same time maintaining stringent eligibility criteria, multi-stage request and assessment processes as well as oversight mechanisms to ensure the safety of voluntary assisted dying in Victoria.

Although the time prognosis requirement in section 9(1)(d)(iii) of the VAD Act is increased from 6 to 12 months, affecting the eligibility criteria for accessing voluntary assisted dying, the current 6-month limitation period has presented difficulties for medical practitioners in prognostication, negatively affecting the ability of persons who are otherwise eligible, to access voluntary assisted dying. Further, the new 12-month prognosis requirement aligns with the Ministerial Advisory Panel on voluntary assisted dying, which recommended a 12-month limit for all diseases, illnesses and conditions to ensure clarity and consistency with Victorian practice in defining the end of life. On this basis, I do not believe the safeguards built into the stringent eligibility criteria are in any way removed by this amendment.

One amendment that could be perceived to remove an important safeguard embedded in the multi-stage request process is the reduction in the minimum timeframe between the first and final request for voluntary assisted dying. However, the current requirement that a person make their final request at least nine days after the first request has been shown by the 5-Year Review to cause unreasonable delays for persons suffering without relief. By reducing the required time period between the first and final request to five days, the legislation reduces risks of delays while simultaneously safeguarding the authenticity of a person's request to access voluntary assisted dying, ensuring that the request is voluntary, considered and enduring.

The new voluntary assisted dying permit process is intended to improve patient choice and reduce complexity. By allowing the prescription of a voluntary assisted dying substance without the permit having to specify the method of administration (either self-administration or practitioner administration), the person will be able to choose, and change, their administration decision after being granted a permit. Allowing a person to choose their administration method enhances their autonomy and supports their self-determination. Further, where a person wishes to change the administration method in circumstances where their deterioration is rapid, the requirements under the current framework have augmented what is already a difficult and distressing experience for the person, their family and their supporting health team. The safeguards embedded in the permit process continue to ensure the safety of voluntary assisted dying.

By introducing the 'administering practitioner' role and amending medical practitioner eligibility requirements to reduce the years of experience required to administer voluntary assisted dying substance, the cohort of medical practitioners who may provide voluntary assisted dying services will increase, allowing greater access for those requiring it. The experience and skills of medical practitioners that qualify under the amendment to provide the voluntary assisted dying service should be a safeguard against any abuse.

For the reasons set out above, I am of the view that the changes made to the voluntary assisted dying framework under this Bill do not detract from the strong safeguards against potential abuse embedded in the framework and does not limit the right to life. Further, I am of the view that by simplifying and improving the current permit system and authorising a greater cohort of practitioners the authority to provide voluntary assisted dying services to those who cannot be provided the relief needed to address their suffering at the end of their life, the right to personal autonomy and dignity in sections 13(a) and 21(1) and the right to protection from inhuman treatment in section 10(b) are promoted by the Bill.

Conclusion

I am therefore of the view that the Bill is compatible with the Charter.

The Hon. Mary-Anne Thomas MP
Minister for Health

Second reading

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (10:47): I move:

That this bill be now read a second time.

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

Incorporated speech as follows:

With the passage of the *Voluntary Assisted Dying Act* (the Act) in 2017, Victoria led the nation in offering a safe, compassionate, and dignified end-of-life choice for those suffering from a life-limiting illness. Today, we build on that legacy, incorporating 13 targeted amendments to improve equity of access and experience for Victorians who choose to access VAD, to continue to enhance safety, and to make practical improvements to support effective administration of the scheme.

The Bill is not a departure from the values and principles that underpin VAD; rather, it reaffirms them. It is about compassion. It is about autonomy. It is about recognising that for some people, despite the best palliative care, suffering remains. And it is about ensuring that those people are not left on the margins of our system. It also retains and builds on the important legislative safeguards that were put in place in 2017.

The Bill builds on what VAD is about. It offers choice. Not about *whether* to die, but *how, where, and with whom*. VAD has allowed people to choose the setting of their final moments: at home, in hospital, or where they felt most at peace. It has given families the chance to say goodbye with grace, to be present, to support, and to honour the wishes of someone they love.

Since VAD was first introduced in 2017, we have been listening and learning. We have heard that Victoria needs to catch up to the rest of Australia. In developing the proposed amendments, we have listened intently and respectfully to people with lived experience, families of people who have accessed VAD, clinicians, advocates, and people and organisations that oppose VAD. We have also studied the implementation of similar legislation in other Australian jurisdictions, including Queensland, Western Australia, Tasmania, and New South Wales. Like these states, we recognise that this is not a choice between life and death; rather, it is an additional end-of-life option for those who are already dying and want to end their suffering.

One of the main purposes of the Bill is to **improve equity of access**.

The Bill addresses barriers that have prevented eligible Victorians, Victorians who are suffering with life-limiting illness from accessing VAD, and do not go any further than laws in any other jurisdiction. The reforms are grounded in compassion, clinical experience, and the evolving national landscape of end-of-life care.

First, the Bill permits registered health practitioners to initiate discussions about VAD within strict safeguards. Medical practitioners and nurse practitioners will be able to raise VAD as an option their patient can consider, provided they also discuss other available options, such as potential treatment and palliative care, and assist the person to access support. Other registered health practitioners, such as nurses and allied health professionals who may be part of a person's treating or care team, can also initiate discussions in the course of broader end-of-life discussions, but they must advise the person that a medical practitioner is the most appropriate person to speak to about VAD and other care options.

This change removes the ethical dilemma faced by clinicians who feel constrained from providing complete information during critical conversations about end-of-life options. It will also improve awareness among communities with lower health literacy, ensuring that no one is denied the opportunity to consider VAD simply because they were unaware of their options. Importantly, there will still be at least 2 doctors and 2 independent witnesses tasked with confirming that the applicant is voluntarily requesting VAD and there is no coercion.

Second, the Bill requires health practitioners who conscientiously object to VAD to provide minimum information to patients. This is intended to be contact information for the Statewide Care Navigator Service and the relevant Department of Health website – no more, no less. This approach does not compel anyone to participate in the VAD process, and we are not introducing any new offences. It simply ensures that patients are not left uninformed at a critical moment in their care. This approach respects and reaffirms the right to

conscientious objection, but it also sends a clear message: no Victorian should be left without access to information about their options or obstructed from accessing legal care.

Third, the Bill addresses unintended consequences of existing provisions in the Act by amending citizenship and residency requirements. The amendments expand Australian citizenship and permanent residency requirements to permit access to people who can demonstrate 3+ years' Australian residency, and introduce an exemption process to the Victorian residency requirement on compassionate grounds. These changes remove arbitrary barriers that have caused distress and confusion for patients and clinicians alike.

The Victorian residency requirement in particular is much less relevant than it was back in 2017. It was designed to prevent cross-border access at a time when other Australian jurisdictions lacked VAD legislation. That landscape has changed. Today, this requirement disproportionately affects people living near state borders, those who move to Victoria for aged care or family support, and those with strong ties to the state but insufficient time to meet the residency threshold.

Fourth, the Bill updates the prognosis requirement to a consistent 12 months for all applicants. Under the current Act, VAD applicants must be expected to die within 6 months, or 12 months for people with neurodegenerative conditions. However, determining prognosis is not an exact science, and many practitioners report being conservative in their estimates. As a result, a significant number of applicants have died, deteriorated, or lost decision-making capacity before completing the process. Moreover, it is discriminatory to permit access to applicants at different times based on the type of condition they will die from.

Queensland's experience shows that a 12-month prognosis window reduces urgency, improves equity of access, and offers a more compassionate pathway for patients and families. This amendment will ensure that fewer people with terminal illness are forced to wait until the final weeks of life to seek relief from intolerable suffering.

Finally, the Bill amends medical practitioner eligibility requirements and modernises the terminology used in the Act. Allowing assessing medical practitioners to have one year's experience practising as specialist medical practitioners rather than 5 widens the eligible VAD medical practitioner workforce, particularly in regional Victoria, while continuing to ensure that these practitioners are suitability qualified and experienced to carry out their responsibilities. Medical practitioners practice for many years before obtaining specialist registration, which requires rigorous training and assessment by the relevant medical college. Clinical competence will not be in question.

Together, these amendments will improve equity of access for people who have long lived in our community, contributed to our society, and are now facing life-limiting illness but have been excluded from VAD due to settings no longer in place in most other jurisdictions. These Victorians are already dying and suffering, and our system is not responding as well as it should. The Bill affords them the same dignity and choice afforded to others.

Another main purpose of the Bill is to **improve experience**.

The Bill makes a series of practical amendments to improve the experience of those navigating the VAD process, particularly those facing mobility challenges, language barriers, or rapidly deteriorating health. These changes are designed to reduce unnecessary delays, improve equity, and uphold dignity.

First, the Bill removes the requirement for a third prognosis assessment for people with neurodegenerative conditions. Under the current Act, these applicants must undergo an additional assessment to confirm that their condition will cause death in the next 6 to 12 months. This safeguard was originally intended to provide further assurance where the person has a neurodegenerative condition, given the potential impact on decision-making capacity. However, it disproportionately affects applicants located in regional areas who may struggle to locate a third medical practitioner and those with mobility issues who may struggle to leave the house.

It is important to note that the first and/or second prognosis assessment must be conducted by a medical practitioner with relevant expertise and experience in the person's condition; therefore, specialist assessment will have already occurred. As per standard clinical practice, medical practitioners always have the option to seek a third prognosis or specialist advice if they need to.

Second, the Bill shortens the minimum time between the first and final request to access VAD from 9 days to 5. This will allow but not require the process to occur within a shorter period. This change will improve the experience of a small number of applicants whose suffering is increased by having to wait for this time period to elapse. People who access VAD often spend significant time reflecting on their end-of-life preferences prior to making their first request, and continue to reflect on their choice after being permitted access. And there is never an obligation on applicants to receive or use the VAD substance even after a permit is granted. The process is entirely patient-led.

Third, the Bill facilitates greater applicant choice in how the VAD substance is administered. Currently, self-administration is the default method except in cases where the applicant cannot physically consume or digest the substance. The amendment allows applicants, following consultation with and advice from their coordinating medical practitioner, to decide between self-administration and practitioner-administration. Permits will be amended to no longer specify administration method. If their condition changes, which it often can quite rapidly, they can change their decision without needing to apply for a new permit. This is rightly a process that takes place between a doctor and their patient, and should not require additional hassle and paperwork.

This flexibility recognises that people facing life-limiting illness may have differing physical capabilities, emotional preferences, and support needs. For some people, self-administration may offer a sense of control and privacy. For others, practitioner-administration may provide reassurance, especially if they are concerned about self-administering the substance and want more support for themselves and their family.

To support this change, the Bill introduces a new role: the administering practitioner. This practitioner, who may be a medical practitioner, nurse practitioner, or registered nurse, will administer the VAD substance instead of the coordinating medical practitioner. Nurse practitioners and registered nurses will be required to complete specific training and access specific supports, including guidance resources and existing clinical and professional supervision arrangements.

This approach acknowledges that the clinical skills required to administer the VAD substance fall within the usual scope of practice of other qualified health practitioners. By expanding the range of health practitioners who can provide this service, we are recognising the skills, experience, and compassion of Victoria's nurses and harnessing their expertise to ensure people can exercise their choice, particularly in regional Victoria. This approach also provides support to the many doctors who we know want to assist their patients to access VAD but may not be comfortable or confident administering the VAD substance.

Finally, the Bill introduces an exemption process to the requirement for interpreters to be specifically accredited by the national body. While the current requirement for an accredited interpreter is a vital safeguard, rigid requirements can unintentionally exclude some people. The National Accreditation Authority for Translators and Interpreters has acknowledged that there are no credentialled interpreters available for some small language groups. Although there has not yet been a case of a VAD applicant being unable to progress an application due to a lack of credentialled interpreters, this may happen in future.

Per the amendment, an interpreter must be accredited by a prescribed body or have been granted an exemption to this requirement by the Secretary of the Department of Health under exceptional circumstances. Introducing a limited exemption pathway with appropriate oversight ensures that people are not disadvantaged simply because their language is rare or their location remote. It balances safety with compassion and equity.

Together, these amendments will create a more patient-centred, timely, and equitable experience for those who choose to access VAD. They uphold the principles of dignity and autonomy while responding to the lived realities of applicants and practitioners alike.

Another purpose of the Bill is to **improve safety**.

The Bill introduces a new commonsense safeguard to reinforce the integrity of the VAD framework and ensure continuing public confidence in its operation. While addressed in medical practitioner codes of conduct, the current Act does not prohibit medical practitioners from being a beneficiary or family member of a VAD applicant. It is proposed that the Act be amended to prohibit medical practitioners, nurse practitioners, and registered nurses from acting as the coordinating or consulting medical practitioner or the administering practitioner if they are the beneficiary or family member of the applicant.

This safeguard provides additional reassurance about coercion, particularly in light of the amendment allowing registered health practitioners to initiate discussions about VAD within broader end-of-life conversations. By making it crystal clear that those who stand to benefit financially or personally from a VAD applicant's death cannot participate in the assessment or administration process, we reinforce the voluntary, considered, and independent nature of the decision.

This amendment is not about casting doubt on the integrity of practitioners. It is about ensuring that the system is transparent, fair, and free from any perception of undue influence.

The final purpose of the Bill is to **improve administration of the scheme**.

The Bill introduces targeted amendments to improve the administrative efficiency of the VAD framework, ensuring that the system remains responsive and aligned with national best practice.

First, the Bill removes prescribed forms from the Act and provides them in regulations instead, to make it much easier to update forms in response to clinical feedback, legal developments, or evolving best practice.

Any changes to the forms will remain subject to Parliamentary oversight through the regulations, which will also continue to be published and accessible. This amendment ensures that the administrative tools supporting VAD are as efficient and effective as possible.

Second, the Bill strengthens the oversight of the systems and programs that support VAD by requiring ongoing review of the Act, with the first 3 years after commencement of these amendments and then at intervals of no more than 5 years. The current Act does not provide for continued evaluation. It specified just one review, which was tabled in Parliament earlier this year. Updating the Act to require regular review ensures that safety, quality, and timeliness remain subject to formal scrutiny. This change reflects a commitment to continuous improvement, informed by lived experience and emerging evidence.

Together, these amendments will ensure that the administrative backbone of the VAD framework remains robust, responsive, and accountable.

The Bill is not about indiscriminately or substantially expanding eligibility for VAD. It is about refining a compassionate framework to better serve those it was designed to help. It is about ensuring that no eligible Victorian is denied access due to scheme settings that are no longer fit-for-purpose, geography, or administrative delay. Most importantly, it is about reaffirming our commitment to dignity, autonomy, and the highest quality care at the end of life.

VAD remains a deeply personal choice. The Bill strengthens the safeguards that ensure that choice is informed, voluntary, and enduring. It enhances the experience for applicants and practitioners alike, while preserving the integrity of the system.

We cannot give people their lives back. But we can give them more choice and control over how they die. We can offer them more peace, dignity, and the comfort of knowing they will not suffer needlessly.

I commend the Bill to the house.

Cindy McLEISH (Eildon) (10:47): I move:

That this debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for 13 days. Debate adjourned until Tuesday 28 October.

Australian Grand Prix Amendment Bill 2025

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 6, page 4, line 14, omit “information.” and insert “information; and”.
2. Clause 6, page 4, after line 14 insert –
 “(e) unless section 27CA applies, be made within one month after a declaration under section 27 of a declared area is made.”.
3. Clause 6, page 5, after line 17 insert –

“27CA Minister may direct Corporation to make public access area declaration

- (1) If the Corporation does not make a public access area declaration within one month after a declaration under section 27 of a declared area is made, the Minister may –
 - (a) request that the Corporation provide the reasons no public access area declaration was made; and
 - (b) direct the Corporation to make a public access area declaration.
- (2) Before giving a direction under subsection (1)(b), the Minister must have regard to –
 - (a) the operational requirements of the Formula One event in respect of which the declared area will be in force; and
 - (b) safety considerations related to the event.”.

4. Clause 22, line 23, omit “In section 27(b)” and insert “(1) In section 27(b)”.

5. Clause 22, after line 24 insert –

‘(2) At the end of section 27 of the Principal Act **insert** –

“(2) Before making a declaration under subsection (1)(b), the Ministers must have regard to –

(a) the operational requirements of the Formula One event in respect of which the declared area will be in force; and

(b) safety considerations related to the event.”.’.

6. Insert the following new clauses to follow clause 25 –

‘25A Division 1 of Part 3 heading inserted

Before section 26 of the Principal Act, **insert** the following Division heading –

“**Division 1 – General**”.

25B New Division 2 of Part 3 inserted

At the end of Part 3 of the Principal Act **insert** –

“**Division 2 – Annual compensation scheme**

42AA Definitions for this Division

In this Division –

annual compensation scheme means a scheme approved under section 42AAC(3);

direct loss method has the meaning given in section 42AAI;

eligible Albert Park tenant means an entity that holds a lease, licence or other agreement in the declared area for a race period in respect of a year where the lease, licence or other agreement was entered into before 1 January 2026;

fixed amount method has the meaning given in section 42AAH.

42AAB Corporation to make compensation payments to eligible Albert Park tenants

The Corporation must pay compensation to eligible Albert Park tenants in accordance with the annual compensation scheme.

42AAC Annual compensation scheme

- (1) Each year, the Corporation must develop a draft annual compensation scheme for the purpose of payments under section 42AAB.
- (2) Not later than 3 months after the end of the race period in relation to a year, the Corporation must prepare and submit the draft annual compensation scheme to the Minister for approval.
- (3) The Minister may approve the draft annual compensation scheme if satisfied it is appropriate to do so, having regard to –
 - (a) the business plan under section 25; and
 - (b) in the case of any fixed amount method, the overall approach to assessing and calculating amounts.

42AAD Eligibility for compensation under the annual compensation scheme

- (1) An eligible Albert Park tenant is eligible for compensation under the annual compensation scheme if the eligible Albert Park tenant has suffered direct losses or expenses as a result of a race period for a year being a period not exceeding 21 days.
- (2) An entity is not eligible for compensation under the annual compensation scheme if a lease, licence or other agreement in the declared area to which the entity is a party is entered into on or after 1 January 2026.
- (3) An eligible Albert Park tenant may be eligible for compensation under the annual compensation scheme even if the tenant has closed the business or other operation conducted pursuant to a lease, licence or other agreement in the declared area for a race period in respect of a year during that race period.

42AAE Compensation under section 30(5) not affected

Nothing in this Division affects the operation of section 30(5) in relation to an eligible Albert Park tenant.

42AAF Corporation may request information

For the purposes of developing and administering the annual compensation scheme in accordance with this Division, the Corporation may request an eligible Albert Park tenant to provide any information necessary for the Corporation to make a proper assessment of the compensation payable to that tenant, including specifying a time for the provision of that information.

42AAG Compensation to be by fixed amount method or direct losses method

- (1) The Corporation must offer an eligible Albert Park tenant compensation from the annual compensation scheme by a fixed amount method based on a formula developed by the Corporation for calculating a fixed amount of compensation approved by the Minister in the annual compensation scheme approval.
- (2) If the eligible Albert Park tenant offered compensation under subsection (1) elects not to accept the compensation by the fixed amount method, the tenant must –
 - (a) advise the Corporation that the tenant seeks compensation by the direct losses method for direct losses incurred due to the period of the race period in respect of a year being a period not exceeding 21 days; and
 - (b) provide in support independently audited financial statements.

42AAH What does the Corporation consider for fixed amount method of compensation?

The Corporation must consider the following when an eligible Albert Park tenant chooses compensation by the fixed amount method –

- (a) the duration of the race period in respect of the year, being the race period minus 7 days and not exceeding a maximum of 14 days;
- (b) the number of days the eligible Albert Park tenant was directly affected by the period referred to in paragraph (a);
- (c) estimated losses by the eligible Albert Park tenant as a direct result of the period referred to in paragraph (a);
- (d) whether the eligible Albert Park tenant is entitled to compensation under section 30(5) or any other payment or remuneration under an arrangement entered into between the Corporation and the tenant;
- (e) any other matter the Corporation considers relevant.

42AAI What does the Corporation consider for direct losses method of compensation?

- (1) The Corporation must consider the following when an eligible Albert Park tenant chooses compensation by the direct losses method –
 - (a) the duration of the race period declared for the year, being the race period minus 7 days and not exceeding a maximum of 14 days;
 - (b) the number of days the eligible Albert Park tenant was directly affected by the period referred to in paragraph (a);
 - (c) actual quantifiable losses incurred by the eligible Albert Park tenant as a direct result of the period referred to in paragraph (a) which –
 - (i) must be supported by independently audited financial statements; and
 - (ii) may benchmark direct losses by consideration of losses or profits in a comparison period in the previous year to the current year which are the same days in that previous year as the days for the race period in relation to the current year for which the compensation is sought;

Example

The race period for 2026 is 1 to 21 April 2026. The race period in relation to the year 2025 is 1 to 21 March 2025. The comparison period for losses or profits for the 2026 race period is 1 to 21 April 2025.

- (d) whether the eligible Albert Park tenant is entitled to compensation under section 30(5) or any other payment or remuneration under an arrangement entered into between the Corporation and the tenant;
- (e) any other matter the Corporation considers relevant.

(2) The Corporation may negotiate an amount of compensation with an eligible Albert Park tenant not exceeding the amount of direct loss claimed by the tenant.”.

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (10:48): I move:

That the amendments be agreed to.

The bill has been through a bit of debate in the Legislative Council, and I am happy and the government is happy with the amendments that have passed the Council. I thank the member for Nepean sincerely for his work in achieving the passage of this bill in the Council and the amendments. I think they are good amendments, and I think they primarily lead to a bit more public-facing comfort around how decisions are made in relation to access at Albert Park but also the compensation regime that applies to tenants and businesses in the park. If I could just quickly run through the handful of amendments, they insert a new clause into the bill which adds new section 27CA(2) to include factors the minister administering the act and the minister administering the Crown Land (Reserves) Act 1978 must have regard to before declaring the race period – for example, things about operational requirements for the grand prix or security arrangements. They were things that were already in the government’s mind when it moved this bill, but putting them here front and centre gives a bit more transparency.

The second clause I want to speak to is an amended clause. It will amend section 27A(2) to require the Australian Grand Prix Corporation to make any public access declaration within one month of the declaration of a declared area under section 27 of the act. So where the grand prix has declared what areas will be subject to the race period – up to 21 days, but it could be seven, it could be 12, it could be 18 – within one month of that declaration the grand prix is required to declare which areas are open to the public. So there is not a long time between one declaration and the other, where the public have to wait to be able to know which parts they can access.

The Council has also inserted a new section 27CA, which allows the minister to seek reasons from the AGPC, the Australian Grand Prix Corporation, if the corporation fails to declare any public access areas within a month of the declaration of a declared area. That is a direct consequence of the clause I have just spoken to. It also provides the minister with the power to direct the AGPC to make a public access area declaration at any time after that one-month period has passed, which I think is appropriate. The grand prix corporation will declare within a month, but for the sake of the future, if that does not happen, the minister can direct the AGPC to make the declaration.

Finally, we have introduced a new division in relation to compensation. That is new division 2 of part 3, which introduces a range of clauses that provide a framework for the Australian Grand Prix Corporation to provide compensation to tenants in Albert Park prior to 1 January 2026, which is entirely reasonable, and who suffer direct losses or expenses as a result of the extended race period. These clauses require the AGPC to submit a compensation plan to the minister for approval each year. The clauses provide two options for compensation amounts to be determined, and the tenant has choice of option: a fixed amount method or a direct losses method. The clauses provide that the grand prix corporation must offer an eligible tenant a fixed amount of compensation in the first instance. The clause also sets out factors that the AGPC must take into account when determining amounts under each method. The tenant can decide whether the first offer is reasonable or if they want to demonstrate losses for the grand prix corporation to then do more work before the compensation is arranged.

In conclusion, I want to say two things. I remind the house that, to his credit, Jeff Kennett brought the grand prix to Victoria all those years ago, and to her enormous credit, Jacinta Allan, the Premier, has secured it for the future here and now in Victoria. It is a long-term contract, but it comes with some responsibility on Victoria to match the legislative requirements and everything else associated with race attendance growing from I think it was less than 100,000 to 465,000 today.

The second thing I was going to say is that I want to thank the member for Nepean for his work. He has worked hard with my team, with Dylan in my office and the Department of Jobs, Skills, Industry

and Regions. I want to thank them for their work. I think it is a better version of the bill. I know this is going to sound strange, but I think I might miss the member for Nepean at some of these major events, but I am sure that he will be a guest fairly regularly, as he ought to be. I commend the amendments to the Assembly.

Sam GROTH (Nepean) (10:53): Gee whiz, thank you, Minister, for those nice words. The opposition will be supporting these amendments because they have been negotiated by me and my team in the opposition. I thank Edward in my office for the work that he has done on this as well as the minister's team, Dylan, the department and the Australian Grand Prix Corporation (AGPC), because they have been very, very open in their conversations with us.

We were pretty clear from the moment this bill was introduced that we wanted to see a better outcome for the community, for the residents, for the tenants, for the businesses and for the sporting clubs that operate within Albert Park, while also supporting the grand prix. It is something the Liberals brought here to Victoria and it does need a bipartisan approach across the chamber. I am happy to see this event here for a long time. As the minister knows, I love this event. I have spoken about being an ambassador for the event in my former capacity, prior to entering this place.

The opposition is happy with the way these amendments have gone. We personally probably would not have signed a contract that gave away an extra two weeks to Liberty Media personally, as reported by the *Age* newspaper. But at the same time, we understand that this is a growing race. There are requirements, with Formula One being as big as it is and with the growing impact of Formula One globally and the benefit that it brings to Melbourne, that that may be needed.

We are also very, very glad that as an opposition we have been able to negotiate a better outcome for those tenants of Albert Park, including a compensation scheme. Previously it was tenants up until 1994. Those tenants, those clubs, those community groups and those people affected by the race for the last 30 years have not necessarily been able to get the compensation – even though there have been some schemes in place – that they probably deserve or that reflects the impact on those groups. The fact that tenants who enter into or hold a lease agreement prior to 1 January 2026 will now be eligible for that compensation, I think, is a far better outcome. I know the minister said they had intentions to do some of these things, but just putting the security of it into this legislation I think gives people who use Albert Park the certainty that they will be looked after with the future of the grand prix long term.

We are happy that we have been able to negotiate an extension of the public access areas for 2026, and there will be transparency around those areas for the race period moving forward – from the government, from the AGPC and from the minister, who will have to make those publicly available at an earlier time. Obviously for this year, seeing greater public access, including the fact that we were able to negotiate the use of the lake for the rowing and sailing clubs for weeks one and three, is an important outcome. The fact that Lakeside Stadium and that area will be open for people like Victorian Institute of Sport athletes and those that use those areas – I think it is important that they still have access to that site. It is a big effort to try to move all of their equipment and to move all those athletes out, so I think the greater public access is a good thing that we have been able to negotiate.

I also just want to say a couple of things in regard to the public access that some members of the community have actually raised. I will back the minister and the government on this. There has been some concern raised by members of Albert Park Golf Course in terms of them being locked out for an extended period of time, and I just want to put on the record, as was said during the committee stage in the Council yesterday, that the golf club is actually already closed for a four-week period. So in regard to all of the emails that I have been getting – and I am sure the minister has been getting, and the member for Prahran has probably been getting, and Ms Crozier and Mr Davis in the other place have been getting on our side – I just want to reassure those members of the Albert Park golf club that they are actually not worse off by this current amendment and what has been put through this house and the other house and the amendments that have come back. I will not say they are already locked out, but they have already given up their golf club because of a commercial arrangement with the

AGPC for a period of four weeks. I want to reassure the members of that club that nothing that has been put through here or negotiated between the opposition and the government has actually made them worse off when it comes to their golf club. There are other tenants in a similar situation, and we have done everything we possibly can to make this as beneficial as possible for the tenants, for the sporting clubs, for the businesses and for the residents, but we are also making sure that, as an opposition, we continue to support the grand prix long term.

I thank the minister, I thank the minister's office and I thank my team for the work we have done on this. The only other thing I want to say is, ahead of the Austin grand prix this week in America, I hope McLaren put their papaya rules aside and they actually start looking after Oscar, with six races to go. Hopefully, when the grand prix returns as the first race of next year, we have an Australian Formula One grand prix champion with a number 1 on his McLaren car. My advice to Zak Brown and the McLaren team is, 'Look after the Aussie. I know you want Lando to win. We know the grand prix community is probably backing Lando, but we are all backing Oscar down here. So, papaya rules – whatever that means – look after him. We want to see an Australian grand prix champion.' I will be tuning in, no doubt.

I will also be working closely with the new Shadow Minister for Tourism, Sport, Events and Hospitality, the member for Polwarth. Obviously with my background I have a strong interest still in this space, and we will keep a very, very close eye on the work that the member for Polwarth does. I have no doubt that I will still have a very hands-on approach and help the member as much as I possibly can with anything that I have been able to achieve with the stakeholders over the last three years.

We support the amendments put forward by the government and as moved in the house today, and we look forward to the grand prix again in 2026.

Motion agreed to.

The ACTING SPEAKER (Daniela De Martino): A message will now be sent to the Legislative Council informing them of the house's decision.

Mental Health Legislation Amendment Bill 2025

Second reading

Debate resumed on motion of Danny Pearson:

That this bill be now read a second time.

Emma KEALY (Lowan) (11:00): I rise today to speak on the Mental Health Legislation Amendment Bill 2025. It is, I think, for everybody in this chamber a difficult conversation at times to have when we are speaking about mental health, mental ill health and diagnosable mental illnesses, because we all know – whether it is in our friends and family groups, whether it is through our workplace or whether it is through seeing it second hand – the impact when mental health is not managed well, when there is not access to services and when appropriate supports are not in place, particularly through some of the more challenging times in people's lives when we have the terrible situation where we are going to funerals of those who have lost hope, who have taken their own lives, when you are attending a funeral and speaking to the family members and those around individuals who have taken their own lives. It is a profound discussion where people are wondering 'What could I have done differently?'

Mental health impacts everybody, whether it is your own mental health or that of those around you. That is something that has been a source of great discussion and important debate within this chamber certainly over my time, over the last 11 years. It peaked in about 2018 when there was bipartisan support for a royal commission into Victoria's public mental health system in recognition of the fact that Victoria's public mental health system was crumbling. There was not a politician who would not admit to that, who would not agree that we needed to do something differently. It was an election commitment. It then became a reality, and it was quite a significant journey for people living with

mental illness and ill health, for family members, for clinicians and other supporting practitioners, for everybody in the community. To read through even a snippet of the royal commission's recommendations gives you great insight into not just how important it is that we get a mental health system in place in Victoria that Victorians need but also the need to look at implementing a better mental health service that gives Victorians the mental health supports that they deserve.

We all understand that when people are starting to go down that journey, whether it is a full diagnosis or whether it is situational depression or anxiety, the earlier that you can provide supports and interventions, the stronger the outcomes and the better the outcomes for the individuals. That is particularly so for young people. However, we are now a number of years down the track after the royal commission delivered its final report. Just by way of a timeline, the royal commission released its interim report in October 2019. Those recommendations went to the heart of what we need to see in Victoria and put in place in order to rebuild Victoria's mental health system. The majority of those recommendations in the interim report focused on building a mental health workforce that would be there, prepared, ready, trained and able to implement the recommendations of the royal commission. That was October 2019.

We then saw the full final report handed down in February 2021. From that time we have seen an erosion of what the aspirations were, what people living with mental illness, their families, support networks and clinicians were promised and what is actually available in the community. For me, somebody who enjoys dealing with stakeholders at many levels, it has been disappointing to see the journey of hope and excitement – looking forward to Victoria again being the state that has a reputation not just in Australia but internationally of having one of the best, if not the best, public mental health system – perhaps somewhat erode over time. There have been some questions, but everybody has still had faith that Labor would deliver on its promises and implement all recommendations of the royal commission in full and on time. Unfortunately, in the discussions I am having – and this would have been particularly increasing over the past 12 to 18 months and escalated after this year's budget – people have lost hope. They see that this was nothing more than an election stunt. Everything that was promised has not been delivered, apart from the mental health tax – let us make sure that is in there – and they do not know where the money is going.

But the key thing is we have got people who are behind this. We have the highest suicide rate on Victoria's record. We have the longest waitlists or number of people who are presenting to emergency departments with mental health related issues that we have seen. It is getting harder and harder to access mental health supports. We have seen that there is not progress towards doubling of Victoria's mental health workforce by 2031; in fact what we are hearing is that it is harder and harder for employers to attract and retain mental health workers no matter what their qualification or experience. People are looking to move interstate and working in other states where they see that it is a more positive area to work, having a government actually focused on providing better care for constituents to make sure that they can access the mental health support they need when and where they need it.

But there are also a number of people – whether they are mental health workers, those with lived experience and living experience or the carers of people with mental ill health or illness – who feel that by sharing their story during the royal commission there was an emotional commitment and that what they said had been heard. They feel enormously let down and aggrieved, and they have lost faith with governments that the mental health system in Victoria will ever be fixed. It set people up to fail, when it was held in such a spectacular way. We all went down to the exhibition building, which was unheard of, to see the final report handed down in front of the entire sector and people who contributed to the report in many ways. We are now down at the point where the funding is being cut. Promises have been broken. We still do not know where the money is going. There is no indication of how and when these royal commission recommendations will get back on track.

I believe that no matter what the politics of this are and what side you are on, as parliamentary representatives who live and breathe the impacts of a failing mental health system each and every day – and we hear this through the constituents that we serve – we have an obligation to ensure that

Victorians can access mental health support when and where they need it, and I think that there should be support from everybody in the chamber. We need to see more, we need to do more and we need action on the ground. More importantly, we need more workers, we need better access to services in all ways and we need to get back on track the royal commission's recommendations as a matter of priority. I do not want to attend another funeral of somebody locally who has taken their own life. I do not want to see a situation where hospitals are absolutely overwhelmed because people cannot access mental health support in the community early on and then get to the point of trauma where they have to present to an emergency department. I do not want police resources to be taken up having to support people in mental health crisis or with the impacts of poorly managed mental health crises. Nobody wants to see that. Hopefully we can all make a commitment to do better and get the Royal Commission into Victoria's Mental Health System's recommendations back on track.

This piece of legislation goes into two main areas, with some other matters also being addressed. The first matter is around transitioning the responsibilities of the Forensic Leave Panel to the Mental Health Tribunal. This has been instigated predominantly by the judiciary, whether it is the Supreme Court or the Victorian Law Reform Commission, and it is around the obligations and the burdens upon the judiciary of attending and their appointment to that panel. We know that the justice system is completely overwhelmed at this point in time, and therefore the Supreme Court has requested that there be an amendment to the appointments to the Forensic Leave Panel so that, rather than the judiciary being appointed to the panel, it would be a legal representative. We asked on notice what that would look like, and I do thank the Minister for Mental Health's office for providing responses to those questions on notice that we received late yesterday. It is understood that in the new forensic division of the Mental Health Tribunal the presiding member of the tribunal will be a legal member who has been an Australian lawyer for a minimum of five years. The members would be supported in their role with extensive training and operational support and guidance.

The understanding is that another reason the Forensic Leave Panel has been disbanded, and those responsibilities through this legislation will be referred to the Mental Health Tribunal, is because the panel at this point in time is completely overwhelmed. There have been 226 applications representing 113 patients or residents over the past year, which constituted over 41 hearings. This is quite an obligation for the panel to adhere to, and so this is part of the burden of how this is managed in an appropriate way. The Forensic Leave Panel and forensic leave are seen as important steps towards rehabilitation for patients and residents, particularly patients who are in Forensicare facilities, including Thomas Embling Hospital. It is important that the balance is right, that the supports are right, and that this is done in a way that is appropriate and safe and supports the rehabilitation of those patients and residents within these facilities. However, we also need to ensure that the community is safe.

Unfortunately, there have been a number of situations, and particularly over the last week we have been able to read about this in the news, where patients and/or residents on leave, as approved and assessed by the Forensic Leave Panel, have not adhered to the conditions of their leave. On Saturday we saw a report in the *Age* by Rachel Eddie and Grant McArthur that drugs and violence are rife in psychiatric prison hospitals. It is of deep concern that we have people who are on leave who appear to be taking drugs in the community and are not being tested upon return to these psychiatric prisons. Furthermore, within this report it indicates that illicit drugs were on campus, which triggered an acute male patient in the hospital's A block to set fire to his room while under the influence of illicit substances. There is an indication that that resident had not been on leave, and that of course means that drugs are being smuggled back into a psychiatric prison for use by other patients and residents. This is unsafe for patients. It is inappropriate to the highest degree. But I also feel for the staff who work in these organisations, and this was highlighted in the royal commission's findings. Within Forensicare the staff have some of the highest, if not the highest, rates of workplace violence of any organisation across the state. It is a difficult role to work in these environments, and I commend the workers who are doing their best to support people with a diagnosable mental illness who are either a

patient or a resident prescribed to be at Thomas Embling or other psychiatric support services such as prisons.

They are doing an incredible job. What they do is appreciated not just by our side of the Parliament but I am sure by everybody. It is a dangerous job. But they need to have supports from government to ensure that they are as safe as they can possibly be. It is clear there are insufficient supports to Thomas Embling Hospital, that the government is not providing support to staff in that facility and also that it is not providing support to the patients and residents within it. When you read that there are people on leave who are, in the inner-northern Melbourne suburbs, wielding a hammer, going on a crime spree, putting the people of Victoria at risk, when they are smuggling drugs back inside and causing harm not only to property but to each other and to themselves and to staff, then something needs to be fixed.

We have a situation at Thomas Embling where there is a significant expansion being undertaken at this time. However, at the same time, the government are cutting staff. They are cutting two senior alcohol and other drug specialists within Thomas Embling when it is clear there is a drugs crisis within Thomas Embling Hospital. It is the most inappropriate time that budget cuts should expose staff and leave staff more vulnerable and speaking out, concerned that their already extraordinarily high rates of workplace violence will just lead to more issues. It is clear the government has an obligation to support all prisoners in their rehabilitation, including rehabilitation from drugs and alcohol, but cutting the exact experts that are employed for that reason just means the problem will get worse. It will be worse for patients and residents, and it will be worse for the workers at that facility.

It will make leave much more difficult when you have got situations where there are crime sprees occurring, putting Victorians on the street at risk. We have got people who have absconded while on day leave and who just have not returned, and then the call goes out. There are insufficient staff to provide appropriate levels of supervision. And it is concerning that while there may be a condition of leave, through the Forensic Leave Panel, that there be drug testing, they must agree to drug and alcohol testing. What happens if they do not? It is not happening routinely. When you have got an issue of drugs being smuggled into Thomas Embling Hospital and it is not a routine occurrence that you test people, that you check whether they have drugs when they come back into the building – because a metal detector will not detect drugs – it just beggars belief. The more you unfold some of this, it shows not that the legislation is flawed but that the system is flawed, and we need to provide more supports to mental health across the board.

The second element of this legislation is around the transition to an IT system whereby we will have a centralised portal for mental health records that will be accessible by some but not all public health services. This is something that we inquired about during the briefing. We were provided with some information around it in that currently it appears that hospitals will have access to those mental health records. The system will also have a relationship to Ambulance Victoria because, as is provided to us, Ambulance Victoria is a health service identified by the royal commission as requiring better access to information to effectively deliver services. Ambulance Victoria will have access to this electronic health information system; however, Victoria Police will not have access to this system. This is important, because at this point in time in Victoria the Labor government have walked back their commitment to move to a health-led response for mental health crises. The first iteration of the Mental Health and Wellbeing Bill 2022, as handed down by the then Deputy Premier when the mental health portfolio was important to Labor, outlined that all responses to emergency mental health crises would be health led.

Twelve months later the government walked that back, and we now have a police-led response in Victoria to mental health crises. This was something that the royal commission had identified, because it is not the best outcome for patients that a police officer turns up to a mental health crisis. There is the option for other services like an ambulance to be called in to respond to that, but the first legislated approach must be from Victoria Police. This is why the royal commission did not recommend that Victoria Police be able to access these types of records – for the one reason that they did not recommend that Victoria Police should be the first to respond to a mental health crisis. This is a very

big oversight for the Labor government, and it must be drawn in parallel. If police are going to be the first responders, they need to have access to the mental health record – that is all there is to it. They must have that information, otherwise it is a less than safe situation for police and a less than safe situation for that person who has that record. It is very simple logic if you are going to keep a police-led response. Certainly from the police that I have spoken to and on my understanding and that of everybody within the mental health sector, it is a far better response to have a health professional speaking to someone in a mental health crisis. It is far better to have someone with mental health expertise, and paramedics are trained in that area. It simply does not make sense to revert it back to police and to take away what is recommended by the royal commission, so I urge the government to reconsider. Fortunately, who will be able to access the system can be prescribed at a later date, and I urge the government to reconsider that Victoria Police will be excluded from that.

There is a side issue when it comes particularly to the stigma of mental health. People are concerned to put their mental health situation on the record if it may be exposed and accessed by people broader than their immediate clinicians. This is something that was of great importance to me that I asked about. There will be a standard system in place in terms of being able to retrospectively check who has electronically accessed records. The government has also indicated that there will be a level of role-based access control. So basically if you are not of a certain role, you will not have access to mental health records. I think that is appropriate, but it is very important that the government ensures that those securities are in place. I would hate to think that we have an ongoing issue where people feel there is a stigma around mental health and that they will be treated differently, particularly if they have a diagnosable mental illness as opposed to a situational mental health issue such as depression or anxiety, and that it will make them vulnerable so they do not access support for that reason. I therefore urge the government to ensure those controls are comprehensive but also that they are well circulated throughout the community so as not to be seen as retrograde.

I would like to speak to another aspect which was raised in others matters, and it was interesting because it was not actually mentioned in the second-reading speech of this legislation and it was not mentioned in the bill briefing either. That is one of the matters related to broad other matters for amendment within this legislation, and that is specifically in relation to a clause which requires a psychologist or the prescribing authoriser for restraint to go back and check on that person who had restraint put on them to ensure that they are okay. That is really something that should be in play and is a reflection that we have had situations whereby people who have been put into a position of restraint have then had impacts which were not foreseen, and in some cases it is death. It is something that unfortunately is a reflection of the understaffing within Victoria's public health system, and this is of concern to me. It is of concern to me because we cannot implement the royal commission's commitment that we eliminate restraint and seclusion practices within 10 years – that is by 2031 – if there is no workforce to support patients to get the best possible care.

And yet we are in a situation where, while there is a slight amendment and a tweak within legislation to ensure in law that there is a responsibility to go back to those patients who have had restraint applied, we still have the situation where there are not enough workers. There are so many issues around workforce. In fact *Victoria's Mental Health and Wellbeing Workforce Strategy 2021–2024* has not been renewed. We are now in a situation where Victoria does not have a mental health workforce strategy, which goes to show just how committed this government is to rebuilding Victoria's mental health workforce. The government had committed to implement the recommendation of the royal commission to double Victoria's mental health workforce by 2031 – we are nowhere near that. We are absolutely nowhere near that. I do not even think we have got any additional workers, which just shows that all of these commitments, all of these promises were something that happened before an election. When it comes to Labor, what they say and what they do are two different things, and it is Victorians that pay the price.

This is not something that is just a fly-by-night where things shift: 'We've got shifting sands and it's very, very hard because we haven't got a lot of money because we're spending it all on the Suburban

Rail Loop and not delivering on the mental health services that we need in Victoria.' What we have got in Victoria is a mental health levy. It is the one thing that we have seen Labor commit to. The first thing that they did was to implement a mental health tax. We have got a bizarre situation in Victoria where private hospitals that deliver mental health services have to pay a mental health levy, which means that they cannot provide as many mental health support services. What irony that we have a situation where a tax is actually reducing access to services. When people from the sector and people like me, the Shadow Minister for Mental Health, ask the question of the government, whether it is at the Public Accounts and Estimates Committee or through other mechanisms through Parliament, 'Where is the money being spent?', we cannot get an answer. Even leaders within the mental health sector, like Pat McGorry – Pat has done an enormous amount of work, particularly around youth mental health in the state – are calling out, 'Where is the money going?' It should be explained. There should be transparency about it, there should be accountability, but more importantly, it should be all directed into expanding services and particularly youth mental health services.

This is something we are hearing right across the board. I have heard this from Mental Health Victoria, and I will go back to the mental health and wellbeing workforce strategy. Mental Health Victoria is concerned that the *Mental Health and Wellbeing Workforce Strategy 2021–2024* has not been evaluated, acquitted publicly and updated. There is insufficient investment to address retention, safety and diversification of workers, making it hard to imagine government will meet its target of doubling the workforce by 2031. The mental health and wellbeing locals have been completely abandoned. In my electorate of Lowan, we were promised one for Horsham, for Ararat and for Hamilton, and yet we are not even on the list of the Better Health website that shows the future plans for where these locals will go; we do not even make the list, even though it was promised back in 2023.

This government has completely lost its way when it comes to implementing the royal commission's recommendations. The government have got the money; Labor have got the money. They implemented the mental health tax. But then you have Mental Health Victoria and leaders within the mental health sector saying they cannot see where the money is going because it is not expanding the workforce and it is not expanding access to services. They are just seeing all of the terrible statistics around mental health getting worse and worse and worse. Let us not forget that these are not just statistics, they are not just numbers, these are Victorians. These are the people that are paying the price for Labor's abandonment of mental health royal commission reforms.

We desperately need to see the recommendations and the reform of Victoria's mental health system get back on track. We need to support the workers, who are doing an outstanding job and doing their very best to deliver the mental health supports that Victorians absolutely need and deserve, at the right place, at the right time and when they need it. We are not seeing that from Labor. We are just seeing spin and lies. We are not seeing transparency on where that tax is being spent, where the royal commission recommendations are at, what is being put on hold, what is being implemented and what is being scrapped altogether. Victorians deserve to know. Victorians deserve to understand what is happening with Victoria's mental health reforms, because at the moment they are deeply disappointed with a Labor government that has let them down.

Paul EDBROOKE (Frankston) (11:30): It is an absolute pleasure to speak on the Mental Health Legislation Amendment Bill 2025 today. Two years ago this Parliament made a promise to Victorians – a heartfelt promise – to build a mental health and wellbeing system where people are safe, where people are seen and where people are supported. The Mental Health and Wellbeing Act 2022 set that direction, and with that came the introduction of the mental health levy – which was not supported by those opposite, I might add. That Mental Health and Wellbeing Act 2022 set the direction for this government. It put people and their families at the centre of mental health and wellbeing policy, and it started that essential, critical work of the Royal Commission into Victoria's Mental Health System. It put in place the goals to make care easier to find, easier to navigate and, of course, worthy of people's trust. This bill today goes a long way to ensuring that we can achieve those very, very important goals.

Can I begin by thanking everyone who made a contribution to the royal commission. To put yourself in a position where you are recalling trauma from the past and where you are sharing that trauma is brave and it is courageous, and it is something that puts people well outside their comfort zone, especially when dealing with things they might be under therapeutic treatment for still. I met quite a few of those people who made contributions to our royal commission, and I could not be prouder, as a Victorian, that we got the right information and that the commissioners made the correct decisions in putting those recommendations down on paper.

Big reforms, though, do not finish on the day the bill passes. That was now a long time ago, and we have still got work to do. These recommendations still need a steady hand, they need honest feedback and they also need practical improvements. That is why we are here today speaking on this bill. That is indeed what this bill delivers. It does three simple things, and we have heard a little bit about those from the member opposite. Essentially, it brings the work of approving leave for forensic patients and residents into a new forensic division of the Mental Health Tribunal. These are careful decisions about short, limited leave to attend therapy, reconnect with families, study, volunteer, work or receive help – steps in rehabilitation and reintegration with our community. The tribunal already hears many mental health matters. It has definitely got experienced members, clear procedures and a strong culture of giving reasons and being reasonable too. Bringing this leave work under the tribunal means more consistency in the system, more transparency and better support for people and for public safety.

It would also be remiss of me not to mention the Minister for Mental Health, Ms Stitt, in the other place, a minister who really understands the goals of this royal commission, a minister who actually cares very, very deeply about the mental health of Victorians. Her team, with advisers like Amy, who is in the chamber today, do a hell of a lot of work to make sure people like me can understand some of what we are reading and some of what we are hearing and to make sure that we are transforming our actions as per the intent of those royal commission recommendations.

I also want to give a shout-out to the mental health minister's advisory council, which I am chairing at the moment, a mix of professors like Pat McGorry, people working in the industry and also those with lived experience and victim-survivors as well. It is a wealth of knowledge. We have had only one meeting, with me in the chair, but I have met with quite a few of the members of this committee individually. The hundreds of years worth of knowledge, about not just the problems in the mental health system and the problems of the past but the solutions and where we should be going in the future, is quite amazing. It would be an absolute shame for us not to be listening to those people.

Certainly some of the best results we get as government come when we listen to people at the coalface, we listen to people outside the box and we listen to people in private and public markets. We listen to people that are dealing with these problems every single day. We got those results – I would not say effortlessly, but when you make a commonsense decision like to ask people what they want, you will get fearless and frank advice. That is certainly what we got in the royal commission recommendations.

That leads me to the second tranche of this bill. This bill also strengthens secure information sharing between the new mental health record and the broader health system. In plain terms, the right clinicians will have the right information at the right time, which is essentially making the system more efficient but also better coordinated and, most importantly, safer as well. It will also drive more trust in that system for a community, I think, that as a whole is more aware of where their details are, especially health details these days, when we hear about these data leaks and different sorts of issues in the news. People want to know that their data is secure. People want to know it is only shared with the people it needs to be shared with. It also means, with those efficiencies that I spoke about, that people will not need to be retraumatised every time they see a different clinician. They will not have to retell their story every single time, therefore retraumatizing themselves, and for some people I am sure that can be a backward step in their journey to recovery. Transitions between hospitals, community services and mental health and wellbeing locals will be smoother because of this as well. That transition of data from one organisation to another will be smoother, and privacy protections will remain clear and strong.

The third thing this bill does is fix some technical gaps so the law basically does what we intend in protecting sensitive forensic matters from public FOI in the same way they are protected now and allows commission staff to share information if there is a serious and immediate risk to someone's life or safety.

I want to spend a short amount of time talking about the effect this has on people: what this means for people at the coalface, what this means for people behind the clauses. For someone on a supervision order, a fair and timely decision about limited leave can be the bridge between clinical progress and real-world recovery. For a family, it means hope and a path back to ordinary life, and for the community it means confidence that decisions are being made by an expert body that knows this work and records its reasons. The Forensic Leave Panel has done that work with great care, and I want to thank Justice Rita Incerti and all the members past and present for their work and for their service. This bill builds on that legacy by placing these functions within the tribunal, which has the scale, systems and experience to deliver consistency across the state.

There were a few common questions raised in the shadow minister's contribution, and I would just like to address them. Will this slow down leave decisions? No. The tribunal has the systems and experience to schedule and hear matters efficiently. Consolidation will only improve timelines and consistency, not hinder them. Will people see more of my health information? No. Only authorised staff for clear care purposes will have access to your information and only when you are receiving care. The controls are tighter and more traceable and accountable than ever. The last question that I feel was in a long, contextual way coming forward was: is this a step away from transparency? No, I do not believe it is a step away from transparency. It keeps the same protections that have always applied to forensic leave documents, and it preserves reasons for decisions and other avenues of oversight. It is a continuity measure, not a retreat.

To sum up, I would also like to point out that there have been many organisations and stakeholders that have been consulted about this. Sometimes when we get into these debates the public might be under the impression that there is a measure of doubt inserted into this debate by those opposite. But the amount of consultation on a bill like this is quite impressive and quite massive, and I think we have addressed those concerns. Most of all this bill is consistent with the faith that the Victorian community gave us – the social licence to have that royal commission – and it built a system that does not look away, does not give up; it keeps on improving.

Rachel WESTAWAY (Prahran) (11:40): I rise today to speak on the Mental Health Legislation Amendment Bill 2025. I begin by stating the opposition's position clearly, and that is that we will not oppose this bill. We will not oppose it, because it implements recommendations from the Royal Commission into Victoria's Mental Health System. It consolidates the Forensic Leave Panel into the Mental Health Tribunal. It also improves information-sharing protocols, and these changes align with the royal commission's recommendations. But let me be absolutely clear: not opposing this bill is not the same as endorsing the government's shameful record on mental health reform. The bill represents the bare minimum of administrative housekeeping whilst this government systematically betrays every promise it made to Victorians in regard to mental health. The Victorian royal commission delivered 65 recommendations. This government held press conferences, the Premier promised transformation and Victorians were told that things would change. And what did we get? A mental health tax and broken promises. They collected the money, they cut the services and that is going to be this government's mental health legacy.

Let me turn to specific concerns about the legislation before us. First is the removal of the Supreme Court judge's secondment to the Mental Health Tribunal. It is a concern of mine. This bill abolishes the option to second experienced Supreme Court judges to what is now the forensic division. Why would you remove the option to access high-level legal expertise for complex forensic mental health cases? It simply does not make sense to me, but possibly it is a resourcing issue. These are matters involving people found not guilty by reason of mental impairment. These are decisions about leave arrangements for forensic patients. These are cases where getting the balance right between treatment,

public safety and individual rights requires the highest level of legal and judicial expertise. The government has not even explained why we should remove this option rather than keep it available when needed. When it comes to forensic mental health we should be adding expertise and not removing it.

Second, and far more seriously, this bill does not address the catastrophic failures in monitoring forensic patients and their leave. There is clear evidence that conditions of leave are not being appropriately and safely managed. Residents and patients on leave are not routinely screened for drugs and alcohol upon return. There is limited supervision of patients and residents while they are on leave. We are transferring these functions to the Mental Health Tribunal, but we are not fixing the fundamental problem that the system is not adequately supervising people when they are granted leave. We are shuffling paperwork while safety gaps remain wide open.

But if you want to see the full extent of this government's betrayal on mental health reform, look no further than what happened in 2023. The royal commission was clear: mental health crisis responses should be health led and not police led. This makes sense. When someone is experiencing a mental health crisis they need health professionals, they do not need police officers. But in 2023 this government substantially walked back the legislated approach. They reverted to a police-led response to mental health crises. And why? Because they had not resourced Ambulance Victoria adequately. They blamed Ambulance Victoria for the resource shortage that they had created – classic Labor. So let me get this straight. The government accepts the royal commission's recommendations. They legislate changes. Then they blame Ambulance Victoria for not having enough resources, which the government are responsible for providing, and they walk back the reform. Victoria Police have been crystal clear about this. They have stated publicly that this puts unreasonable and additional pressure on their limited resources as they currently stand, and they are dealing with extreme workforce shortages at the moment. It is not in line with the recommendations of the royal commission.

But here is where it gets truly absurd. The bill creates a new mental health information sharing system, the electronic health information system. Good idea, right? Better information for better care – except the government intends to retain a police-led response to mental health crises but not allow the police to access this new system. It just seems ludicrous. Think about the absurdity of that for a moment. Police are frontline responders to a mental health crisis not because that is best practice but because the government will not properly resource the health-led model. But then the government will not give police access to the information they need to keep the people safe and provide appropriate care. On top of this the government has cut \$50 million to police resourcing, which makes their ability to fulfil their duties even harder. This is incompatible with providing the best care for people with mental health needs and incompatible with police safety. If you are going to dump a mental health crisis on the police, at least give them the tools that they need to adequately respond, and this government does not do either.

While the government passes administrative legislation, real mental health services in my electorate are being cut or left to die on the vine. Let me tell you about the Mental Health Foundation Australia in South Yarra. They receive \$97,000 in government funding. That is roughly what a single senior public servant earns in a year for an entire mental health service – \$97,000 for a mental health service, one bureaucrat's salary. That tells you everything you need to know about this government's priorities. They charge \$30 a visit because they know our community desperately needs help. They rely on philanthropy to fill the gaps this government has created. While we debate information-sharing protocols, they are begging for survival funding, and it is getting worse. In December, just before Christmas, this government cancelled the School Focused Youth Service program – and I will refer to it as the SFYS – a program that has run since 1998, a program that works really well. For Stonnington, which includes part of Prahran, this means losing \$420,000 every two years. SFYS funds staff and programs across government, independent and Catholic schools. This supports students in years 5 to 12 who are at risk of disengaging with school. Programs that work get cancelled, taxes that hurt get implemented, and that is the Labor way.

The government claims schools can use the Schools Mental Health Fund and menu instead, and that is rubbish. The menu is not designed to keep disengaged students in education. It is complementary, not duplicative. Moreover, successful SFYS providers, organisations with proven track records, are just not on the menu, so schools lose access to trusted providers who know these kids, who have built relationships and who get results. And the government made this cut while youth crime and social cohesion are major challenges across Victoria. You cannot keep kids engaged in school by cancelling the programs that keep kids engaged in school, but apparently Labor have not figured that out yet.

The royal commission recommended that all restrictive practices end in 2031. That is in six years time. Labor has made no meaningful steps towards achieving this goal at all. This is particularly exacerbated by Labor's failure to address the critical workforce shortages flagged by the royal commission's interim report handed down in 2019. That was six years ago – six years of warnings, zero of action. Lived experience stakeholders, the very people this royal commission was supposed to empower and listen to, are particularly aggrieved by Labor's failure to address this recommendation. They were promised a seat at the table, they were promised their voices would be heard, they were promised transformation, and instead what have they got? Let me be blunt about what has happened since this government accepted the royal commission's recommendations. They have had budget cuts, critical workforce shortages have not even been addressed and access to mental health support is now worse than before the royal commission. The promised mental health and wellbeing locals have been scrapped. The only thing successfully implemented is the mental health tax. They keep the tax and they cut everything else.

The sector feels betrayed by Labor. They should feel betrayed, because they have been betrayed. They can see no meaningful improvements in structure, access to services or even service delivery models. This is shameful. It is a shameful example of Victorians paying the price of Labor's complete mismanagement of critical reforms for vulnerable Victorians. The government held a press conference and the Premier stood next to the royal commissioners. They made the promises, they introduced the tax and they collected the money – well done – and then they cut services, failed to address workplace shortages, scrapped programs and left people worse off than before. Press conferences are free, mental health services cost money. So Labor do the press conferences, they cut the services and they tax you. The people of Victoria were promised transformation. They were promised a mental health system that would be the envy of the nation, and we have had very little.

On my final point, I do want to acknowledge that in the seat of Prahran and in neighbouring seats we have seen a significant amount of youth mental health issues and youth suicides in recent times. It is something that I feel absolutely passionate about, and our system of government, the Allan Labor government, is letting these people down. We need resourcing in these areas.

Eden FOSTER (Mulgrave) (11:50): I rise today to speak on the Mental Health Legislation Amendment Bill 2025 as both an elected representative and a psychologist. I view this legislation through a dual lens – one of effective governance and another of deep commitment to person-centred clinical outcomes. This amendment is part of the continued transformation of Victoria's mental health and wellbeing system, a transformation driven by the vision of the Royal Commission into Victoria's Mental Health System and delivered through the Mental Health and Wellbeing Act 2022. This act marked a turning point in how we think about and support mental health in Victoria. It redefined our approach from one focused only on illness to one that promotes good mental health, wellbeing and inclusion for every person. It placed people with lived and living experience at the heart of the system, recognising that their voices, their preferences and their values must guide every aspect of service design and delivery.

I want to acknowledge the many people who made this progress possible. To our mental health workforce, the backbone of our system, thank you. To my former colleagues as well, thank you. You support Victorians in their hardest moments, often under immense pressure and in a time of significant reform. To our sector partners who developed training, led engagement and worked alongside the Department of Health to implement the 2022 act, thank you for your dedication. And to those with

lived and living experience of mental ill health, along with their families, carers, supporters and kin, your insight and advocacy continue to shape this reform. It is through genuine partnership that we will build a system in which every person feels safe, seen and supported.

When legislating about and for the people who make mental health care possible, and as effective as it is in Victoria, I think of the service providers in my electorate of Mulgrave and the south-east metro region more broadly. Whether it is the exceptional professionals at Monash Health in both Clayton and Dandenong and also the Monash Health Community Springvale or the numerous clinics that are throughout my electorate, my constituents are well served by these eminent practitioners and the system that supports their incredible work.

As good as the system may be, however, reform is not static. The 2022 act was designed to evolve alongside our service system. The bill now before the house makes a number of important updates to ensure the act continues to operate as intended. Firstly, this bill enables information-sharing reforms, as recommended by the royal commission in recommendation 62. This includes the introduction of a modern, fit-for-purpose electronic health information system. Our current IT system, the client management system, is more than 30 years old. It has served its time, but it can no longer support the needs of a reformed, expanded mental health system facing greater demand than previously anticipated. The new EHIS will revolutionise the way we deliver care. It will allow care teams across hospitals, community-based services and new mental health and wellbeing locals to access the right information at the right time. It will make transfers of care safer and better coordinated.

I hear that the member for Prahran would like to see police have access to this same information that health professionals have access to. I know many in the community, particularly those suffering from mental ill health, may be quite concerned about police having access to such sensitive information. With all respect to the member but also with respect to Victoria Police, I do not think they have got the training that is appropriate to having access to such sensitive information, so I am deeply concerned by that suggestion by the member for Prahran.

But what this does mean for staff is less paperwork. For staff in hospitals and for staff working with the system, it means less paperwork and more time with patients. For consumers it means no longer having to repeat their stories, sometimes painful ones, again and again. Key information will follow them wherever they receive care, empowering them to take an active role in their treatment and recovery.

As a psychologist, I saw too many times my clients tell me that they did not want to retell their story, so having this system supports patients, supports clients. The new system is being built with strong privacy, security and governance at its core. Access will be tightly controlled and the Department of Health will ensure compliance with Victoria's privacy and data security standards. There are clear penalties for any unauthorised access or breach. In time the EHIS will connect with other key reforms, including a comprehensive data repository and a new consumer portal that allows Victorians to securely view and share their information.

This is about building an integrated, transparent and person-centred system for the future. It is also a necessary step towards a truly integrated mental health system. Fragmented information is often a barrier to safe, continuous and effective care. In a crisis, having timely, accurate records can be life saving. Secondly, the bill streamlines governance and safeguards in our forensic mental health system by transferring the functions of the Forensic Leave Panel to a new forensic division within the Mental Health Tribunal. This change will make the system more efficient and consistent. The tribunal already has the expertise, structure and procedures needed to handle complex forensic matters. By consolidating these functions, we are ensuring that forensic patients continue to receive fair, transparent and timely decisions while upholding both community safety and the rights of individuals.

As others have done in this debate, I want to take a moment to acknowledge the members of the Forensic Leave Panel, and in particular its president Justice Rita Incerti, for their outstanding work.

Their commitment has upheld the integrity of our forensic mental health system and safeguarded the rights and recovery of those in their care.

Finally, the bill makes a series of minor technical amendments to ensure the act operates smoothly. These include updates to the Freedom of Information Act 1982 to maintain protections for sensitive forensic information and clarification of the health secretary's powers to share relevant information with the Coroners Court. These are careful, considered changes that reinforce accountability and transparency across the system. The issues that our system faces call for reform, not revolution, and this bill is a meticulously developed effort in delivering just that.

When I was first presented with this legislation, I did what I often do and considered it first as a legislator and representative for the Mulgrave people and second as a trained psychologist with years of experience in study and practice. I know firsthand the limitations and fault points of our current system. I have seen and heard of too many clients and patients who fall through the cracks of a system which can be too archaic or too slow to react to the needs of Victorians who seek support. I believe that the amendments under consideration today stand to fundamentally benefit the Victorians we have set out to help. The best administration settings and bureaucratic structures are the ones that the average Victorian engaging in these services never has to hear about or get their head around. It is this reality that the legislation sets out to deliver, and I am hopeful that mental health outcomes in this state will be better for it.

The bill under consideration today is about more than just legislative housekeeping. It is about ensuring that the promise of the royal commission and the vision of a mental health system built on compassion, connection and human dignity continue to be realised. By working together across government, across services and with people who lead these lives, we are building a system that is fit for the future, grounded in care and driven by the belief that every Victorian deserves to live well. I might end my speaking there, but I commend the government for the work that it does in fulfilling the recommendations of the royal commission, with today's bill being part of that, and I commend the bill to the house.

John PESUTTO (Hawthorn) (11:59): I rise to speak on the Mental Health Legislation Amendment Bill 2025, and as my colleagues on this side of the house have made clear, we will not be opposing the bill. But in saying that, I do think the government stands condemned for its continuing failure to properly invest in access to mental health support services that are needed to desperately meet what we know is rising demand for supports right across our community from all age groups. This bill, as with so many other bills, deals with the surface, but it does not actually address the crisis which rages through many parts of our community where people cannot access the supports they need and where those who are working in the sector, whether it is frontline law enforcement or those in counselling and other allied services that are desperately needed, cannot meet that demand because of the failure of this government to properly plan and adequately fund mental health in our community.

This bill deals with a very important set of legislative regimes, and in particular it deals with the issue of forensic patients and residents in custodial settings. These are patients and residents who are under such orders which have been imposed by our courts for people who either are found to have been unfit to stand trial or, having committed physical acts which have led to injury or other property damage, are found not guilty by reason of their mental impairment. We have a very large part of our justice system which deals with accommodating these custodial settings for such residents and patients. This bill does deal with some what I would call process and administrative issues, which we do not oppose, as I said, but which do not address some of the crises which I will come to later in my remarks.

One of the stated purposes of the bill is to transfer the functions from the Forensic Leave Panel to the Mental Health Tribunal. On its face it does not sound like it is a very contentious move, and that is why we are not opposing it. But I do want to state for the record our concern that one of the reasons for this amendment is that members of the Forensic Leave Panel and the judiciary have concerns about the level of demand, and they are not in a position to address the hundreds of applications that come

before the Forensic Leave Panel in a timely way. Decisions of the Forensic Leave Panel are crucial, and they are crucial because they are either granting or rejecting applications by people under custodial supervision orders to either have onsite leave or leave the site of, say, Thomas Embling, to take leave outside of that facility. If the leave panel gets it wrong, the consequences could be catastrophic. To give you an example, they nearly were. Just last week it was reported that a forensic patient was on leave and was seen carrying a hammer and engaging in a crime spree. That is what can go wrong, and we know that in the past this has happened: forensic patients and residents have breached the terms of their leave. The point is that the essential supervision that must accompany any decision of the Forensic Leave Panel means that when we consider the transfer of those responsibilities to the Mental Health Tribunal we do not want any weakening or dismantling of the strongest possible standards for those decisions, because not only are those patients and residents at risk but, equally importantly – perhaps more importantly – members of the public are at risk if that is got wrong. The skills and capabilities that should surround and permeate that whole process cannot in any way be weakened by this change.

Another stated purpose of the bill is information sharing – again, not contentious. It should have happened yesterday. But it is here, so we do not oppose it. But we do have a concern that Victoria Police are not going to be able to access that information. I was listening to the comments by the member for Mulgrave, whose work in the sector I greatly respect, but I do respectfully disagree. The member for Mulgrave stated that she had concerns about Victoria Police members having access to that information. I would offer a different perspective. I think it is essential that they have that access. Imagine this: you go to a premises – say, an apartment complex – to deal with a mental health crisis and you hear, for example, banging and screaming on the other side of the door. As a member of Victoria Police, don't you think it is reasonable that you know what might lie behind the door? I think it is eminently reasonable, and I think it is unfair to deny that information to somebody who is actually on the front line, who actually has to go behind that door and de-escalate that situation at great harm to themselves and their fellow police members. I think it makes perfect sense; in fact I think it is a gross failure not to include them in the information-sharing processes that this bill will induct.

I want to turn to some of the issues that flow from this. When forensic patients and residents who are onsite or offsite leave, we have seen a failure of supervision and monitoring. When I spoke earlier in my remarks about the government making changes like this but not addressing the crisis, this is part of that. This is what I mean: a failure to invest in the resources so that those caseworkers and officers can be funded to undertake the monitoring supervision. We have seen, for example, in corrections many caseworkers whose caseloads have doubled. Now, it is just not achievable and it is just not sustainable to keep heaping massive and increasing workloads on these officers. It is vital that people on leave from these facilities are monitored and supervised adequately, and that is a real failure in this bill.

A second issue I want to address, which the shadow minister and member for Lowan very eloquently addressed, is the failure of this government to implement the recommendation of the royal commission to shift from a police-led response to a mental health response. That means that we are not going to achieve the recommendations of the royal commission, because there is continuing delay because the system is in crisis. I think it is an inescapable conclusion that one of the reasons the government has been unable to effect that transition to a mental health led response is because the crisis continues in our system. And why should the crisis continue? That is the question. It is not as if the government does not have the potential revenue to fund the measures that the royal commission recommended. The mental health levy, which this government introduced and which this government promised would fund improvements right across the board in mental health, will raise this year and in the next three years over \$5 billion in revenue – more than \$1.2 billion a year and growing. Where is it going? With all of the revenue this levy is raising – over \$5 billion over the next four years, including this year – where is it going? We know that there are resourcing constraints right across the mental health sector, and yet this government is not being transparent on where that money is going.

A good example of a failure to use that revenue to invest in better mental health outcomes is the mental health locals. This government promised mental health locals, and it has not delivered them. It has delivered a few, but it has breached its promise to actually – including in Melbourne, where demand for mental health services and support is growing. So what is happening with this mental health levy and the revenue that is supposed to come from it? We are certainly not seeing it on the ground. I will give an example in my own electorate. I have heard the Premier and various of her ministerial colleagues talk about Bills Street, which is there to provide essential social and affordable housing for Victorians in need in my electorate. Yet one of the criticisms I had and many others in my community had at the time that this government approved Bills Street in Hawthorn was that it did not have ready access to any mental health supports or allied services, and nary a week goes by when I do not have somebody calling me in my office in a state of distress and crisis because they cannot access mental health services; there is nothing around. Despite what the Premier and her colleagues have said, there is no immediate access to public transport even, so those people who have acute needs – some more than others, admittedly – for mental health support cannot readily access that. That is because of the failure of this government to properly invest in and support our mental health services – those who need it and the critical workforce which is needed but which still suffers from the shortages that will not see better outcomes.

Paul MERCURIO (Hastings) (12:10): I rise to give my contribution to the Mental Health Legislation Amendment Bill 2025, which is about making our mental health system stronger, safer and more responsive to the people who depend on it. I apologise in advance if I sniff and cough. Unfortunately I have got a bit of a bug from my grandchildren, which is just the way it is. It keeps going around; they keep giving us the love. So please excuse me.

I would like to thank the previous members, the member for Frankston and the member for Mulgrave, for their very pointed contributions and very clear, concise ideas. I might just mention that the member for Mulgrave, who has experience as a psychologist, has talked to people who are affected by this bill and who have concerns about the police knowing and having intimate details about them. She was speaking from experience about people she cares deeply for and helps. The member for Hawthorn respectfully disagreed. He does not have the same lived experience, and he was concerned about the police – and it is fair enough to be concerned about the police; the police do an incredibly difficult job. I talk to my local police all the time, and they are brilliantly trained to deal with all manner of things. I assume that if a police officer turns up and there is banging behind a door, they are trained, they understand how to deal with that, and they keep themselves and the people who are in harm's way and who are affected safe.

I want to talk a little about a friend of mine. I will not name him, but I want to talk a little bit about his experience. Part of that experience is that he has called the police himself because he feared he was going to harm someone. He has severe mental health issues, and he will call the police and say he may self-harm or harm someone, and the police come to him along with the ambulance. They understand very well how to deal with these situations. I just wanted to make that comment in refutation, I guess, of the member for Hawthorn's brief comment.

I want to talk about some of these amendments, and I want to celebrate that they are a good thing. Sitting here and listening to the other side you would think all is doom and gloom and that nothing is working, and that is not the case at all. I do celebrate the work that has been done here, and I celebrate the people who have worked on this bill. The amendments might look technical at first glance, but they are practical and they are people-focused changes that matter. They will support treatment, improve safeguards and deliver on the vision set by the historic Royal Commission into Victoria's Mental Health System that this government began. The bill makes three changes: it transfers the functions of the Forensic Leave Panel to the Mental Health Tribunal; it strengthens information-sharing provisions so they work as the royal commission intended; and it makes minor amendments to ensure the act continues to operate as it should and as it needs to for people like my friend, who have fairly severe mental health conditions. The Mental Health and Wellbeing Act 2022 itself was a landmark

reform. It reset the legislative foundation of our system, promoted good mental health and wellbeing and supported services that reflect the needs and preferences of Victorians. Importantly, it placed people at the heart of the system, making sure the voices of those with lived and living experience and their families, carers and supporters shaped the way services are designed and delivered.

I want to take this opportunity to thank the many people who helped make the 2022 act a reality: those within the sector who developed education and training resources, led engagement and worked closely with the department; our mental health workforce, who are the backbone of the system, providing world-leading care during a time of enormous reform and change; and most of all, people with lived and living experience and their families and supporters for continuing to guide and partner with us to achieve better outcomes. When we listen to the communities that these changes affect we get better results – and we listen all the time. We have people in Parliament today wanting to talk about some mental health issues. We know the difficulties that they face, we understand the challenges that they face and we are forever working to help support and change things.

This bill is about tweaks. We, as a government, bring legislation to this Parliament and then we constantly tweak and change it so we can make it better as things change in the community over time. This bill is part of the natural evolution of that act. As the system grows and reforms take shape, we must keep adjusting the legislative framework so it remains strong, responsive and fit for purpose.

The first major change in this bill is the transfer of functions from the Forensic Leave Panel to the Mental Health Tribunal; much has been said about this already. The Forensic Leave Panel has played an important role in supporting rehabilitation and community reintegration by hearing applications for supervised leave. That leave is not just an administrative process; it is a vital part of treatment and recovery. It is about people. It is about humanity. Under this bill the Forensic Leave Panel will cease and its functions will move to a new forensic division of the Mental Health Tribunal. This tribunal is well placed to take on this role. There is already significant overlap in expertise, with psychiatrists, psychologists and community members who have the right forensic knowledge and experience. The tribunal has well-established processes for hearings, issuing decisions and reasons and already has relationships with forensic patients at designated services. That is another thing you might recall: unfortunately some of these patients and people that are coming before the board are well known and their stories and histories are well known. This change streamlines the system, reduces duplication and provides a more efficient safeguard. It will help people get timely access to leave that supports their rehabilitation while still maintaining strong protections for the community. I also want to extend my thanks to the members of the Forensic Leave Panel, particularly president Justice Rita Incerti, for their dedicated service and the integrity that they have brought to their work.

The second major reform in this bill is information sharing, and much has been said about that already. The royal commission told us clearly that we need modern IT systems if we want a mental health system that is safe, coordinated and consumer focused. The existing client management system is more than 30 years old and no longer fit for purpose. That is why we are delivering the new electronic health information system. This system will create a statewide record so the right information is available to the right care provider at the right time. It will allow staff to spend more time with patients instead of duplicating paperwork. It will mean people do not have to retell their stories every time they walk through a new door. And it will empower people by giving them access to their own information and the ability to play an active role in decisions about their care. Taken together, these amendments continue the work of the 2022 act and the royal commission. They are about building a system where every person feels safe, feels seen and feels supported, where services work together instead of in silos and where the law underpins good care and good outcomes.

Victoria is leading the nation on mental health reforms. We have invested more than \$600 million to support and grow the workforce, delivered over 170 acute beds and rolled out 15 locals, with more to come. I think the member for Hawthorn said there were just a couple. It is unfortunate that they underplayed that, but there are actually 15 locals already rolled out and more to come. And we have backed the lived-experience workforce with more than \$140 million. We have launched a suicide

prevention and response strategy and expanded services for young people and First Nations communities, and we continue to invest in regional Victoria so no-one is left behind.

I am very excited by the Frankston Hospital \$1.1 billion build. It will be opening soon, and the mental health ward there is absolutely fantastic. In designing that ward they have again taken in the lived experience of what people need and what they go through.

I have run out of time to talk about my friend, but he is in a very dark place. I do not believe that they still do electric therapy – what is it?

A member: Electroconvulsive therapy.

Paul MERCURIO: Yes. What is the movie? I was thinking about it.

A member interjected.

Paul MERCURIO: *One Flew Over the Cuckoo's Nest*. He is still going through it. I commend this bill to the house.

Jade BENHAM (Mildura) (12:20): As the member for Lowan would have stated in her contribution, we are certainly not opposed to anything that helps mental health outcomes for patients, carers and those suffering in Victoria. When we talk about the lived experience of those with mental health conditions and illnesses, as per usual in this place I bring my own lived experience to tell a couple of stories with the view of what it means for practical implementation on the ground. I remember the days when the terms 'mental health' and 'mental illness' just were not language that we used if someone was suffering with depression – or manic depression, as it was called then. The member for Hastings was just talking about *One Flew Over the Cuckoo's Nest*, which paints a pretty grim picture of how those with mental illness were treated in the past. If you go to some of the asylums around Victoria – Ararat comes to mind – women were put in there if they argued with their husbands and for various other 'ailments', such as being a strong-willed woman. Gosh, can you imagine if those things had not changed? Mental health reform, particularly implementing the recommendations from the royal commission, is vitally, vitally important.

We talk about mental health locals. We have a mental health local in Mildura, which is a walk-in service, and it does a great deal of work. I have spoken about this very publicly for years and years and years: in 2020 my husband launched a campaign because he has suffered with depression since he was a teenager. We know that teenage boys often do not talk about these things, but he did, thankfully. He is a very good communicator, thank goodness. But for those living in a small town and living in many regional areas, getting assistance for mental health issues and mental illness is a real struggle. It continues to be a real struggle, which is why implementing all of the recommendations from the royal commission is so vitally important. In 2020, during one of his – they ebb and flow – recovery periods from a low period, my husband decided that if we had at our local health service the ability to just walk in, without needing to go to a GP first, without a referral, when you are actually in crisis, what a difference that would make.

He had never run a marathon before in his life, but he decided that he may have the ability to raise 50 grand; 42 was the original target – \$1000 for every kilometre. He went to the health board – at the time a friend of ours was the chair of the health board – and said, 'If I raise 40 grand could we get a social worker to run a walk-in clinic?' They agreed. Then COVID hit, so he could not run the Melbourne Marathon that he had originally planned to, but he did raise about \$55,000, which then enabled Robinvale District Health Services to set up a walk-in mental health clinic in 2020. Just previous to that, just before COVID and during COVID, there was what we called an epidemic of suicide in Robinvale, which is not uncommon in rural areas, because of the isolation challenges. Sometimes there is not a reason. It was such a passion of his because of his lived experience that he decided that he would start to talk about it. He does not like talking publicly, for a start – he does not like leaving the house or the farm a lot of the time – but he was driven to be brave because he knew it

would save lives. After that clinic opened in September 2020 – he ran his marathon that October – it went from being open one day a week to being open three days a week. It was very well facilitated by Robinvale District Health Services, and it did ultimately save lives.

Lived experiences – when we talk about them in the mental health space, both for those that have been through the system and been through the illnesses and those that have cared for those that live with mental health issues – are also some of the most valuable insights I think that any government, any department or anyone can take note of. Those carers – and it is carers week of course this week – that care for someone with mental illness have some really valuable insights. There is no handbook for this stuff. I know many have tried. There are many books on mental health, but there is really no handbook; the most valuable thing that we can bring to the table is lived experience.

It was one of, I suppose, the things that brought my husband and me together, after I had gone through a bout of chemical poisoning. This is the thing as well that academics may not bring to the table. Sometimes it may be environmental; we know that. It may be physiological as well, and this is something we have seen with farmers over the course of time, which you would be well aware of. Even as recently as 20 years ago there was no protective gear worn while you were spraying crops. There were no cabs on tractors – not like there are now, where you get in the thing and push a button and start it and it does it itself. When my dad grew up farming, there were no cabs – he has still got his old International tractor – when spraying pesticides and herbicides. They build up, particularly if you are someone with a low-functioning liver, like I was. This can lead to chemical poisoning, which alters the chemical processes in your brain. I ended up having to battle being bipolar and depressed for five years in my late 20s and early 30s, which was so tough. I had no idea what was going on. Why would I? I just thought I was happy one day and not the next, and sometimes I thought it was fun. It was not fun for those that cared for me, which is why I say that the carers of people with mental illness have incredible insights.

But it is that lived experience and the dark humour I think that follows if you are lucky enough to come out the end. I think – well, I know – that sometimes obviously you get to a point where you just want to make the whirlpool in your head stop. You will do that by any means possible, without any rhyme or reason – or at least thinking about these things – and the outcomes of that are obviously devastating and tragic. I have lost far too many friends to mental illness, starting from the time when I was in year 10 and lost one of my very good friends, and there were no signs. So everyone's story is different; everyone's lived experience is so different. All except one of my friends that we have had to say goodbye to as a result of mental health have been male – boys mostly, but sometimes older gentlemen. My best friend's dad battled it because of chemical poisoning and a physiological reaction in his brain his entire life.

It is something that affects us; we feel it out in the regions. It is a constant battle, which is why the implementation of the recommendations from the royal commission are vital. The royal commission did not happen for no reason. The recommendations were not for fun. They are vital so that the outcomes for those living with and caring for patients with these conditions improve and so that we can have less tragedies and less epidemics of suicide across the state. Like I said, and as the member for Lowan has stated, we are not opposing this bill.

Martha HAYLETT (Ripon) (12:30): I rise today to speak on the Mental Health Legislation Amendment Bill 2025. As the member for Ripon I am contacted regularly by parents who have lost sleep worrying about their child's mental health, workers who have lost colleagues and people living with mental ill health who want access to better care closer to home. This bill is for them, creating a safer, fairer and more connected mental health system. It will amend the Mental Health and Wellbeing Act 2022, the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, the Freedom of Information Act 1982 and the Health Services Act 1988 to transfer the functions of the Forensic Leave Panel to the Mental Health Tribunal, ensure information-sharing provisions of the act operate as recommended by the Royal Commission into Victoria's Mental Health System and make minor and technical amendments to ensure the act operates as intended.

These amendments will help with the creation of a new statewide electronic mental health and wellbeing record and mental health information and data exchange to facilitate a more connected system. Importantly, legislative safeguards are in place for the electronic health information system under chapter 17 of the act and apply to any new services granted access to the system. At every step of our reforms to the state's mental health system we have put people's voices and lived experience first. This bill will strengthen our earlier reforms by removing unnecessary complexity that can get in the way of care. It will also make clearer pathways so that families, carers and the person receiving support can expect a system that meets them where they are. It will streamline processes without diminishing safeguards, give people more control over their care and give clinicians better information to do their jobs.

One of the most practical reforms in this bill is the transfer of the Forensic Leave Panel's functions to a new forensic division of the Mental Health Tribunal. Clinicians, legal practitioners and families have told government that duplication of quasi-judicial processes wastes time and creates confusion for people already under stress accessing the mental health system. Bringing forensic leave decisions into the tribunal is sensible and evidence informed. The tribunal already has expertise, judicial rigour and the procedural structures needed to conduct hearings and make reasoned decisions. Consolidation will mean decisions are made more consistently and efficiently. It will also maintain protections for the individual and community safety, supported by members with the right forensic expertise. I pay tribute to the members of the Forensic Leave Panel, as I know many other members in this place have done today, and in particular to Justice Rita Incerti, whose service has upheld rights and safety for so many.

Families tell me repeatedly how exhausting and retraumatising it is for a loved one to recount their history every time they present for care. This bill paves the way for the electronic health information system and the mental health and wellbeing record that our system so desperately needs. The existing mental health IT system, known as the client management system operational data store, is a 30-year-old system unable to meet the needs of a reformed and expanded mental health system. Creating a modern integrated system will mean the right information is available to the right clinician at the right time. It will reduce clinical risk at transitions of care and give consumers real ability to see and use their own information, freeing up time for care and making every interaction safer and more meaningful. This is particularly important in our rural and regional areas, where seamless information sharing will make a real difference. When a person moves between local services, emergency departments or specialist clinics, their care should not be fragmented by geography or system boundaries.

Our government committed \$64.7 million to deliver a new fit-for-purpose IT system. Once complete, this IT system envisioned by the royal commission will benefit teams across public health services and community mental health services, including mental health and wellbeing locals and preventative and recovery centres. Importantly, though, people will only accept an electronic mental health record if they can truly trust it. That trust must be earned and legislated for, and this bill embeds privacy and governance protections to do just that. We owe it to people who have been the most harmed by our system to get these protections right. A secure, well-governed record will help people feel safer by engaging with services and will ultimately support better clinical outcomes. There are also a number of technical amendments in this bill that matter a great deal on the ground. Clarifying administrative powers, closing legislative gaps and correcting drafting technicalities will prevent confusion for clinicians, administrators and the people using services. These fixes will mean fewer legal disputes and a more seamless experience for people seeking help.

Representing the most rural electorate on this side of the chamber has made me acutely aware of the challenges many country Victorians face in accessing mental health support. Limited options and big distances between care makes having an integrated system and better information even more critical. This bill will help ensure that a farmer in Raglan, a young person in Clunes or an older adult in Bridgewater receives the same continuity of care as someone in Melbourne. It will help make sure that when someone reaches out for help, their story follows them and they do not have to repeat their story

time and time again, which risks retraumatising them. It will mean that their loved ones will not have to navigate multiple systems to keep them safe.

I want to thank all those who helped contribute to this bill: the families, the carers, the clinicians, community organisations and legal advocates. Their voices reshaped our thinking and kept us honest about where the system falls short. To the mental health workforce, we know that you are very stretched and often working in difficult conditions, and that is exactly why we want to rebuild the mental health system in this state and why we had the royal commission into the mental health system. This bill is designed to reduce unnecessary bureaucracy and give those mental health workers better tools and clearer processes to focus on what matters most: supporting people's mental health.

Passing this bill is not the end of reform – it is an important step in an ongoing journey to make sure people do not fall through the cracks. We are making progress every single day in fixing a system that was fundamentally broken. By working together we will continue to build a mental health system where every person feels safe, seen and supported. Before I finish my remarks, I do want to just sincerely thank the Minister for Education for all of the work that he has done to embed mental health support into our schools. I know that has had a huge impact on a lot of our rural and regional schools. The mental health menu is providing so many more options across our region to be able to get immediate mental health support for our students. That is really paying dividends. Principals and teachers that I hear from across the 54 schools of Ripon are benefiting from that – it is just phenomenal.

We also have some bespoke ways that we have really supported people and their mental health locally. I want to give a big shout-out to One Red Tree Resource Centre in Ararat, which we have backed with millions of dollars to make sure that provisional psychologists can come into our schools and into our community organisations to provide much more psychological support across not just Ararat but the broader Grampians region. There is still a lot of work to do – we know that – but we are a government of reform, of practical support and of making a difference not just in metropolitan Melbourne but in rural and regional areas. That is why this bill is so important. As I have said, it is a step forward, but there is still a lot of work to do. I commend the bill to the house.

Jess WILSON (Kew) (12:38): I rise to speak on the Mental Health Legislation Amendment Bill 2025. This bill makes further amendments to the Mental Health and Wellbeing Act 2022 and related legislation. It represents the second round of changes since the act came into force, and its main purpose is to tidy up the system's administrative and operational settings. The bill does four main things: first, it abolishes the Forensic Leave Panel and transfers its functions to the Mental Health Tribunal. This change responds to workload and resourcing pressures within the existing panel and is intended to streamline decision-making about leave for forensic patients. Second, it introduces new information-sharing arrangements to enable the rollout of Victoria's new electronic mental health information system. This system is meant to improve coordination between hospitals, ambulance services and community providers. Third, it clarifies provisions about support decision-making to ensure that when decisions are deferred to a nominated support person, it is the views of the patient, not the support person, that guide the outcome. Fourth, it requires a psychologist to examine a person following the use of restrictive practices. These are technical amendments, but as with any legislation in this space, the real question is not whether the system looks better on paper but whether it works for people when they most need help.

That brings me to a family in my electorate who I have come to know well, Tamara and Richard Wraith. Tamara and Richard tragically lost their daughter Amber to suicide in April 2022. Amber was only 19 years old. She was bright, creative and deeply loved. But tragically, Amber was diagnosed with a complex mental health illness in 2019, including severe depression and anxiety, with her psychiatric condition deteriorating over the years that followed. Despite seeking help, Victoria's health system failed Amber. From the outset, I want to express my deep admiration for Tamara and Richard and their family. Despite having lost their daughter and the unimaginable grief that they will carry for the rest of their lives, Tamara and Richard are determined to focus their energy – and Amber's legacy –

on improving our health system so that other young people and their families never find themselves in the same situation.

I have met with Tamara and Richard several times. I have listened as they have gone through the details of their daughter's treatment and the endless list of missed opportunities to keep her safe. I am broken by their grief, but I am so deeply moved by their strength and determination to ensure Amber's legacy is one of reform to our mental health system. Since Amber's death, they have dedicated themselves to understanding how and why the system failed. Their advocacy has prompted a root cause analysis at St Vincent's Hospital, a review at Headspace Hawthorn and eventually a coronial inquest. What is clear is that Amber had done everything right. Her parents had done everything right. But despite their tireless efforts to get her the help she needed, the system failed her. When the coroner's findings were handed down earlier this year, they confirmed what the family already knew: Amber was discharged from emergency care without a proper safety plan, clinicians failed to gather information from her family or her treating doctors and there were serious gaps in communication between services. The coroner acknowledged these deficiencies but made no clear findings about how or why they were allowed to happen. That lack of accountability has left the Wraith family without real answers and left the system without clear direction. It is not good enough.

In response to Amber's death, Tamara and Richard established Amber's White Light, a foundation dedicated to improving care for young people with complex mental health issues. They are working with Black Dog Institute to see their suicide prevention guidelines for emergency departments implemented in emergency departments right across the state – clear, evidence-based protocols for identifying suicide risk and managing crisis presentations. Through Amber's White Light, they have funded a research project at Monash University's HER Centre Australia to develop a world-first objective, biologically based diagnostic toolkit, including blood tests for key biomarkers, a rapid eye movement test and a structured research-derived questionnaire.

They are doing this work because, despite years of reviews and a royal commission, the system is still not delivering. The royal commission was meant to give us a road map. It spoke of a system built on compassion, continuity and lived experience. But those recommendations must be translated into clinical practice. That means mandatory, evidence-based suicide risk assessment and safety planning in every emergency department; consistent diagnostic tools to identify complex conditions and psychosis early; integrated data and communication across hospitals, GPs and community services; and genuine inclusion of carers and families in every stage of treatment. Amber's story lays bare the consequences of a system that remains fragmented and under-resourced. It is now more than four years since the Royal Commission into Victoria's Mental Health System delivered its report. That report was meant to mark a turning point – a commitment to rebuild the system from the ground up. Instead, progress has stalled. Instead, again with the bill before us today we are playing around the edges.

The shift in mental health led crisis response has been reversed. We are back to a police-led model, even though the royal commission made it clear that this approach can be traumatic for people in crisis. The government talks about reform but has failed to deliver the workforce funding and the services needed to make it real. Promised mental health and wellbeing services have been cut back, budgets have been trimmed, clinicians are stretched beyond capacity and access to care is now worse than it was before the royal commission began. This bill makes administrative changes, but it does nothing to fix the fundamental problems: the lack of accountability, the lack of follow-through and the lack of investment in frontline services and care.

Tamara and Richard should never have had to become investigators of their own daughter's death. They should never have had to write to ministers and to read clinical notes just to find out what went wrong. But through Amber's White Light, they have turned that pain into purpose. We often talk in this place about infrastructure, about roads and bridges and rail, but the infrastructure that saves lives is not made of steel or concrete; it is the strength of a system that meets people with empathy and coordinates care that does not leave families to navigate crises alone. When a young woman like Amber can present to a hospital in clear distress, leave without a safety plan and die days later, it shows

that a system is not just under strain, it is broken. We owe it to Amber and to every young person who has been failed by this system to do more than pass the technical amendments before us today. We owe them real reform, and that means implementing the royal commission's recommendations in full – not half-measures, not delays, not cuts dressed up as efficiency. It means learning the hard lessons from Amber's story: where the system failed her and how it can be fixed so that young people right across this state are saved into the future.

This government has had four years to act, and Victorians are still waiting. We owe it to Amber and we owe it to all those who have lost their lives to finish the job before us. I sent this speech to Richard and Tamara for their review today to ensure that they were comfortable about me speaking to Amber's story, and I just want to read a comment that her mother sent back. She said:

I can sense you have tried to imagine the unimaginable & walk in our shoes as parents, and with me as a mother.

To Tam: I cannot imagine the pain you have gone through. I cannot imagine, to be honest, how you get up out of bed every single day and fight to ensure that people – young people and young women like Amber – never have to face a system that does not meet the needs of those with serious mental illnesses. As a state, as a government, as a Parliament, we should do so much better to ensure we put the services around the people who need it most so that when they present to an emergency department in distress and in need, the system meets them with the clinical tools to ensure that they are safe and that the consequences that we saw with Amber never happen again.

Tim RICHARDSON (Mordialloc) (12:48): It is a pleasure to rise and speak on the Mental Health Legislation Amendment Bill 2025. From the outset I want to cover off some of the things that were said by the lead speaker on this and the narration around the Royal Commission into Victoria's Mental Health System, which I find to be extraordinary. It has been absolutely extraordinary, some of the commentary that has been made on this royal commission.

This was a royal commission that made a number of key recommendations in its interim report and its final report, 74 that were generational in their significance and that have been a huge reference point for federal reforms around mental health and wellbeing. The notion that, after four years of trying to address generational challenges around how we get people the mental health and wellbeing support they need – comments by the lead speaker and others – suddenly the whole place has to change, I cannot underscore how naive that is in the policy frame that we find ourselves. This is a generational, decade-long reform that acknowledges how broken the system was, and it is an extraordinary thing for those opposite to come into this place now, having opposed the mental health levy and the allocation of those funds to fund these reforms, to criticise that very policy setting here today and to then suggest that nothing has changed. It is a degradation of the mental health and wellbeing workforce, the lived experience workforce that is the central nervous system of these reforms, and it underscores the policy naivety of those opposite on the significant intergenerational reform that the mental health royal commission and the Royal Commission into Family Violence sought to initiate. The notion that some 1460 days later suddenly no-one would be in mental health distress is a real undermining of the policy setting that we find ourselves in. And those opposite were opposed to some of those reforms, including the significant mental health funding levy.

I have been astonished at the commentary that has been had, the absolute attack on the workforce and those with lived experience that are the central nervous system, and the suggestion that nothing has been done in this space, that there has been nothing created. There has been a massive, overwhelming change to how people with living and lived experience are impacted, including those that are impacted by the loss of a loved one, maybe one of the more than 770 Victorians that we lost in the recent year. The launch of the suicide prevention response strategy and the launch of the wellbeing plan by the parliamentary secretary and the member for Frankston – these are all big, hallmark reforms that hold the government to account.

A basic reading of the executive summary of the suicide prevention response strategy would show how accountable this government is, but clearly no-one on that side has bothered to even read the hallmarks of these reforms. It is astonishing that we are 55 weeks from the caretaker period and those opposite come in with ham-fisted policy points and dot points like that, because it matters to Victorians. To so flippantly undermine these recommendations that are of generational significance – it scares me to think of what they would do to the mental health workforce, to the lived experience workforce, and the disconnect that those opposite have between policy and the hard yards of reform that is done time and time again.

When we come to recommendations and changes like this that add, strengthen and contribute, there is this notion that this is a bad thing to have this come through in the bill. We have had two monster reform changes to this act. When former Deputy Premier James Merlino moved those reforms, they were substantive, and then the minister at the table Minister Williams, who was the Minister for Mental Health and suicide prevention, moved another tranche of reforms. For those opposite to come in here and say these amendments that are important are just technical amendments blatantly undermines all that work and the reform that has been done to this point. I do not know whether they are just not briefed, not across the detail or flippant in how they approach this policy space, but it is a warning to all Victorians. When you are that underprepared and you are that flippant about significant intergenerational reforms, you will not value it when it comes to election time, you will not value it when it comes to what cuts you will put up, and we know the mental health levy will be one of the first things they will cut. It will be the mental health workforce and Victorians living with mental health and wellbeing challenges in our community that will be the first impacted by those opposite and their changes.

These are critical changes that those opposite might describe as administrative. This bill and its amendment to the Mental Health and Wellbeing Act 2022 build on significant reforms over that time. The transfer of functions from the Forensic Leave Panel to the Mental Health Tribunal, ensuring information-sharing provisions of the act operate as recommended by the royal commission, is a really important element. That is again building on some of the hallmarks of what we learned around how sometimes the system can victimise and impact people, so we are making sure that we are aware of that, and on amendments as the act evolves and changes, and I think that is a critical feature going forward. Having been a parliamentary secretary in this space and having the privilege to meet so many people who front up each and every day for the mental health and wellbeing support of others, you see how incredibly complex this system is.

I acknowledge the heartfelt and important contribution of the member for Kew about a member of her community with lived experience of the people that we lose. There is a horrific toll of suicide in our community. We know that over 150 people are affected by the ripple effect of someone that we lose, and that trauma can be intergenerational, that trauma can last and be visceral in any moment. It is one of the most heartbreak elements of despair when we lose someone to mental ill health.

We want a system where when people go and help-seek they get the support and care they need. But I will tell you – and this is a really important shout-out – there are a number of people that we do not ever see, that will be blind to us, who do not help-seek and who we lose, and that is the majority of people who have not interacted with a mental health service, who have not presented to their GP, who have not gone through any frame of mental health and wellbeing care planning. We lose them, and that is a whole-of-society stigma that we face in mental health and wellbeing care.

Seventy-five per cent of people that we lose to mental ill health are men and boys. There is a huge intersection between how we raise men and boys in our community – and the role that I have is Parliamentary Secretary for Men's Behaviour Change – what it means to be a man and a boy in the community, what it means to show vulnerability and what it means to front up when you need help. We know as lads we do not do it anywhere near as well as we could, and of the violence perpetrated in our community 95 per cent is committed by men and boys. There is an intersection here, so if we are to get that awareness up, if we are to lower the mental health and wellbeing toll over time, we need

to lower the systematic barriers – that is, when someone presents to an ED or presents to their GP, they are referred and get that support that they need, and the levels of mental health support from 1 through to 5 are there when they need them and meet people where they are at. They are absolutely the hallmarks.

For the majority of people that we lose who never interact, what is their story? There is a societal element and change, a cultural change, where we need to lower the stigma around help-seeking by saying that it is not vulnerable, it is courageous to come forward and be supported; by creating in every single frame an inclusive, loving and supportive environment for people in mental health and wellbeing distress; and by ensuring that we are always there. We see that as the biggest challenge for government, the reforms and that whole cultural piece, and particularly for the over-representation, the three out of four that we lose who are men and boys in our community.

When we think about some of the reforms and what is brought forward – and just not even to commentate on that – we know that a lot of those that go through distress will not interact with a service and we will lose them as fellow Victorians. That is the whole cultural piece. That is what the wellbeing plan calls out. That is what the suicide prevention response strategy calls out – the hard-to-reach elements of the cultural reform that are narrated. And that is why the lived experience workforce in all elements of support, from community based, from workplace, from sporting organisation and from mental health and wellbeing support – the peer workforce – are so very critical to the work that we do. I just wanted to put that on the record.

The absolutes and the narration around where these reforms have gone is stark to those opposite and their policy setting – opposed to the mental health and wellbeing levy, opposed to a lot of these reforms. And we know that they would be some of the first things that would be cut if those opposite ever have the chance to serve Victorians. These types of discussions and shadow ministerial speeches give you the window into that. Their speaking points that undermine the reforms and talk down the reforms are all about taking them away from Victorians. We hear it loud and clear. We will defend the mental health and wellbeing royal commission reforms and will keep delivering mental health and wellbeing support for Victorians into the future.

Brad ROWSWELL (Sandringham) (12:58): I also rise in the time remaining before the lunchbreak to address the Mental Health Legislation Amendment Bill 2025. I was listening to the member for Mordialloc's contribution, and I think the way that the member for Mordialloc categorised some of the contributions from the opposition was unfair. I think that we are seeking to engage with these ideas and the bill that the government has presented in a way that is constructive and that also draws upon the truth of the matter as we see it, and as previous opposition speakers have addressed, the opposition's approach to this bill is that we will not be opposing it.

In its final report the Royal Commission into Victoria's Mental Health System stated that, given that most people experiencing a mental crisis have done nothing illegal, the involvement of police can be humiliating and traumatic. In 2022 much was made of the government's intention to move a health-led response. In 2023 the government substantially walked back the legislated approach to the mental health crisis to a police-led rather than a health-led response.

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

The SPEAKER: I would like to acknowledge in the gallery the Consul General of the Republic of the Philippines, Jesus Domingo.

Will Fowles: On a point of order, Speaker, on 27 August I raised a point of order about the operation of the house and the lack of communication from the government in relation to things that were happening on that day. On that day in response you said that members ought to be having open conversations with all parties in relation to the running of the chamber. I want to bring to your attention as Chair that when the house was extended yesterday once again the government did not share that information with the crossbench and we found out about it only in the chamber. That information had

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been shared with the Liberal Party, the National Party and the Greens. I would like you to please again encourage the government to have those conversations, as you previously ruled.

The SPEAKER: As members would be aware, the running of the house is a matter for the house. I will have a conversation with the Leader of the House.

Business interrupted under standing orders.

Members

Minister for Veterans

Absence

Jacinta ALLAN (Bendigo East – Premier) (14:04): I wish to advise that for the purposes of question time today the Minister for Finance will answer questions for the portfolios of small business, employment and veterans.

Questions without notice and ministers statements

Victoria Police

Brad BATTIN (Berwick – Leader of the Opposition) (14:04): My question is to the Premier. Yesterday the Premier said ‘we support Victoria Police’, yet today it has been revealed that injured police officers are unable to sue the state because they are not owed a duty of care under Victorian law. Is this what the Premier means when she says she will support our Victorian police?

Jacinta ALLAN (Bendigo East – Premier) (14:04): I reiterate that we will always stand in support of the hardworking men and women of Victoria Police. We support them as they go about and protect us every single day in some of the most difficult and dangerous circumstances. Whether it is support that is demonstrated through our actions in providing the funding and resources – we have the most number of police of any jurisdiction in the country – or from working with Victoria Police to bring about the first machete ban in the country, which of course has been undermined by those opposite –

Brad Battin: On a point of order, Speaker, in relation to relevance, this is a direct question about the legislation at the moment preventing Victorian police from making any claim of a duty of care under Victorian law.

Mary-Anne Thomas: Speaker, on the point of order, there is no point of order. The Premier on her feet was speaking directly to the question, which asked about the government’s support for Victoria Police. I ask that you rule the point of order out of order and let the Premier get on with answering the question.

The SPEAKER: I have the question in front of me. The Premier was being relevant to the question.

Jacinta ALLAN: I was running through a range of examples of where, through not just our words but our deeds and actions, we have provided support to Victoria Police with record funding levels that have resulted in Victoria having the most police of any jurisdiction in the country, with new laws and powers, notably the work of Victoria Police in getting 12,000 dangerous weapons off our streets through the expanded stop-and-search powers –

James Newbury: On a point of order, Speaker, the Premier is clearly debating the question and continuing to be evasive in the way that she answers questions. It is evasive.

The SPEAKER: The Premier is being relevant to the question.

Members interjecting.

The SPEAKER: Order! I have ruled. Manager of Opposition Business, evasiveness is not a point of order.

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James Newbury: On a further point of order, Speaker, I took issue with the Premier debating the question.

The SPEAKER: The Premier is not debating the question.

Jacinta ALLAN: There is no debate that those opposite at every turn have undermined the work of Victoria Police in getting machetes off our streets. There is no debate on that point.

James Newbury: On a point of order, Speaker, sledging is not relevant.

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

Jacinta ALLAN: I say this in the context of a number of ways in which we stand with and support Victoria Police. When it comes to those police officers who have been injured in the line of duty, through the WorkCover arrangements, as the Deputy Premier is well aware, we have a scheme in place – a scheme that has been strengthened only by Labor governments – to ensure that police can get the care and the support they deserve. And I want to be clear for the benefit of the Leader of the Opposition that police officers who have sustained injuries at work are entitled to compensation through the WorkCover scheme.

Brad Battin: On a point of order, Speaker, in relation to relevance, the very clear question was around those that are currently in court that have had to go through a process where it has been shown that they are not under the duty of care because this government will not fix the loophole.

The SPEAKER: There is no point of order.

Jacinta ALLAN: I was saying the word ‘WorkCover’ as the Leader of the Opposition stood up. For the benefit of the information for the Leader of the Opposition, there has been no change to the way police are entitled to access compensation through the WorkCover scheme and can apply for support. We on this side of the house believe in a strong, robust WorkCover system that supports those who are injured at work. There has been a huge amount of work to strengthen the system, and there are some of us who remember a scheme where workers were kicked off – were not given the opportunity to access WorkCover. We support a strong WorkCover scheme because it is about recognising and supporting workers in this state.

Brad BATTIN (Berwick – Leader of the Opposition) (14:10): The government plans to make charities and churches legally responsible for people who are not their employees. Why won’t the government support our police by doing the same?

Jacinta ALLAN (Bendigo East – Premier) (14:10): I reiterate my earlier comments that police officers who have sustained injuries at work are entitled to compensation through the WorkCover scheme, and we will continue to support our hardworking men and women of Victoria Police and thank them for the work they do every single day.

Ministers statements: Metro Tunnel

Jacinta ALLAN (Bendigo East – Premier) (14:10): The millennials in my life tell me that last year was all about brat summer, but this year we have got something even better for Victorians, because from December to February it is free PT on weekends all summer right across Victoria, a summer of weekends where you can leave your Myki at home, where it will cost you nothing to get anywhere on any form of public transport across our state. We are doing this to mark the opening of the Metro Tunnel, with five brand new stations that will connect more Victorians to more places where they want to go – the biggest transformation of our rail network in more than 40 years, and it has been delivered a full year ahead of schedule. These five stations are going to change the way Victorians move around our city and state – stations that will connect young people to education opportunities and to jobs and also connect more Victorians to that very important health precinct around Parkville.

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While Victorians are out and about this summer, getting on one of the hundreds of additional weekly services that are starting up with the Metro Tunnel, Victorians will well remember one important fact: the Metro Tunnel and those extra services would not be here if those opposite had their way. If those opposite had their way, there would be no Metro Tunnel, there would be no five new stations, there would not be a thousand extra services starting in February and there most certainly would not be free public transport every weekend for everyone across this state.

James Newbury: On a point of order, Speaker, it is not in order to sledge in a ministers statement.

The SPEAKER: The Premier was contrasting. Premier, come back to your statement.

Jacinta ALLAN: I will just quote something. I think it was a former Liberal Premier who described the Metro Tunnel as dividing Victoria like the Berlin Wall. They said it would be a disaster. They said it was a hoax. They said it would never happen. Well, it is here, and it is happening this summer.

Emergency communication services

Danny O'BRIEN (Gippsland South) (14:13): My question is to the Minister for Emergency Services. How many Victorians were placed at risk because of missed or delayed emergency calls or dispatch delays of crucial ambulance, police or fire services because of last night's 000 failure?

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:13): I thank the member for his question. I think it is really important in the first instance for us to recognise the incredible work of our call takers and our dispatchers at Triple Zero. These are very skilled, highly trained people who are always working incredibly hard to support Victorians, sometimes on the worst day of a person's life. Their professionalism saves lives, and it was clearly on display in their management of last night's unplanned outage. This matter is being thoroughly investigated, but I have been advised that calls continued to be taken at all times. I have not been advised of any unanswered calls or adverse outcomes at this stage. The usual backup measures were quickly enacted to ensure ongoing support to the community until the CAD resumed normal operations. I reiterate these are highly trained professionals who work incredibly hard in situations where they need to be there at their calmest, and they always are. These are extraordinary people, and they deserve our praise and our thanks and our support for the work they do.

Danny O'Brien: On a point of order, Speaker, on the question of relevance, the minister did address the question of calls but did not address the question of delays to dispatch. I ask you to bring her back to that.

The SPEAKER: The minister has concluded her answer.

Danny O'BRIEN (Gippsland South) (14:15): A report by the inspector-general for emergency management found that 33 Victorians, including children, have died due to 000 delays. In June the minister told PAEC that the government has spent close to half a billion dollars on 000 in the past few years. Why is the system still experiencing outages like the one that occurred overnight, placing the safety of Victorians at risk?

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:16): I thank the member for his question. As advised in my substantive answer, this is being investigated.

Ministers statements: State Electricity Commission

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:16): I am absolutely excited to inform the house that once the Metro Tunnel switches on in December this year it will be powered by the publicly owned SEC with 100 per cent renewable electricity. The Metro Tunnel will revolutionise public transport in our state – we all know that – with five new stations powered by the SEC. Whenever you are catching the train, wherever it is in metro Melbourne, it will be powered by the SEC. Whether you

ride the Pakenham, Sunbury or Cranbourne lines or get on at stations at Narre Warren North, Dandenong, Mulgrave, Oakleigh, Sydenham, St Albans, Laverton or Footscray, all these extra services enabled by the Metro Tunnel will be powered by the publicly owned SEC.

Only Labor governments have the vision and the commitment to deliver the things that matter to Victorians, which is exactly why we brought back the SEC after those opposite sold it off to overseas interests and let foreign interests take all the profits with them while sacking thousands of workers. Thanks to the Allan Labor government, the SEC is back and accelerating the build of renewable energy projects in Victoria – built by Victorians in Victoria for Victorians. So far two major projects are underway at Plumpton and Horsham, creating over 1200 jobs thus far and putting downward pressure on every Victorian’s energy bills. That means also that from next year students who catch the train to school can get on the extra services for free, powered by the SEC, and get to their school, which is powered by the SEC, while mum and dad can get home from work faster thanks to the Metro Tunnel, powered by the SEC. If it was not for the Allan Labor government, investment in Victoria’s cheap, new renewable energy and publicly owned energy would be in terminal decline, much like the Leader of the Opposition’s job.

Ambulance services

Brad BATTIN (Berwick – Leader of the Opposition) (14:18): My question is to the Minister for Health. Two weeks ago Rodney’s wife was feeling unwell and fell backwards, hitting her head heavily on the footpath. She was incoherent, her pulse erratic and her pupils dilated. This was a life-threatening emergency, yet it took an hour and a half for an ambulance to arrive. Will the minister admit there is a crisis in Victoria’s ambulance system, which is putting the lives of Victorians at risk?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:19): I thank the Leader of the Opposition for his question, and as is always the case in this place with regard to individual circumstances, if the member wants to forward me the details, I will ensure that I get him a response specific to his constituent and their concerns.

I do want to start of course by thanking our hardworking paramedics for the work that they do every day. Last quarter was the second-busiest quarter on record, with our paramedics responding to more than 98,000 code 1 cases. In order to meet this demand our government have continued to invest not only in our on-road workforce, which by the way has grown by more than 50 per cent since our government came to power, but also in a range of alternative pathways so that we can do everything possible to ensure that ambulances are dispatched to those code 1 emergencies as quickly as possible. It is why we continue to invest in the virtual emergency department. It is why we established the urgent care clinics, which have now been proudly taken up by the Albanese Labor government and established right around the state. It is why we proudly have the largest secondary triage service of any ambulance service anywhere in the nation. And of course it is why we have implemented standards for safe and timely ambulance and emergency care – standards which I might say are already delivering real results on the ground, with transfer times between our ambulances and our hospitals improving by 13.7 per cent.

A member interjected.

Mary-Anne THOMAS: I will take up the interjection: ‘What about response times?’ Obviously the faster that you can transfer a patient from an ambulance into a hospital, the faster you can get an ambulance out on the road. This is the singular focus of the new leadership team at Ambulance Victoria. I am delighted that respected leader and former emergency management commissioner Andrew Crisp has accepted the role of the board chair at Ambulance Victoria and of course that we have recruited Jordan Emery as the CEO. Jordan comes to Ambulance Victoria with extensive experience in New South Wales and in Tasmania. As a paramedic himself, he is absolutely focused on our doing everything we can to improve ambulance response times.

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Brad BATTIN (Berwick – Leader of the Opposition) (14:21): A parliamentary inquiry found Ambulance Victoria has a toxic culture of bullying, harassment and nepotism, alongside governance failures, ambulance ramping at record levels and response times that fail to meet targets. Four years ago the Victorian Equal Opportunity and Human Rights Commission identified this toxic culture. Meanwhile, ambulance ramping and response times have been highlighted for years. Why has the government failed to address these extensive problems, which are putting the lives of Victorians at risk?

Members interjecting.

The SPEAKER: Order! The member for Pascoe Vale will leave the chamber for an hour and a half. The Leader of the Opposition is warned.

Member for Pascoe Vale withdrew from chamber.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:23): As I previously responded in my earlier answer, our government is implementing a range of initiatives that are all designed to improve ambulance response times. Not only that, but our Ambulance Victoria leadership team and particularly our new leaders Jordan Emery and Andrew Crisp are working hard on the ongoing implementation of those VEOHRC recommendations. I have been very clear that every worker, no matter what industry they are in, deserves a workplace where they are treated with dignity and respect and where they are safe. And can I make this point: this government will always be transparent about the work that we are doing. It was those on the other side that Victorians well remember stopped reporting ambulance response time data. When they did not like the numbers, they just stopped reporting the data. So I will not be taking lectures from those on the other side of the house.

Ministers statements: Metro Tunnel

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (14:24): The Allan Labor government's Metro Tunnel will transform Melbourne, just like the Allan Labor government has transformed our education system. On this side of the house we know that physical infrastructure is just as important as social infrastructure. Next year we will open up our 100th brand new school, but we are also investing in the physical infrastructure around those 100 schools. From February next year a student living in the Sunbury electorate, the Footscray electorate or the Laverton electorate will be able to get on the train and have a turn-up-and-go service that goes straight to the State Library to do some study and take a selfie at the iconic La Trobe Reading Room. In the Melbourne electorate, the new Arden station – or, as I like to call it, Shinboner station – in one of the fastest growing areas in Melbourne, and the new Parkville station mean students from Dandenong and Pakenham will get one train all the way to Melbourne University.

There has been a new shadow minister appointed for education, and I wish the member for Kew all the very best. I am very thankful to the Leader of the House for all the extra sitting days to get through all the IPA articles that the new shadow minister has written – Mr Mulholland in the other place. I am just going back to 2019. He actually said, 'worryingly, Labor would ... intervene to raise the wages of early childhood educators'. I think I need to remind the new Shadow Minister for Education that 90 per cent of a child's brain is developed in pre-prep. Our early childhood educators have the most important job in the world raising our young people and making sure their brain development prepares them for primary school and secondary school. I know our educators do everything they need to to make sure of that. In the Education State we will always support our teachers and advocate on their behalf, not call for less wages for them.

Members interjecting.

The SPEAKER: Member for Brighton, this is your last warning. The Premier will come to order.

Victoria Police

Tim READ (Brunswick) (14:26): My question is for the Minister for Police. In 2023 Victoria Police announced a \$214 million deal with the US-based supplier Axon to supply the taser 7 model to over 10,000 officers over three years. It was said to offer improved technology, accuracy and safety. Is the minister confident that police officers have received adequate training in these Axon devices, including the aftercare, the removal of barbs and medical treatment?

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:27): I thank the member for Brunswick for his question. I am very pleased that the billion dollars of infrastructure and equipment investment from our government for Victoria Police includes the rollout of up-to-date and new modern technology around our taser rollout. It is an over \$200 million investment, which includes upgrades to police stations for the safe storage of that new technology. It is about having nonlethal capacity for Victoria Police to keep themselves safe but also to keep citizens safe in our community. The latest technology also ensures that these tasers have an interactive arrangement with body-worn cameras so that there is of course accountability both on our police members but also on those offenders and alleged offenders who might find themselves on the other end of that equipment, including our taser rollout.

We particularly made sure that the taser rollout was included across both our metropolitan and our regional communities. The taser rollout continues at this stage – it has not concluded – but I am always happy, if there is further advice or concerns that the member for Brunswick has on behalf of any organisations or oversight bodies, to not only make sure that we continue the safe rollout but also make sure that we protect both citizens and also those Victoria Police members who find themselves in challenging circumstances more often than not. Having the latest operational equipment and the latest technology available to give them a suite of options in how to keep the community safe is really important.

I will always take advice from members in this place and follow through to make sure not only that we are abiding by our obligations to the community but that we continue to make sure police have the appropriate equipment and also that it is being used effectively. I am confident that the investment from our government around the taser rollout is effective in terms of not only the training and the storage of these items but also the processes that are in place. It is about keeping our members safe and giving them further operational and tactical responses in certain circumstances and making sure we keep the community safe but also hold to account those who seek to do harm.

Tim READ (Brunswick) (14:29): Amnesty International UK has warned of the dangers of Axon's tasers. Is the minister aware of any incidents involving Victoria Police and the use of Axon tasers where barbs have not been properly removed or people have been harmed?

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:30): I thank the member for Brunswick for his supplementary question, and I am happy to take further advice on whether there is evidence of engagement where those who have been the subject of tasers that have been used have concerns or oversight bodies have concerns about that. But I have no doubt that those who are affected by the deployment of tasers and that equipment are harmed; there is an expectation that is exactly what happens. There are reasons, through the training of Victoria Police members, to make sure that when they choose to use a nonlethal force such as tasers their operational decisions and their training allow them to make it so that they have an opportunity to defuse situations to keep people safe. In fact we have seen the deployment of tasers where just the operationalising of the taser before it is actually deployed is enough to bring people to heel. We will continue to use them effectively. I am happy to follow up any other matters.

Ministers statements: Metro Tunnel

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:31): I rise to update the house on how the Metro Tunnel will bring huge benefits to workers and patients right across our healthcare system. Thanks to record investment from the Allan Labor government, we know that our Parkville precinct is home to world-class hospitals. It is not just me saying this. Peter Mac was recently ranked amongst the top 15 cancer hospitals anywhere in the world. From groundbreaking cancer treatments to outstanding trauma care and exceptional maternity and paediatric care, our hospitals in Parkville care for thousands of patients from right across this great state every single day. With the brand new station at Parkville, Metro Tunnel will transport patients from across the state straight to the health care that they need at RMH, at Peter Mac, at the women's and at the children's. As a proud out-of-towner, I know how important train access is for regional Victorians.

And of course there is also our healthcare workforce. Tens of thousands of workers go to work in the Parkville precinct every single day. I was so proud to join nurses and midwives from the precinct back in April, and their excitement at the new station and the opportunities that it would deliver to them was absolutely palpable. From December they will be able to hop on a train from their home stations on the Sunbury, Cranbourne and Pakenham lines and be taken straight to work. We know how valuable this is going to be, particularly for our shiftworkers. And with the big switch coming on in February, our healthcare workers will get home even sooner, with thousands of new train services commencing right across the network. Only the Allan Labor government will do the right thing by our workers, making sure that they have got the transport that they need, looking after regional patients and delivering the transport services we need for now and the future.

Bail laws

James NEWBURY (Brighton) (14:33): My question is to the Attorney-General. Yesterday the Attorney claimed, ‘Our bail laws are working.’ However, the judicial college’s interpretation of Labor’s new bail laws is that young offenders ‘should be released on bail … whenever possible’. Isn’t it a fact that, because of this government’s weakened bail laws, youth offenders are being released on bail wherever possible?

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning) (14:34): I thank the member for Brighton for his question. I did go to this yesterday in my answer to the questions that he put, and I took the house through the reforms that we have introduced and have passed relating to the toughest bail laws in the nation. I also took the house through the increase in the number of young offenders in particular who are now on remand. We have seen a 46 per cent increase in the number of young alleged offenders on remand since introducing our significant reforms to bail earlier this year. This tells us this system is working. The courts are applying our new bail laws as intended. We are seeing –

James Newbury: On a point of order, Speaker, the Attorney is debating the question. The question went to the judicial interpretation of the government’s catch-and-release policy on bail.

The SPEAKER: I ask the Attorney to come back to the question.

Sonya KILKENNY: The nature of the objection that has been made by the member for Brighton suggests to me that the member for Brighton has posed this question without actually reading the bail bench book. The member for Malvern would not have made that mistake. The member for Malvern would not have made that mistake at all. I suggest that the member for Brighton has not read –

Members interjecting.

The SPEAKER: The Minister for Economic Growth and Jobs is warned.

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James Newbury: On a point of order, Speaker, clearly the Attorney is debating the question and is embarrassed about the government's catch-and-release bail policy.

The SPEAKER: Order! Members are to make their points of order succinctly without added commentary. The Attorney to come back to the question.

Sonya KILKENNY: Clearly the member for Brighton is embarrassed because he has been caught out for asking a question without having read what he is asking a question about. The bail bench book makes crystal clear that anyone, including young offenders, who poses an unacceptable risk to community safety or to the safety of any person must be remanded. It is clear in the bail bench book. As I said, we are seeing a 46 per cent increase in the number of young offenders on remand –

Members interjecting.

The SPEAKER: Member for Eildon, this is your last warning.

Sonya KILKENNY: which shows very clearly that the courts are taking into account our tough new bail laws that have been introduced this year through two tranches. We are seeing the impacts of that now with an increase in young offenders in particular on remand.

But we have not stopped there, because of course the justice system does not stop with bail. It does not stop with bumper sticker slogans. It does not stop with those slogans. It requires a much smarter response than bumper sticker slogans – a much smarter response than what we have been seeing from the Leader of the Opposition. Earlier this year we introduced a pilot for electronic monitoring of young offenders on bail, a wraparound service for intensive supervision, because we know accountability must also come with rehabilitation.

Members interjecting.

The SPEAKER: Member for Bulleen, this is your last warning.

James NEWBURY (Brighton) (14:38): On Sunday a 15-year-old boy who allegedly attempted to break into two Hawthorn homes was bailed despite threatening to shoot his victims if released. One of the co-accused was on bail. How can the Attorney claim her bail laws are working when alleged youth offenders who threaten to harm Victorians – shoot people – are released on bail almost immediately?

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning) (14:38): First of all, what happened was terrible. I think the thoughts of everyone in this house go to the families and to the victims involved. We do need to be absolutely clear here, though, that our laws are strong and the courts are under no illusion that our expectations are crystal clear. Anyone who presents as an unacceptable risk to community safety or the safety of any person should be remanded, and that extends to young offenders. I should also remind the member for Brighton before he makes –

James Newbury: On a point of order, Speaker, the Attorney is debating the question. I have raised a case where there was a threat to kill. How much more serious can you possibly get, Attorney?

The SPEAKER: The member for Brighton will resume his seat. I ask you again, member for Brighton, to make your points of order succinctly. The Attorney to continue. She was not debating.

Sonya KILKENNY: I raised this issue yesterday and I gave the member for Brighton the benefit of the doubt that, if he is going to come in here and ask questions, he must make sure that he has his facts straight and correct before he does so.

Ministers statements: Metro Tunnel

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (14:40): Last week and well into this week we have been celebrating the impending opening of the Metro Tunnel in early December, a full year ahead of schedule. Now today

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it is time to talk about the big switch on 1 February, when we will be making the biggest change to public transport timetables since the city loop opened over 40 years ago. We will be adding more than 1000 services to the Metro Tunnel corridor and returning the Frankston line back into the city loop, and the Craigieburn and Upfield services will be made a bit more reliable because they will not have to compete with the Sunbury line for space any longer – all this plus new timetables across the metro and regional train and bus networks. And this is just the beginning because this is a futureproofing project that will allow us to keep meeting the needs of Victorians for a long time to come.

A lesser told story is about the job creation and the skills development made possible by this project. About 7000 construction workers were directly employed on the Metro Tunnel project, and then there is of course the indirect workforce, including in our fantastic manufacturing and supply chain here in Victoria, supplying components to build those tunnels and the stations, and of course the manufacturers that built our locally made high-capacity metro trains. During trial ops and of course after the opening of the tunnel, there will be hundreds of Metro Trains Melbourne drivers and station staff, some newly recruited and many more upskilled, to keep our state moving for generations to come.

This project is not just about more trains, more often; it is a visionary project that has contributed to our economy and our skills pipeline. So when those opposite call this project a hoax, they not only refuse to meet the needs of our growing community, they refuse to invest in skills, they refuse to invest in industry and they refuse to invest in Victoria.

Constituency questions

Sandringham electorate

Brad ROWSWELL (Sandringham) (14:43): (1319) My constituency question is to the Minister for Planning. The state Labor government have proposed developments of up to 12 storeys in Sandringham Village and up to 16 storeys along Hampton Street. I have asked my community their views on these matters, and in the last few days I have received more than 260 responses. Over 95 per cent of those respondents all disagree with the proposals that Labor has put on the table. Laurel said:

... they just bulldoze their inept, and ill thought through ideas onto the community ...

Anna said:

There's been no community input, but as usual, this Government doesn't care about that.

Mary said:

There has been no consultation with local councils and the majority of the areas listed are either Liberal or Greens held seats, which suggests overt politicisation rather than where there is a genuine need.

My question is: why has the government ignored the voices and views of residents in my community?

Greenvale electorate

Iwan WALTERS (Greenvale) (14:44): (1320) My question is for the Minister for Public and Active Transport. How will the opening of the Metro Tunnel, a year ahead of schedule and with hundreds of new services every week coming online from December, benefit passengers on the Craigieburn line? It is not just that passengers will be able to transfer onto new Metro services in the city at two brand new stations, but from 1 February the Metro Tunnel will also create extra capacity in the city loop. The big switch will also allow trains to complement the new, improved and extended route 543, which started last Monday with 183 new bus trips per week and earlier starts and later finishes. The new extension connects hundreds of residents in Greenvale and Greenvale North to our public transport network for the first time, with buses running all the way between Craigieburn Central and Roxburgh Park station. There are also brand new stops across the route, with extra services and better connections, delivering for Greenvale and making it easier to get to work, school, shopping or recreation.

Morwell electorate

Martin CAMERON (Morwell) (14:45): (1321) My constituency question is for the Minister for Housing and Building, and my question is: why does Gippsland have fewer social housing properties today than it did eight years ago? In East Gippsland, Wellington and Latrobe there are currently 3785 social housing residences. Back in 2017 there were 3792. That is a reduction of seven homes over eight years despite strong population growth. These are the department's own figures. Despite all the talk and spin we hear daily about Labor's so-called Big Housing Build, our social housing numbers are going backwards. Adding to the crisis, median rents have increased by 6 per cent in regional Victoria in the last 12 months alone. There are now more than 60,000 Victorians on the social housing waitlist, up 7.4 per cent since last year. The valley is locked up by coal overlays that should be reviewed and removed to allow construction of up to 2000 homes in the south-east of Traralgon, but the government refuses to act.

Footscray electorate

Katie HALL (Footscray) (14:46): (1322) My question is for the Minister for Environment, and the question goes to our More Trees for a Cooler, Greener West program. What progress has been made on the Victorian government's More Trees for a Cooler, Greener West program, particularly in the Maribyrnong LGA? How will this program and the recently announced More Trees in Melbourne program support greener streets, cooler suburbs and better environmental outcomes for communities in my electorate of Footscray?

The SPEAKER: Member for Footscray, you asked two questions. Which question would you prefer?

Katie HALL: How will the program, in combination with the More Trees in Melbourne program, support better environmental outcomes in Footscray?

Rowville electorate

Kim WELLS (Rowville) (14:47): (1323) My question is to the Minister for Police. Minister, when will you and your government put an end to the current out-of-control crime crisis that sees my Rowville electorate residents constantly living in fear that they will be the next victims of crime? Local residents have told me they are deeply concerned by the latest annual Victorian crime stats, which disgracefully revealed an increase of 16 per cent. Across the Knox LGA crime is up 14 per cent, family violence serious assaults up 37 per cent and breaches of family violence orders up 28 per cent. Total crime against the person escalated, can you believe it, by 40 per cent. Enough is enough. It is time to stop the revolving door of justice, properly resource our police force, support victims and toughen our laws.

Lara electorate

Ella GEORGE (Lara) (14:48): (1324) My question is to the Minister for Transport Infrastructure. What progress has been made towards delivering public transport to Avalon Airport and the surrounding employment precinct? With thousands of people working in the Avalon precinct, reliable and affordable public transport is more important now than ever. Whether you are heading to work at a major distribution centre or heading away on holiday you should be able to get to Avalon on public transport. I recently launched a petition so that residents in the Lara community could add their voice on the issue. The response has been overwhelming, with hundreds adding their names and support for public transport services. I am fighting hard to secure public transport to Avalon Airport and the employment precinct, and I look forward to working with the minister on this issue.

South Barwon electorate

Darren CHEESEMAN (South Barwon) (14:48): (1325) Just this last week the Great Ocean Walk was recognised as one of the top five multiday walks across the globe, and therefore my question is to the Minister for Environment. Minister, will you please bring forward a marketing strategy to make

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sure that we promote the Great Ocean Walk to a global walking community? This is a significant piece of tourism infrastructure locally, and it creates many job opportunities for the people of South Barwon. This is a much-loved walk and something that I very much would like to see the government promote on a global stage.

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:49): (1326) My constituency question is for the Premier and concerns working from home. Premier, how will enshrining working-from-home laws benefit constituents in my electorate of Narre Warren South? The way Victorians work has evolved over the past 150-plus years, and the labour movement has always been at the forefront of workers rights and benefits, including the eight-hour day and the establishment of superannuation. Working from home is just the next step in workers rights, as technology has provided so many opportunities and choices that many in my electorate rely upon. Unsurprisingly, it was those opposite who made it clear they wanted to scrap work from home and force workers back to the office, back to the past – the same party who were dragged kicking and screaming to complete the NBN. The Labor government understands that working from home is already delivering real benefits for thousands of Victorians and is a normal part of living in the 21st century. I look forward to sharing the Premier's response with my community.

South-West Coast electorate

Roma BRITNELL (South-West Coast) (14:50): (1327) My constituent, a farmer from the south-west coast of Victoria, contacted me in disbelief after learning the government's drought employment program suggests farmers simply get a job off farm. My question is to the Premier. Premier, can you explain how this program was designed to align with the current workload and on-farm responsibilities of drought-affected farmers? This constituent, like so many others, is working 80 to 120 hours a week just to keep stock alive and fences maintained and do all the jobs needed to manage a farm, let alone the additional work needed to manage a farm in drought and keep the land viable. He said he cannot possibly walk away from his animals, his land and his responsibilities to take up more work elsewhere. To suggest that farmers have the time to step away from their responsibilities and take an off-farm job shows a breathtaking level of ignorance. It is an idea that could only come from people who have never set foot on a farm, let alone one that is affected by drought.

The SPEAKER: Member for South-West Coast, you asked for an explanation, which is an action. Can you rephrase it to ask a question?

Roma BRITNELL: I ask the Premier to come out to the farms and have a look at how difficult it is. Oh, that is an action, sorry. I am thinking of adjournment matters.

The SPEAKER: How –

Roma BRITNELL: How will off-farm work improve the life of a drought-affected farmer who is under enormous pressure?

Ripon electorate

Martha HAYLETT (Ripon) (14:52): (1328) My question is for the Minister for Health. Minister, how many people across Ripon have accessed the community pharmacy program since it became permanent following the successful pilot? I know anecdotally how many people are loving having easy access to treatments at their local pharmacy without needing to see a doctor to get a prescription first. Accessing doctors is a huge issue across Ripon, and often you can be waiting weeks for a non-urgent appointment. The community pharmacy program now means people can be treated for 22 everyday health conditions, including UTIs and contraceptive pill resupplies, at their local pharmacy. This makes care easier and cheaper for so many families across Ripon.

BrIDGET VALLENCE: On a point of order, Speaker, on a number of questions that remain unanswered and are now overdue for being answered: from the Treasurer, questions on notice 2421, 2512, 2777, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861 and 2862; a number of questions overdue from the Minister for Government Services, questions on notice 2763, 2764, 2765 and 2776; questions overdue from the Minister for Environment, questions on notice 2797, 2798, 2801, 2802, 2841 and 2842; a question overdue from the Minister for Police – this one is particularly important for my community, about crime in the Yarra Ranges – adjournment number 1215; and overdue from the Minister for Roads and Road Safety, adjournment matter 1314. I would appreciate responses for my constituents.

The SPEAKER: Can you give your list to the clerks, please? The member for Evelyn may not have been in the chamber yesterday when I read out the list of unanswered questions by ministerial portfolio.

Bills

Mental Health Legislation Amendment Bill 2025

Debate resumed.

Katie HALL (Footscray) (14:55): I am pleased to make a contribution to the Mental Health Legislation Amendment Bill 2025. There is nothing more important than our reforms to the mental health system. No other jurisdiction in Australia is doing as much to reform the mental health system as Victoria. We are building a system that works for every Victorian, no matter where they live. We have already delivered significant reforms to grow the workforce, deliver new acute beds and services and improve infrastructure and importantly embed those with lived and living experience in all of our work. This bill is part of a suite of reform work and will amend the Mental Health and Wellbeing Act 2022 to transfer the functions of the Forensic Leave Panel to the Mental Health Tribunal to ensure that information-sharing provisions of the act operate as recommended by the Royal Commission into Victoria’s Mental Health System and make minor and technical amendments to ensure the act operates as intended.

Whilst a number of speakers before me have touched on the bill’s function, I would also like to highlight the work that has been ongoing in this space and speak to the accomplishments of all those involved in bringing about these changes. I would also like to pay tribute to the mental health workers in my electorate of Footscray, who do terrific work, and of course with the new Footscray Hospital due to open in February next year we will have more specialist mental health services and a specialist alcohol and other drugs ward, which I know will help people get the care that they need in the best facilities with the terrific health workers we have at Western Health.

I would like to also acknowledge the workers of Cohealth. Cohealth is a tremendous service in my electorate of Footscray, and of course Cohealth had its origins in the clinic established by the late Dr Moss Cass, who was the member for Maribyrnong but also a heart surgeon, and he founded the trade union clinic on Paisley Street in Footscray, which has evolved into Cohealth. Cohealth have some terrific services in Footscray, including a specialist service for people experiencing homelessness, and they provide a power of work to support people with addiction as well, which I know is very important to people in my community – that the people who need help are getting it where they need it. So I would like to extend that acknowledgement to the extraordinary workers of Cohealth.

More than \$600 million has been invested to support, retain and grow this crucial workforce, and the mental health workforce has grown by 25 per cent. We have delivered more than 170 acute beds for adults, young people, women and older Victorians, including Hospital in the Home beds. We established a Mental Health Capital Renewal Fund, which received a further \$10 million in the 2025–26 budget. The commission said that we needed a dedicated hub in each region, and we have gone further: six alcohol and other drug, drug and mental health hubs are already operational around

the state, with two more to open, including in my electorate of Footscray, over the coming year. More than \$140 million has been delivered to put consumers and carers front and centre, and we are delivering a lived experience leadership strategy. I have spoken in this place previously about one of my friends who works as a lived experience worker, and I know that the work has been transformative for him as well as for the patients he cares for.

We have delivered 15 locals across 17 locations, with more than seven to come this year, and we have supported over 27,000 Victorians with free and easy-to-access mental health care and support close to home without needing a GP referral or a Medicare card. We have expanded multidisciplinary social and emotional wellbeing teams to Aboriginal community controlled health organisations across Victoria and awarded 63 scholarships to Aboriginal and Torres Strait Islander students undertaking undergraduate and postgraduate qualifications in mental health related disciplines.

The 2024–25 budget included \$34.5 million to continue our network of mental health and wellbeing locals and to expand into those seven additional locations. Our 15 locals have supported over 27,000 Victorians to access free mental health care and support close to home. Sometimes taking away those barriers, like needing a GP referral or meeting particular eligibility criteria, is just what someone needs to get access to the help that they require. The first six locals commenced in October 2022 in Benalla, Wangaratta, Mansfield, Latrobe, Frankston, Greater Geelong, Brimbank and Whittlesea, which are all offering a service for people who walk through the front door. The second tranche of locals commenced in December 2023, with services available at Bendigo, Echuca, Dandenong, Lilydale and Mildura; in your electorate, Acting Speaker O'Keeffe, of Shepparton; and in Bairnsdale and Orbost. The seven new locals will be in the LGAs of Cardinia, Darebin, Maribyrnong, Maroondah, Port Phillip, Wyndham and Mount Alexander, and I am really pleased that Cohealth, who I spoke about before, have been provided the contract to operate the one in Maribyrnong. That will complement the work we are doing and the investment we made in this year's budget for Salvation Army workers to support people experiencing homelessness and alcohol and other drug related issues in central Footscray.

The royal commission was very clear about the important role of the lived-experience workforce in our mental health and wellbeing system, which is why since 2020–21 we have invested more than \$51 million in programs to provide education and training, career pathways and practice supports for our lived-experience workforce – investments being used to grow and develop the peer workforce to offer critical, safe and appropriate supports from people who have walked in the same shoes as those accessing the services. That includes a peer cadet program that has seen community mental health organisations support 75 consumer and family carer peer support workers to enter the workforce, the lived and living experience workforce development program, and we have had 68 leadership development grants and over 50 tertiary scholarships to develop emerging and established leaders in the workforce. We know that the lived-experience workforce is uniquely placed to provide specialist care and support to consumers in the mental health and wellbeing system, which is why we have backed them with nation-leading investment.

Our reforms as a government to mental health have been prompted by the royal commission that we held into mental health in Victoria, and the transformation of the mental health system is going to be hard and long policy reform and work. But for every person experiencing a mental illness or for every person who cares for someone with a mental illness, this reform work is crucially important. I am very proud to be part of a government that is undertaking this important work in our mental health system, and I commend the bill to the house.

Annabelle CLEELAND (Euroa) (15:04): I also rise to speak on the Mental Health Legislation Amendment Bill 2025. This bill makes further amendments to the Mental Health and Wellbeing Act 2022 and related legislation. It represents a second round of changes since the act came into force, and its main purpose is to tidy up the system's administrative and operational settings. This bill does four main things. First, as we have heard throughout the day, it abolishes the Forensic Leave Panel and transfers its functions to the Mental Health Tribunal. This change responds to workload and

resourcing pressures within the existing panel and is intended to streamline decision-making about leave for forensic patients. Second, it introduces new information-sharing arrangements to enable the rollout of Victoria's new electronic mental health information system. This system is meant to improve coordination between hospitals, ambulance services and community providers. Third, it clarifies provisions about supported decision-making to ensure that when decisions are deferred to a nominated support person it is the views of the patient, not the support person, that guide the outcome. Fourth, it requires a psychologist to examine a person following the use of restrictive practices.

These are technical amendments, but as with any legislation in this place, the question is not whether the system looks better on paper, it is whether it works for people when they are most in need of help. Acting Speaker O'Keeffe, like your electorate of Shepparton, across my electorate of Euroa – from Benalla to Broadford, Euroa to Heathcote – people are telling me the same thing: help is harder than ever to find right now. In most communities psychologists are no longer able to take new patients at all, and support services can have more than a six-month waitlist. If you have ever supported a person through a crisis, you know that it is then and there only when you need help – not in six months. It just makes things so much worse.

Farmers, like so many people across regional Victoria, are still struggling through drought-related stresses with no local mental health outreach available. Carers are burning out because they cannot get respite support. In Kilmore a mother recently shared her story with me. Her adult son was in crisis – suicidal, distressed and unable to access care. The earliest psychiatric appointment was 14 weeks away, and when she asked what to do in the meantime, she was told to present at the emergency department if he became a danger to himself. That is not a health system responding with compassion or urgency; that is a system breaking under the weight of Victoria's mental health challenges.

The Royal Commission into Victoria's Mental Health System made it clear that police should not be the first responders to a mental health crisis. Yet in 2023 the government walked back its commitment to a health-led model, and we are back to police being called out to crises that should be met with clinical care. The clinical care element is so important to anyone that you speak to in this space. In towns like Seymour and Benalla our local police are doing everything that they can, and I thank them from the bottom of my heart, but they are not trained mental health clinicians. They should not be the ones making life-and-death decisions about someone in psychological distress. Mental health is not a police problem.

Ambulance Victoria is also struggling. Crews are stretched thin. We see that every single day in the news and we hear it every single day in our office. Waiting times are growing, and paramedics are telling me that without proper backup from community mental health teams they are left feeling helpless. The government talks about rolling out mental health and wellbeing locals, but in regional areas these services have been quietly delayed or abandoned altogether. My wonderful and compassionate team in my Benalla office see this every day firsthand. When people are unable to get a scheduled appointment at the neighbouring mental health local, they turn to us in crisis. I recently heard from a woman in Benalla whose story keeps me awake at night. Her raw words resonate. She is living with chronic illness, neurological complications and the trauma of long-term family violence. She has moved around Victoria trying to find safety, but every time she is met with the same barriers – a health system too hard to navigate and too ready to give up on her. She told me she can barely leave the house because of pain and injury. She has been dismissed by doctors, told her problems were mental, given a new prescription every time and then sent home. She tried to access disability support, but the process was so complex she gave up. She cannot afford private care. She is living on JobSeeker in her mother's lounge room and is terrified about what will happen if she gets more unwell and more sick. It was her honesty that struck me. She said, 'I don't want to die. I just don't know what else to do.' That is what it is like when a system fails someone – when someone who has done everything right still cannot get help, who has put their hand out for help repeatedly and has been ignored or had barriers put in place and they cannot get housing and they cannot find safety. Her story is not rare. It is so common – it is heartbreakingly common. She is the human face of this crisis.

In this bill there is a proposal to abolish the Forensic Leave Panel and shift responsibility to the Mental Health Tribunal. It sounds like an efficient measure, but it does raise important concerns about oversight and community safety. Last week a forensic patient on leave from Thomas Embling Hospital went missing for two days and was later involved in a violent incident. We heard that from our amazing shadow minister at the table, who has been such a huge advocate in this space, and I am so grateful I will just keep complimenting him. But I am grateful, in honesty, for his advocacy for mental health access in regional Victoria, because we have geographic barriers that are so extreme and so ignored by this government. I am so appreciative of the voice that he has had in this place.

Going back to the bill, this removal means that decisions about leave will rest solely within the Mental Health Tribunal. This is a body under enormous strain already. The bill also introduces new information-sharing arrangements to support Victoria's new electronic mental health and wellbeing information system. I will skip back to some of my local stories because I think that they are the voices that we have to bring into this place. What are the practicalities and what is the impact when legislation goes wrong? And also what is the impact when legislation goes right? Where can we help and where do we have to focus our attention? I recently met with some of our frontline staff at our region's major hospitals, and they have described the exhaustion they face as services are stretched beyond capacity. Patients are being discharged early because there simply are not enough beds. There are some cases of patients in absolute crisis waiting more than 10 hours to see someone in emergency. In Broadford a farmer told me that during the last dry season a few months ago the hardest part was not the financial strain, it was the loneliness. And in Euroa a young mum described watching her partner deteriorate while waiting for care. She said, 'It feels like the system just forgets about you once you drive past Wallan.'

These are not isolated experiences. I want to highlight the challenges our farmers continue to face. While it has rained and the grass is green, it is far from over when it comes to the pressure of this drought period. I caught up with local police in Euroa and we spoke about the heartbreak in our region. Three men – three good men – great fathers, brothers, friends, all farmers and all gone. And the police asked, 'Is it the drought? Is it the financial pressures?' The emergency services tax was really taking a toll at the time, and it continues, and there were the endless waits in our emergency departments. I do not know, and I said that I think it is none of them but I think it is all of them. I think it is the layer upon layer when you cannot see through the darkness, and when you reach out for help it is not there. It is when the weight piles up so high that the light at the end of the tunnel fades. And when the light goes out, sometimes you cannot find your way through on your own. And that is why the work of Leading Senior Constable Lucas Paul from Euroa police matters so much. Lucas has been instrumental in bringing a blue tree to Euroa – a simple but powerful symbol of hope painted to remind us that it is okay not to be okay and that no-one should face that darkness alone. And then there is Ivan Lister – I have mentioned his name before; he is a living angel. Ivan has spent years visiting farmers across our region, sitting at tables, walking through paddocks, holding the hands of brave men who have reached out for help. And as they take those first difficult steps towards getting help, he turns up with compassion and time, and in doing so he has saved lives. He has supported 20 referrals in the last couple of months. It is people like Ivan and Lucas who remind us that real change does not always come from policy, it comes from kindness and showing up.

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (15:14): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Statewide Treaty Bill 2025

Second reading

Debate resumed on motion of Jacinta Allan:

That this bill be now read a second time.

Paul EDBROOKE (Frankston) (15:15): I begin by acknowledging the traditional owners of the land on which we meet and pay my respects to elders past, present and emerging. I also want to say this from the bottom of my heart: I am sorry for what you had to hear in this chamber yesterday. There is no excuse for people in privileged positions like ours to show such ignorance of our shared history.

I go back to 2022. I remember a lovely crisp morning when our democratically elected traditional owners, the First Peoples' Assembly of Victoria, walked proudly into this Parliament. They wore ochre on their faces, possum skin cloaks on their backs and the weight of generations on their shoulders, and they came in here to speak about treaty. For a moment there was unity. For a moment hope filled this place. On that day there was bipartisan support for treaty. The member for Murray Plains, the then Shadow Minister for Aboriginal Affairs, stood here and said:

This side of the house, both the Liberal and the National parties, are committed to working with the Indigenous community on treaty as well.

We stood, we clapped. The members of the First Peoples' Assembly left. It was a rare moment of unity, but as the political winds shifted in the Liberal Party, so did their conviction on treaty. In 2024 the Liberal–National coalition announced they no longer supported treaty in Victoria. There was no consultation. The traditional owners found out via the media is my understanding. What was the reasoning? It was some vague BS about the treaty act that no-one really understood. The next day the opposition leader stood before cameras and said treaty would divide us. He said he wanted to close the gap, though, but apparently not by listening to the Aboriginal community that overwhelmingly supports treaty.

Let us be clear: rejecting treaty, rejecting a chance to build something fairer and braver, proves exactly why we still need it. Let the record show that when the leaders of the First Peoples' Assembly visited the chamber yesterday and spoke so eloquently, those opposite could not even stand up and applaud, as per custom and practice, as per the first time the First Peoples' Assembly reps were in here. That is not an oversight, that is a bloody message. That is a message of what is to come.

The ACTING SPEAKER (Kim O'Keeffe): Parliamentary language, please.

Paul EDBROOKE: Thank you, Acting Speaker, for reminding me about parliamentary language. The facts are simple: Victoria's Aboriginal community says treaty is how we get better outcomes. The Productivity Commission agrees, calling treaty the kind of structural reform needed to close the gap. And for anyone who has been asking for a foundation of evidence, like the Leader of the Nats yesterday, there it is: the Productivity Commission. Yet the Liberal–National coalition has promised to scrap treaty within 100 days if elected. That is not neutrality. That is not just letting people down. That is another message there. That is betrayal.

I challenge those opposite to look the traditional owners in the eye, look at the people who formulated treaty, look at the members of the First Peoples' Assembly and tell them you will take treaty away from them, tell them you will take justice away from them. Be brave and do that. This is not about politics. This debate is about integrity. If you abandon principles for political convenience, you end up with neither. If you listen to fear, you silence hope. If you call equality division, as we have seen happen quite a bit in the last 24 hours, I believe you have forgotten what leadership is.

I want to thank the members of the First Peoples' Assembly, the current co-chairs Rueben Berg and Ngarra Murray and the former co-chairs Aunty Geraldine Atkinson and Marcus Stewart. Thank you for your patience. Thank you for your trust. That trust must have been tested more than we can ever

imagine. God knows how you find it in yourselves to trust us after generations and generations of being misled and lied to by people who are white.

Let us be honest: since John Batman's dodgy treaty in 1835, Aboriginal people have been lied to and misled by white leaders time and time again. The interesting fact is that that really dodgy treaty was declared void just two months later by the actual governor; it was that bad. But nearly two centuries on, we are standing here today with the same betrayal in a new form. Two years after the opposition stated they supported treaty, for some reason – we do not know what – they now do not support treaty. The backflip from supporting treaty in 2022 to rejecting it in 2024 is another chapter in that sad story. We have heard the weasel words. We have heard the contradictions and the myth that no-one knows about treaty. Apparently that was the issue yesterday: no-one knows about treaty. But in the next breath it was, 'Everyone must know about treaty, because treaty will divide us.' It is not just confusing, it is cowardice.

I want to clear something up about a language issue that has been used as an excuse by the opposition as well. As Troy McDonald, reserved seat holder for the Gunaikurnai, explained, Gellung Warl is a word from the Tatungalung people of the Gunaikurnai nation approved by the Gunaikurnai elders council. It relates specifically to the Gippsland Lakes. That is respect. That is the truth. Asking people for the facts – that is how this process should work. But the truth is for some, and we have seen it time and time again, it is too hard to admit what happened. It is too hard to face the inconvenient truth. It is too hard to face the past. It is too hard to say sorry, and it is even harder to right the wrongs. It is easier to look away overseas, watch the news and talk about atrocities overseas instead of facing the ones in your own damn backyard. So I say: how, honestly, can anyone listen to what our co-chairs of the First Peoples' Assembly of Victoria said so eloquently yesterday in this house – how can they listen to their grace, their patience and vision – and still decide that they will not support treaty? Some of the excuses we have heard are like, 'I know a blackfella,' 'I grew up with an Aboriginal bloke,' or 'This bloke knows my dad.' What are you talking about? They are the worst excuses possible. You have got Aboriginal people here, traditional owners, telling you what they want, and you are just spitting in their face and saying no.

I am absolutely proud to commend this bill to the house. This is the first treaty with traditional owners in Australian history, and Australia is the only Commonwealth nation without one. This is our chance right here, right now to choose courage over convenience and fear, to choose truth over comfort and to choose unity built on respect, not denial of things that we do not want to hear happened in the past. Treaty is not radical. What is radical is pretending that history never happened. Let history show that this Parliament on this day chose to listen to and walk with traditional owners, not walk back on our commitments. I commend this bill to the house.

John MULLAHY (Glen Waverley) (15:23): I acknowledge the Wurundjeri Woi Wurrung people as the traditional owners of the land on which we are meeting, and I pay my respects to their elders past and present. I acknowledge the Wurundjeri and the Bunurong people as the traditional owners and custodians of the land that makes up my district. It is an honour to rise in support of the Statewide Treaty Bill 2025, a historic step to right the oldest and deepest wrong in our state's story. This bill is not only about law or recognition; it is about truth, respect and the act of finally placing First Peoples at the centre of Victoria's future, where they have always belonged. At its core this bill recognises something simple yet powerful: sovereignty was never ceded, and justice delayed for more than two centuries must now be delivered.

Victoria as we know it was built on lands taken without consent or treaty. Colonisation was not a peaceful meeting of cultures, it was a violent rupture that tore families, languages and spiritual connections apart. The treaty process asks us to listen, truly listen, to the voices of First Nations Victorians, whose laws and cultures have guided this land for more than 60,000 years. And as we listen, we must reckon with the truth of how British colonialism shaped not just this continent but the world.

Colonisation was not an accident of history, it was an ideology that justified exploitation, theft and violence under the banner of civilisation. Its reach was global, from South Asia to the Caribbean, Africa and Ireland, where communities were uprooted, resources plundered and self-determination denied. It is no coincidence that the same British Empire which declared this land terra nullius – empty – also presided over famine and eviction in Ireland, my ancestral homeland. In the 1840s, as blight ravaged Irish crops, the British government, blinded by arrogance and ideology, refused to act. While men, women and children starved, ships laden heavy with food left Irish ports for the empire. Over a million people died and 2 million fled, including to these shores. It was not a natural disaster but a moral failure of colonialist ideology, the prioritisation of profit over humanity. That famine taught us a timeless truth: colonialism is not simply history, it is a system that devalues lives deemed lesser, suppresses culture and strips people of their sovereignty.

The same empire that treated Irish lives as expendable dismissed the First Peoples of this land as invisible. Both were ruled through arrogance and fear, seen as problems to be managed or civilised. In Ireland penal laws crushed faith, language and identity. In Australia the same mindset denied Aboriginal people any rights to their own country. Both endured dispossession and trauma, yet both held on to story, song and spirit. They survived what the empire sought to erase. As an Irish Australian, I see in treaty not just justice for First Peoples but a shared lesson in resilience and renewal. The Irish rebuilt through memory and song, rebellion and community. The First Peoples of Victoria have done the same, preserving languages once banned, passing down knowledge and fighting for land, truth and self-determination. The Statewide Treaty Bill honours that spirit. It stands on the shoulders of those who refuse to be silent – generations of Aboriginal leaders who demanded governments listen.

This bill gives effect to the first treaty between First Nations people and the Victorian government, and it builds the framework for those to come. It lays the foundation for a future built on partnership and respect, one where Aboriginal Victorians help shape the policies that shape their lives. But before treaty, there must be truth. The Yoorrook Justice Commission, Australia's first truth-telling process, allowed survivors to speak and forced the state to confront its history. Truth-telling, like Ireland's oral tradition, is sacred. It is how people remember who they are and how they change. We cannot turn away from what the truth shows: the massacres, the forced removals, the missions, the incarceration rates and the health gaps that still flow from colonisation and from government policy.

For those of us of Irish descent, this moment carries deep meaning. We know what it is like to have a culture suppressed and our language silenced. We know the silence that follows empire and the strength it takes to break it. We know the wound colonisation leaves behind, and because we know, we stand in solidarity with those who have suffered the same. If Ireland's famine taught us anything, it is that conscience must never be dulled by distance or indifference. The ships that left Cork while people starved remind us that power without compassion is tyranny. This bill ensures Victoria does not repeat that mistake.

Some say treaty divides us. I say it unites us in honesty and respect. You cannot build a fair future on a lie. Acknowledging the First Peoples of this land and their enduring sovereignty does not diminish anyone else's belonging, it strengthens our shared one. When most of Ireland finally won independence, it did not end hardship, but it meant Ireland's future was at last decided by Irish hands. So too must the First Peoples of Victoria have a voice in shaping theirs. That is not division, that is dignity.

The Statewide Treaty Bill 2025 is an act of moral leadership. It honours the world's oldest living cultures and acknowledges the shared wounds of empire. It tells our children we are not afraid of truth, that we can face our past and rise stronger for it. Let us not be timid – let us be worthy. When the story of the 60th Parliament is told, may it be said that we chose reconciliation over denial, justice over convenience and courage over silence. Let this be our legacy: a Victoria where the ghosts of colonialism and past government policy no longer dictate our future but where respect and partnership light the way forward. I commend the bill to the house.

Iwan WALTERS (Greenvale) (15:30): In rising to speak in support of the Statewide Treaty Bill 2025 I acknowledge the Wurundjeri people of the Kulin nation and pay my respect to their elders. I also acknowledge that two things can be simultaneously true: together we built a tolerant, diverse, robust liberal democracy in the British parliamentary tradition, where people drawn from all over the world contribute, call home and live in freedom, peace and prosperity, and yet that process of colonisation and economic development in the British agricultural and industrial tradition, turbocharged by the extractive boom of the goldrushes, has left a legacy of violence, dispossession and deep hurt among the people who were here before British settlement and who retain the enduring connection to this place and its country that the First Peoples' Assembly co-chairs talked about in their landmark orations in this house this week.

There is abundant empirical evidence regarding the value of self-determination – the Productivity Commission, academic research and lived experience. Aboriginal community controlled services produce better, more sustainable outcomes for Aboriginal people and their communities. They achieve better results, employ more Aboriginal people and are often preferred over mainstream services. Building the capacity and the capability of the community-controlled sector also drives sustainability and self-determination by equipping organisations to set the policy direction for, and independently plan, the services they provide for their people. As Rueben Berg said this week, this is not a world-leading initiative, ‘but it is ours’.

I want to reflect on a couple of other examples from around the world. New Zealand and Australia have a deep bond and an often-intertwined history bound by the Commonwealth geography and the intense experience of allyship in two world wars and indeed bound by shared parliamentary traditions evolving from self-governing colonies into dominions, into nation states with independent and sovereign parliaments under the same constitutional monarch. Yet New Zealand from 1840 has had a treaty, the Treaty of Waitangi, signed at the Bay of Islands with 43 Northland chiefs, with over 500 Māori chiefs signing it as it was taken around the country subsequently in the next eight months. Today the Tiriti of Waitangi is widely accepted as a constitutional document that establishes and guides the relationship between the Crown in New Zealand, embodied by the New Zealand government, and Māori.

Do we consider New Zealand a lesser parliamentary democracy or a jurisdiction where the sovereign will of the people is somehow subverted because of a more deep and more reconciled relationship between the state and its Indigenous peoples? Are Indigenous Victorians worth less? There will be those in this chamber, and I suspect particularly in the other place, who will seek to sow division, discord and fear on the basis of this debate in the wider community. They will talk about a third chamber, of a stratified society, of unequal citizenship and make odious comparisons between this democratically elected Parliament and tyrannical regimes in other parts of the world. They will say one thing in Brunswick and a very different thing in Beveridge and Broadmeadows. We have seen it before, we know the playbook, and we anticipate the petition, but reckoning fully with our history does not marginalise, ignore or in any way diminish the extraordinary successes that make modern Australia a great country; instead it acknowledges the complexities and challenges of a full history that also includes empirically proven massacres, dispossession and the forced relocation of Indigenous people, the separation of families and the introduction of diseases that have collectively caused immense suffering and long-term disadvantages that endure into the present.

The capacity to initiate the type of process that has led to this bill and to work in partnership with the Indigenous community is in itself a marker of a strong, self-confident and successful society, one where the complexities and nuances of history and historical fact are not consigned to oblivion or obfuscated by a glass-jawed, brittle and reactionary nationalism that just cannot handle the truth. Nothing in this bill compromises the parliamentary sovereignty that is a central pillar of our democracy and its institutions. Consultation is just that; it is not an override. This legislation and the things it creates are products and decisions of this Parliament. They will be subject to the oversight and

decision-making of future parliaments and the Victorian people who elect them. As the Premier said in her second-reading speech, at the heart of this bill:

... is a practical purpose and a simple principle: all families are better off when they have responsibility over their lives, their future and the things that affect them.

Aboriginal families are no different.

Treaty makes sense because it gives Aboriginal people a say in how their services are run.

Our first treaty sets clear rules to achieve real, practical change over time.

Treaty doesn't take anything away from anyone.

It's about improving people's lives and giving everyone a better future.

We all are united in wanting that better future –

in this place, or at least on this side of the chamber –

one that is just, fair and equitable for all Victorians, including First Peoples, one where the gap between First Peoples and other Victorians has been closed.

That gap still endures; it endures because more babies from Aboriginal backgrounds are born with a low birth weight. They have higher levels of perinatal mortality. There are high levels of smoking during pregnancy. There are, as a consequence, fewer opportunities for Aboriginal babies to be born healthy and to thrive. This leads to lower levels of educational attainment and employment, with 56 per cent of Aboriginal people in employment compared with 78 per cent of the broader adult population. It leads to a burden of disease among Aboriginal and Torres Strait Islander people that is 2.3 times higher than that of non-Indigenous Australians. Among First Nations people, mental and substance use disorders are the leading contribution of that disease burden. It leads to households which are poorer, with 35 per cent of First Nations adults living in households with equivalised gross household incomes in the bottom 20 per cent of incomes nationally.

This is a gap that justice and decency demand to be closed. It is one that current and previous approaches have failed to close. It is one that I hope a new approach, founded on reconciliation and self-determination as embodied in this treaty bill, can close.

Paul MERCURIO (Hastings) (15:35): I am happy to rise today to speak on this bill, and I pay my respects. What is treaty? On that side of the house, treaty is a wonderful destination that they support, but they do not have the moral courage to take the journey to get there. They support it, but they do not support it: 'Sorry.' What is treaty? Treaty is 246 pages, 51,018 words of what could be described as pretty complex information and very worthy, and I thank everyone that put that together. What is treaty? Treaty is truth-telling. Treaty is healing. Treaty is hope. I have spoken in this chamber about hope, and that hope lives rent-free in my heart on many occasions.

I want to thank Uncle Peter from Willum Warrain for spending time with me a week ago and talking about what treaty means to him and his mob and the Kooris of Victoria. And of course you cannot talk about treaty unless you talk about truth-telling, and we talked about that. We talked about the displacement; we talked about the murders; we talked about the rapes; we talked about the stealing of children; we talked about the high suicide rate; we talked about the dismay, the despair that Aboriginal people feel, that Aboriginal people have lived through. It got me thinking about three friends, boys from south Queensland. They were a mob from south Queensland. They came from a family of 11. I am not going to mention their names, because I did not ask permission, but you would know them. We worked together in the entertainment industry, in dance and drama and theatre and film. They were incredibly talented, incredibly bright, and they were deadly young people.

I thought we were all the same. I thought we danced our own steps, and indeed we did dance our own steps. We danced around Australia and in fact around the world. After talking to Uncle Peter I understood them better, because one of my friends had had an opening night that was a very successful opening night, and they went to the party afterwards, and he disappeared, and some of his friends went to find him, and they found him hanging in a tree. He had the world ahead of him – three kids and a

wife. He left his brothers. Fourteen years later, his brother, who was an amazing musician, who was also at the peak of his career, took his own life. And I realised, as I said, I thought we danced our own steps. I danced my own steps, but they did not. They danced white man's steps. They danced these other steps that were not their own. I thought we were the same, because I had hope that lives rent-free in my heart. They did not, and I realised this. In their hearts they had sorrow and deceit and betrayal and anger and displacement and hate and racism. And it is such a hard and heavy burden for them to hold in their hearts, that they could not, and they did not, just like many other First Nations people.

So what is treaty? It is truth-telling. It is healing. And when we heal, my hope is that we will take each other by the hand and walk softly across the great country of Victoria and indeed walk softly together, united, across this great country of Australia. That is treaty. I commend the bill to the house.

Luba GRIGOROVITCH (Kororoit) (15:40): I proudly acknowledge the Wurundjeri people of the Kulin nations as the traditional owners of the land on which we are gathered here today at the Parliament of Victoria, and I proudly acknowledge the traditional owners of the lands of my very own electorate of Kororoit. I pay my respects to their culture and their elders past, present and emerging; I acknowledge their strength, resilience and continued connection to country.

I acknowledge and I thank the First Peoples' Assembly of Victoria – some of whom are still here today, which is wonderful to see – without whose tireless work and perseverance we would simply not be here today. I want to make mention of the beautiful smoking ceremony that took place yesterday. What a wonderful way to start a week of Parliament. It was a really reflective moment and, again, would not have happened without those behind it, so thank you so much for that wonderful smoking ceremony.

This is a historic moment and one that we in this place should all be really proud of. It is the first in our nation's history and one that I certainly am very proud of. As we know, the Allan Labor government is committed to true reconciliation, to truth-telling, to treaty with its First Peoples. We know that families are better off when they have responsibility and empowerment over their lives. It is not a complicated proposition. Aboriginal families are no different. This can only occur by empowering and supporting Aboriginal people through self-determination. The Allan Labor government knows that true reconciliation begins with understanding our past and acknowledging First Peoples' continued custodianship of this country. Self-determination and treaty will put this into action. Treaty makes sense because it gives Aboriginal people a say in how their services are run.

Our first treaty sets clear rules to achieve change over time. This does not take anything away from anyone. Despite what those opposite want to say, it does not take anything away from anybody. It is about giving to people what is rightly theirs. It is about improving services and about improving lives. Governments already spend a huge amount of money trying to close the gap. But it is not working, and that is why we need this change. If we listen to the people directly affected by the policies, we will always get better outcomes, and that is why the Allan Labor government is bringing forward this legislation to enact the commitments made by the state of Victoria in Australia's first negotiated treaty with First Peoples. As I said at the beginning, this is a historic moment for all Victorians – a moment that requires courage, a moment that requires determination to show real leadership and to enact real change for all Victorians.

Through our history First Peoples have been excluded from social and economic opportunities, and that is disgraceful. It is a plain, simple fact that should shame all of us who sit in this place. The policies and practices of government have created social inequities that haunt us still today. Treaty, however, will give us a pathway to change what is not working, to finally give First Peoples a say on the policies that impact their lives. It is just common sense: if you listen to the people, you get better outcomes for the people. Treaty is about making sure that First Peoples get a say over their health care, their families' housing, their kids' education and the practice of their culture both now and into the future. By giving this say to First Peoples we give them the power to improve their lives and their futures, to restore self-determination, pride and social equality to First Nations people in our state, everywhere. I proudly and

humbly commend the treaty legislation, and I again want to thank each and every person who has been behind making this landmark legislation. I commend the bill.

Ella GEORGE (Lara) (15:44): I am honoured to rise today to speak on the Statewide Treaty Bill 2025, and I would like to begin by acknowledging the traditional owners of the land on which the Parliament meets, the Wurundjeri Woi Wurrung people of the Kulin nation. I acknowledge the Wathaurong people of the Kulin nation, the traditional owners of the lands I represent in this place, and I thank them for the thousands of years of care that they have taken of their country. Aboriginal land was never ceded, sovereignty was never ceded, and for far too many years successive governments have not acknowledged this. Governments have ignored our state's past and the experiences of Victoria's First People. Governments have made decisions about and for First People, thinking that they know best, and governments have not listened to First People.

Treaty is an opportunity for all Victorians to listen deeply to First People and truly hear what they have to say. Treaty will help us all better understand our past and acknowledge the pain and trauma inflicted on Victoria's First People, much of which was explored through the Yoorrook Justice Commission. Treaty will work to close the gap on outcomes relating to health, education, housing and employment between First People and other Victorians. Treaty will finally give First People in Victoria a real voice and a real say in decision-making that impacts them, and treaty is an opportunity to walk together and build a better future for all Victorians, a fairer Victoria, a more equal Victoria.

I am so proud to be a member of the state Labor government that is committed to treaty, voice and truth. I want to talk about truth. Over four years the Yoorrook Justice Commission heard the truth, with over 1350 submissions and more than 250 witnesses. This truth is hard to hear. Yoorrook tells us about the heartbreaking impacts of colonisation. Country was taken rapidly, people were displaced and at least 50 massacres were recorded, and it is likely that more took place. Colonisation is not just an event from 1834, when Gunditjmara country was taken. The impacts are felt today. Colonisation has driven inequality in our state between First People and other Victorians in education, in health, in housing, in employment, in political representation and in this place right here. First Peoples are over-represented in the criminal justice and child protection systems. This is the history of our state, and we need to do better. The Statewide Treaty Bill 2025 is an opportunity to do just that.

This bill aims to address the injustices and disadvantages experienced by Victoria's First Peoples, as highlighted in the Yoorrook Justice Commission's report. It is designed to help close the gap. The legislation will establish Gellung Warl to work alongside Victoria's democratic institutions while operating independently from the government. The bill and the treaty are not about creating a new legal framework but are about enhancing the inclusion of First People within the existing systems of law and policy. Self-determination, which is widely accepted as a fundamental right, is put into action through this treaty.

I would like to thank the members of the First Peoples' Assembly of Victoria and the co-chairs Rueben Berg and Ngarra Murray. I thank them for their powerful contributions in this place on the floor of this Parliament on why treaty matters. I thank the former co-chairs Aunty Geraldine Atkinson and Marcus Stewart, and I acknowledge the role that they played in bringing this bill before the house today. I thank the Yoorrook justice commissioners for their dedication to truth-telling, four years of hard work of hearing all those truths, many of which had not been heard before or listened to by governments before. I cannot imagine how hard that work would have been. And I thank the Minister for Treaty and First Peoples and the member for Geelong for their commitment to this important legislation.

Victoria does not have a proud history when it comes to the pain and trauma that has been inflicted on its First People. We have a legacy of historic injustices. The harmful impacts of colonisation are present, driving systemic inequality, a loss of language, a loss of culture and deep intergenerational trauma. This bill can start to change that. It will not fix everything, and it certainly will not fix everything overnight. There are still years and years and years of hard work ahead of all of us. But by taking action now, by establishing Gellung Warl, by listening to the truths that First People are telling

government, by establishing this treaty and by working together we can start to right the wrongs of our past. We can build a shared legacy with Victoria's First People, and we can build a stronger, fairer state for every Victorian.

To those opposite I say: it is not too late. It is not too late to support treaty, to walk with all of us together towards reconciliation, to back treaty and to back Victoria's First People. I am proud to stand here in this place and say that I will be voting to establish treaty in Victoria. Treaty represents justice, self-determination and the pathway to closing the gap for a better future for all Victorians. This bill is a commitment to Victoria's First People that we will do better, because we must do better. I commend this bill to the house.

Sarah CONNOLLY (Laverton) (15:51): It is with great pride that I stand here this afternoon and rise to speak on the Statewide Treaty Bill 2025. I would like to begin my contribution with an acknowledgement of the traditional owners right across this great state that we call home, particularly those in the gallery today. This is a moment of tremendous pride that you must be feeling, and I have to assure you that we on this side of the house feel it, and I feel it standing before you.

I am going to be going home to my hometown, which is in northern New South Wales, for Christmas this year, and that is where the Bundjalung people come from, I think we call it, up on the Tweed Coast. The town that I grew up in was a very sleepy beachside village, a little bit like that town we watched in the show called *SeaChange*. But now you need a couple – well, a bit more than a couple – of million dollars to live there, thanks to the Hemsworth family, to go and live up there on the north coast. But the town that I grew up in was deeply, deeply racist. There were the people that looked like me, and then there were the others who lived on the other side of town. That side of town is still filled with some of our beautiful Indigenous First Peoples, and the side of town that I am talking about, that folks up in Kingscliff will know, was in Fingal Head, which is a place that continues to flood up on the north coast. So every time there is a flood, our First Nations and Indigenous communities get wiped out there on the lower floodplains.

I have not said this here in the house before, and I have not asked permission to speak about it, but I think I will, because I think that my cousin will be filled with a tremendous amount of pride. My cousin met his wife when he was 14 years old, and they fell in love at school. They got married at about 19 or 20 and now have three beautiful, but very full-on, young boys. I cannot wait to go home this Christmas and tell them about treaty, that we have done it and that I got to speak on it here in this place – and about the importance of it.

As I said, I grew up in a really racist town, and some of the debate and the comments that I have heard here in this place have really cast my mind and reflections back to what it was like growing up in Kingscliff and the kinds of intellectual reasons people would give for refusing to help, assist and enable First Peoples and Indigenous communities there on the north coast to make a step forward – to create a much more inclusive community and town. So many of those reasons, I realise, were really just intellectual racism. I have heard that yesterday and today – well, not today, because they have decided not to speak any further on it, but particularly yesterday – in some of those arguments put forward here in this place.

What I cannot wait to go home and tell my cousin's three boys is that we did it here in this state, and that this process kicked off all the way back in 2019 with the establishment of the First Peoples' Assembly. I have to acknowledge the tremendous and incredible work over all of these years. It has been such a journey to get us here – almost 10 years to get us here – and I acknowledge the incredible work over all this time and that these people have helped pave the path forward to get us to this moment in time.

We also had the Yoorrook Justice Commission, the first truth-telling commission in Australia, whose work detailed the long history of injustice that has been caused here in Victoria as a result of colonisation. Members before me have made incredible contributions about that type of colonisation.

Many people might not realise that our state governments and our parliaments are much older than our federal government, because before Federation we were colonial governments, and those governments did in fact engage in so many of these injustices. It was our state governments that perpetuated the stolen generations, both here in Victoria and across the country. Whilst we cannot change the past, we can at least acknowledge the future and the pathway that we want to walk together on. This is not just a symbolic treaty that we are speaking on here today. This treaty will give Aboriginal Victorians a real say in how their services are run. It will make a real and profound change to the way they are represented in these services. This treaty is not some new or radical concept, as those on the other side have tried to talk about. This treaty is going to make a huge difference. It will be such an important part of Victoria's history, and I am so proud and so glad to sit with colleagues on this side of the house that want to be on the right side of history. I cannot wait to go home at Christmas to tell my family, my friends and my cousin and his three young boys, because this will mean something to them. They will understand exactly why this is important, and although they live in New South Wales, they will know that Victoria is again leading the nation in doing the right thing in fighting for equality and for a fairer and more just Victoria. I wholeheartedly commend this bill to the house.

Steve McGHIE (Melton) (15:57): I rise today to contribute to the Statewide Treaty Bill 2025. My office is on the lands of the Wurundjeri people, with my electorate extending south to the lands of Bunurong people and the Wathaurong people, and I wish to acknowledge them as the traditional owners of what we in this place refer to as the Melton district – my electorate. I would also like to pay my respects to their elders, past, present and emerging and acknowledge all First Nations people who are watching today.

I extend my appreciation to the Yoorrook Justice Commission and to Ngarra Murray and Rueben Berg as the co-chairs of the First Peoples' Assembly of Victoria. I would like to thank all First Nations community organisations and individuals who have contributed to this bill and this journey to treaty and who are doing great work every day in their local Aboriginal communities around our state.

I would also like to talk about a couple of great organisations supporting First Nations people in my community, the first one being Djirra, who are based in Kurunjang and who support women through family violence situations. I will give a shout-out to Djirra's CEO Antoinette Braybrook, who is truly an incredible woman, a great member of our local community and a powerful advocate for all First Nations people. The other organisation is Kirrip Aboriginal Corporation in Melton South, another great organisation in my electorate which supports many, many families but in particular our younger Indigenous people through the youth justice system, supporting them to reintegrate into society. They do fantastic work, with a strong focus on our community. These organisations are only two amongst many that do such important work to champion Indigenous voices and support their communities through making positive impacts.

I do not want to give too much attention to all the naysayers, but I feel the need to address what those opposite are spewing. It is disgraceful that they have stated that they will repeal this treaty within their first 100 days if they happen to be elected next year. They keep talking about how there are separate, different rules for Gellung Warl. I am not aware of what they are referring to, because I do not think they explained their position all that well.

We continue to see poorer outcomes in employment for our Indigenous people, and in education, in health and an over-representation in the criminal justice system – the list goes on. Since colonisation First Nations Victorians have been subjected to laws that have suppressed their ability to perform cultural activities, to speak their language and to share cultural information with their children. The First Peoples' Assembly will not have veto power over policy and legislation, as has tried to be expressed by those opposite in this chamber.

Business interrupted under sessional orders.

Grievance debate

The SPEAKER: The question is:

That grievances be noted.

Government performance

Jess WILSON (Kew) (16:01): I rise to grieve for all Victorians because they are paying the price for the Allan Labor government's decade-long financial recklessness. The report tabled today confirms the truth every Victorian already feels – that our state's finances are in deep, deep trouble and the Allan Labor government has lost complete control of the budget. Victoria's net debt is now growing by more than \$2 million every hour. That is \$48 million every day and \$17.6 billion in a single year. Every hour that families are working to pay their bills, Labor is borrowing more in their name. The financial report reveals that payroll tax revenue fell short because 'job growth is weak.' Employee expenses blew out by \$2 billion. Interest repayments were \$272 million higher than budgeted because the government is refinancing debt at higher rates. These are not just accounting problems, they are the product of 11 years of waste, mismanagement and arrogance by this Labor government.

Let us be clear about where we stand today. Net debt has soared to \$150.9 billion in the general government sector and \$175 billion across the broader public sector. Interest costs are now \$6.8 billion a year, more than \$18 million every single day. Over the next few years debt is forecast to reach \$194 billion and interest to exceed \$10 billion a year. That is \$28 million every single day, or \$1.2 million an hour that Victorians will be paying because of this government's financial mismanagement. That is money that should be going to schools, to hospitals, to community safety and to essential services. Instead it is going straight to the bank. To understand how bad this is, we only need to look back a decade to when the coalition last held office.

In 2014–15 Victoria's net debt was just \$21.8 billion, or 5.9 per cent of gross state product. We delivered an operating surplus of \$1.1 billion and our interest bill was just \$2 billion a year – less than a third of what it is now. The wages bill was \$18.5 billion and tax revenue was \$17.9 billion. Fast-forward 10 years and the picture could not be more different. By the end of the forwards, net debt will have increased almost ninefold. Interest costs will be up fivefold, the public service bill will more than double and taxes will more than double under this Labor government. Yet despite record taxes the government has continued to run structural deficits, spending more than it earns year after year. In 2014–15 interest consumed around 4.1 per cent of revenue. Today it is almost 7 per cent and climbing to 9 per cent by 2028–29. In 2014 net debt to GSP was on track to fall to 4.5 per cent. It is currently approaching 25 per cent. In other words, it has gone from one-twentieth to one-quarter of the size of our economy.

Waste is no longer the exception in Victoria's budget, it is the business model under the Labor government. Over \$50 billion has been lost in major project blowouts under Labor. But government waste is not just bleeding from these government projects; under this Labor government there is systemic waste that runs through every level of government.

Consider three examples. Firstly, \$13 million for 40 machete bins – that is more than \$300,000 per bin. Yesterday the Premier told question time that about 2000 machetes had been handed in under the government's machete program. Now, on my back-of-the-envelope calculation, that is about \$6,500 per machete. Yet at the same time, we have the highest rate of criminal incidents in 20 years – \$13 million on a program that is not delivering any reduction in crime in this state. We have people afraid in their homes at night, and the government is choosing to spend \$13 million on machete bins. What are they expecting – criminals to drop by the police station while they are out on a crime spree and drop in their machetes? This is a government that has its priorities all wrong. The second example: \$600 million to cancel the Commonwealth Games. Let us go to the next wasteful expenditure on the Commonwealth Games: an additional \$200 million to pay Glasgow to host them – \$800 million for

Victorians not to host the Commonwealth Games in this state. And my third example, one that I hear day to day, and I know my colleagues hear it too often: how the inflationary impact of the Big Build is impacting the construction sector and the ability to create jobs in this state. Two hundred thousand dollars to hold a stop sign in this state – one worker, one sign, \$200,000. At the same time, what do Victorians see? They see roads full of potholes, they see schools desperately waiting for maintenance and they see ambulance ramping at record highs. They see cuts to family violence services and they see police resources stretched thin in a crime crisis. Every dollar wasted on bureaucratic indulgence in this state is a dollar denied to those who need it most.

When Victorians ask why they feel poorer, why their bills are higher and why their businesses are struggling, the answer lies here: under the Labor government, 60 new or increased taxes since Labor came to office. Each one might sound small in isolation, but together they have created the most heavily taxed state in the country – 60 new taxes. That cannot be an accident; that must be a strategy under this government. Labor have taxed work, they have taxed property, they have taxed investment, they have taxed health, they have taxed education and they have even taxed the act of doing business itself. There is a mental health levy on payroll tax, hitting employers when they are struggling to keep staff. There is a new short-stay accommodation tax, a tax on tourism and small operators, particularly in regional Victoria. There is a health tax on GPs, which drives bulk-billing doctors out of Victoria when we should be helping incentivise primary care in this state. There is a payroll tax on independent schools, which has been passed straight through to parents in higher fees. And of course there is the \$3 billion emergency services tax, a tax on every household, on every business and on every farm in this state – a \$3 billion tax to fill their black hole. There is the land tax hike, the stamp duty expenses and the never-ending list of so-called temporary charges that never seem to go away.

Despite this record level of taxation, Victoria's debt has exploded, with record debt in this state. This is a government that has a revenue problem. It has a waste problem. It is addicted to reckless spending and addicted to taxing to fund that spending. For small business owners these taxes mean fewer staff and shorter hours. For families they mean higher rents, higher school fees and higher prices at the check-out. For homebuyers they mean more property taxes, which now account for nearly half of state tax revenue. Every tax is a brake on confidence. It is a reason for investors and businesses to look elsewhere and exit Victoria. Labor treats taxation as a reflex, not a responsibility. It treats the private sector like a piggy bank and not a partner, and it has turned Victoria into a state that punishes aspiration instead of rewarding it. That is why our economy is stalling, our unemployment is rising and our standard of living is falling, because when you overtax work you discourage it, when you overtax enterprise you drive it out of the state and when you overtax success you end up with less of it.

But this is not about the spreadsheets. It is not about these numbers in isolation. It is about the impact this has on Victorians every single day. It is the parents who cannot find a kindergarten or a childcare place because early childcare centres are not being built. It is the teacher that stands in a classroom with a leaking roof because maintenance was deferred again and again and again. It is the nurse who watches patients build up in the corridors for hours because there are not enough beds and our health system is under-resourced. And it is every small business owner paying higher taxes and higher fees while services decline. Debt, waste and higher taxes are not abstract concepts. They translate directly into fewer opportunities and lower living standards. Every dollar borrowed today is a dollar that has to be paid back by our children. It is a dollar wasted and denied into the future, and that is the failure of Labor's economic management. It has broken that promise to the next generation that they will be better off, that they will have better living standards, than the generation that came before them.

The government claims it is returning to surplus, but even on its own optimistic forecasts those surpluses are wafer thin, and we see time and time again, with the cost blowouts under this government, that they very rarely come to fruition in the budget papers. But at the same time the mountain of debt keeps growing. The interest costs keep growing to \$1.2 million every single hour in 2029. This is not a recovery. It is an illusion built on borrowed money.

Victorians deserve so much better from their government. They deserve a government that treats every dollar of taxpayer money with respect, and the coalition's vision is clear. We will restore responsibility, rebuild confidence and return Victoria to a state that values enterprise, effort and discipline. Our economic plan rests on a number of principles. First, we will restore fiscal discipline and pay down Labor's debt. We will stop the waste, we will ensure that public spending delivers value for Victorians and we will respect taxpayers money once more. Second, we will lower the burden on households and businesses and we will drive a commerce-led recovery because only a strong private sector can rebuild the economy and restore jobs here. I can guarantee that taxes will always be lower under a Liberal and Nationals government. We have already committed to scrapping the health tax on GPs, the payroll tax on schools, the emergency services levy and the short-stay accommodation tax, and we will offer stamp duty relief for first home buyers, lifting the threshold to \$1 million. Third, we will grow the economy, not the bureaucracy. We will cut red tape, drive productivity and foster partnerships between business, education and industry to create jobs and investment. We will bring back the confidence that makes Victoria an attractive destination to invest, to employ and to build once again. And fourth, we will restore integrity, accountability and transparency to the way Victoria is governed. We will put in place our financial integrity plan, a charter of budget honesty, a real-time expenditure tracker and a Victorian intergenerational report by the Victorian productivity commission, which we will establish. This is clear structural reform to clean up the books and rebuild public trust.

When the coalition left office in 2014 Victoria had net debt at \$21.8 billion, and it was falling, not rising. We had a budget surplus, we had the lowest unemployment rate in the nation and we had a AAA credit rating. Today Victoria has debt heading towards \$194 billion, we have persistent structural deficits and one of the highest unemployment rates in the nation and we have credit rating downgrades time and time again under this government. Victorians deserve so much better. They deserve a fresh start, and we will deliver that under a Liberals–Nationals government that actually drives investment back into the state.

Opposition performance

Nina TAYLOR (Albert Park) (16:16): I am afraid to say we do grieve for working families of Victoria, who the Liberal Party are so eager to talk down, because that is what Liberals do. And I am afraid even with the recent change with the newly minted Shadow Treasurer on the interchange of the opposition ministerial shadow positions, we can see that it is the same old rhetoric, the same narrative, nothing new. Nothing will change if they come in. When they say 'Stop waste', what they mean is massive cuts to health, massive cuts to education, because that is what they have done in the past, and they would be very eager to do that again. We saw in the *Herald Sun* on Monday a former Liberal staffer Innes Willox wrote a piece completely devoid of fact and substance attacking Victoria, Victorian businesses and Victorian workers. I think the other thing is, when we are talking about the Victorian economy we should be really careful about at least getting the facts right. So I am just going to put some facts on the table here.

Victoria creates more jobs with a higher participation rate than anywhere else in the country. It is a clear sign that in Victoria more people feel confident about finding a job than anywhere else in the country. Victoria has the lowest wholesale energy prices, and that is not a random thing that just magically happened; that is by design. The average megawatt price in Victoria is nearly half that of the rest of the country, and the national regulator forecasts prices in Victoria to remain below the price in states like New South Wales and Queensland into the foreseeable future. Victoria is the only state on the eastern seaboard to deliver an operating surplus, the only state with a fiscal strategy focused on delivering surpluses into the future and reducing debt as a proportion of gross state product. Global ratings agencies have all recently affirmed our ratings outlook as stable. Victoria completes major projects like the Metro Tunnel ahead of schedule. And we know those opposite, what did they say? They said it was a hoax – it could not be done. Well, look at it now. And we have a pipeline of projects with clear objectives, getting people out of traffic and into more homes. Even better still, with the Metro Tunnel, we know that the energy is being offset by the SEC investing in renewables. We know

that the opposition are renewable energy phobic, and sure as hell if they were to get in, they would absolutely crush the SEC. There is no question whatsoever. But it is because of the SEC that we are able to accelerate investment in renewables in our state, which is without a doubt the cheapest form of electricity, and it is the fastest way to increase your viable and sustainable energy generation into the future.

I just want to come back to a few other points that have been raised in the chamber, saying, ‘The government – are they really going to deliver a state where Victorians are better off into the future?’ Well, I ask this question with a rather obstructive and anachronistic position on the development of new housing: how are future generations, young families, going to be better off with those opposite? I know, for instance, the member for Brighton, respectfully, has made it clear that he will fight tooth and nail against new housing in established suburbs, even when it is sensible development near transport and jobs. In the last sitting week he declared, ‘We strongly oppose what the government has proposed with the activity centres. They will not happen in their form under a future Liberal government.’ And by ‘activity centres’ he means the plan to allow more medium-density housing around train stations and hubs. He is flat-out promising that if the Liberals win, they will put a stop to those new homes. He has form. For instance, he fought vehemently to stop 84 new homes proposed for the old Xavier College site, a mere 350 metres from Brighton Beach station. It is a prime location for transit-accessible housing, and yet he rallied against it. He whipped up fear, telling residents that Labor would ‘take a wrecking ball through our suburbs’ by allowing new development.

James Newbury interjected.

Nina TAYLOR: And he is not denying it now, I am afraid – case in point. He literally pledged to the locals, ‘If we are fortunate enough to be elected, that ain’t going to happen.’ In other words, he would cancel even modest housing projects, which would literally keep those suburbs frozen in time. But ultimately it is Victorians, future generations of Victorians, that will miss out. The other sad thing is that it is all about giving people choice. If people want to live further out, that is fine. But if your family is here and you have got ageing parents et cetera, do you really want to have to live 2 or 3 hours away from them? You want to visit them regularly. These are the things that people want to think about. Do you want your children to be able to afford to live near where you live now? These are the choices that young generations of Victorians are having to make, and those opposite are doing nothing, absolutely nothing. In fact they are fighting against their future, and it is really, really sad.

But it gets worse. The member for Brighton even campaigned to close a homelessness shelter in his electorate. The temporary housing in Brighton East was giving people sleeping rough a roof over their heads. It was a small, humane step to address homelessness. But he objected because it was in his backyard. He said ‘We have a right to preserve our way of life’ as he fought to shut it down. ‘Preserve our way of life’ – I might just leave that there.

James Newbury interjected.

The SPEAKER: Member for Brighton, cease your interjections.

Nina TAYLOR: I will leave it there because I think it is pretty clear by inference what that means.

James Newbury interjected.

Nina TAYLOR: Preserving your way of life –

The SPEAKER: Member for Brighton, this is your last warning. I ask you to cease interjecting.

Nina TAYLOR: That is the Liberals’ housing philosophy in a nutshell: if you are doing it tough, you are not their problem. They would rather sell the land to developers for luxury homes than use it to help the less fortunate. We know with the member for Kew it is saying one thing but doing another. On housing everyone agrees: we need more housing. Good. I agree with that point too. She admitted we have a housing supply problem, but when it comes to action she falls right in line on this nimbyism

that, I am afraid, seems to be pretty consistent throughout the opposition. She seems more concerned with protecting the character of wealthy suburbs like Kew than with making sure young people have a place to live. She wants the development somewhere else. We need more housing supply, just not near her area, and we can see the hypocrisy in this.

The Liberals accuse the government of wrecking suburbs and being out of touch when in fact they are the ones blocking young families from having the chance to own a home in those suburbs. They fan fears and then wonder why housing is so unaffordable. The member for Brighton even smeared our comprehensive housing statement as a ‘dud’, ‘desperate’ and ‘nasty’. This over-the-top language shows an opposition long on insults and very short on solutions. It is all very well to say, ‘Not in my suburb; do it somewhere else’, but what are the solutions then? What are you going to do for the younger generations? We have not seen anything yet, and I do not believe we will, because sitting on your hands and hoping for a miracle – hoping that younger generations will randomly be able to afford housing if we do not build it – does not make sense. Particularly, it needs to be accessible too. One thing I love is that certainly some of the younger staffers in my office really love public transport. This is fantastic. It is quite an inspiration. They do not want to be stuck in cars and congestion, and they will actually choose to take public transport over a car because they can read and do other things while they are doing that. Some of them actually love to use active transport as well.

I actually recently had a traffic forum in my area, and I was really buoyed by the fact that the attendees there were just people who showed an interest in traffic – I did not know half of them before the forum – and nobody talked about parking; everyone talked about how to make safer access in terms of walking and riding and PTV, and I was so inspired by this. As I say, I did not know half of the people that were turning up, and I was ready for whatever might be presented, and I was really excited because I thought, well, these are people of all different age groups who are consciously making a choice: (1) they live right near the CBD, so they live in Southbank, but (2) they want accessibility other than by car because they know you cannot ‘car’ your way to reducing congestion. So this was really inspiring, and I think that this is called ‘reading the room’ and looking at the way that Victorians themselves are consciously making decisions to adapt. We need to back them in. This is the right thing to do, because we just know that more cars on the road lead to more congestion. I am sorry to state a really obvious point, but even when people convert to EVs – this is going to be a fantastic thing in terms of reducing emissions, and that is great – but even better still, more people on PTV and, for their health, more active transport. So yes, I am just saying this is the kind of feedback that I get in my electorate, and it is not something that I deliberately contrive or whatever – people can write in and say exactly what they think and feel – but this is consistently what is being put to me.

So, choices on housing: at the end of the day, Labor believes in housing opportunity for all, that young families should be able to buy or rent a home in the communities they grew up in and that everyone deserves a secure roof over their head. The Liberals, by their words and deeds, believe in keeping certain postcodes exclusive, even if it locks an entire generation out. I understand that it can be uncomfortable when you make changes to an area that you have lived in half your life – granted, got it. But I think Victorians are bigger and better than that, and as a collective we actually do deep down – or I would like to think a lot of Victorians do – care about fellow Victorians, but nonetheless their kids and grandkids, and making sure that they have a viable future, that they are able to visit them regularly and that they have access to public transport that is on their doorstep. That is what it is all about.

The best way to make housing more affordable is to build more homes, and that is exactly what we are doing. Whether it is slashing stamp duty for off-the-plan apartments and townhouses, utilising unused government land or making it easier to build townhouses across the state, we make no apologies for our bold planning reforms to build but also to boost housing supply. Work is well underway to overhaul the complex and lengthy Planning and Environment Act 1987, because we know homes do not get built when they are lost in the snakes and ladders of the planning system. So we actually have a holistic plan, and we are actually implementing change on all levels. We are pulling every lever to build more homes for Victorians, but we know that Brad Battin’s Liberal Party will do

everything in their power to block, stop, slow and delay more homes for Victorians, and I just cannot understand why. When you think about –

A member interjected.

Nina TAYLOR: They just cannot help themselves. I just do not get it, because they have got some younger members in their party, but I think it should not be about age, it should be –

A member interjected.

Nina TAYLOR: Well, okay then, we are going on another tangent. I will not go there, but if we are thinking about having an open-minded and holistic approach, I think it does not matter whether you are 18 or you are 80. What matters is that you care about your fellow Victorians and about fostering housing opportunities close to where people have grown up. Is that so terrible? I do not think so.

Victoria continues to be number one in home approvals, number one in home starts and number one in home completions, but you would not think that if you listen to the rhetoric of those opposite. The most recent ABS data shows Victoria continues to build and approve thousands more homes than any other state. In the 12 months to the end of August 2025 Victoria approved approximately 55,000 homes; that is 6100 more than New South Wales and approximately 15,700 more than Queensland. Victoria built almost 60,000 homes in the 12 months to the end of March 2025, approximately 15,600 more homes than New South Wales and approximately 26,000 more than Queensland. I know sometimes, because of the very negative and incorrect rhetoric of those opposite on this issue, that some people, when I put these stats to them, are like, ‘Really?’ But this is the truth; this is ABS data. It is a fact, and it does not happen by accident; it happens, again, by design. We are literally leading the charge because it is the right thing to do.

Whilst these results are encouraging, we know there is more work to do. That is why we are working to get more homes off the ground faster so more Victorians have the opportunity to buy or rent a place. Get this: okay, fundamentally what underpins it? Victorians have the opportunity to buy or rent a place closer to their family, their jobs or where they grew up, and how do we do that? Well, we have to challenge the way we live. Status quo simply will not deliver a future which means future generations of Victorians can be better off. We do have to challenge the status quo but in a way that is sensible and with a plan that has access to great public transport but also active transport as well, because that is in the best interests of Victorians across our great state.

The SPEAKER: I remind members to refer to other members by their correct titles.

Latrobe Valley

Martin CAMERON (Morwell) (16:31): I rise to contribute to this grievance debate, and this is my first grievance debate that I am doing since I have been elected to Parliament. I stand here today to grieve for the people of the Latrobe Valley. The Latrobe Valley has been the hub of our energy production for over 100 years. And we sit here at the moment, as power stations are scheduled to be shut down, with not a lot of words or hope coming out of the Allan Labor government as to the workers that currently work in the power stations as to what jobs are going to be available in the Latrobe Valley. As the member that was just up on her feet said, communities do change and you need to change with them, but being in the Latrobe Valley, we have people, generational families, that do not want to move away and shift anywhere. They want to stay in their home towns, and I think that is only fair. The government has gone through in the last five years (1) shutting down the timber industry, causing grief to many, many families in the Latrobe Valley and across Gippsland, and (2) rapidly shutting power stations. As I stand here today, in 2028 Yallourn will shut, then following that early in the 2030s Loy Yang will shut. We do need that hope of what manufacturing is going to be coming to the Latrobe Valley, so I grieve for those families and workers.

I also grieve for – and the Minister for Roads and Road Safety is at the table at the moment – the people of especially Traralgon, with an intersection which I have spoken about often, a dangerous intersection, the Bank Street intersection opposite the Traralgon Golf Club, where works have been carried out by the government to provide a brand new crossing, but it is without traffic lights. The way the government are making sure that it is safe is they have actually turned down the speed limit, which was 80 kilometres an hour, and it went to 70 and now it is 60. But we do desperately need these traffic lights, and I grieve for every single family member and every child that is travelling on a school bus through this intersection at times. We have had one incident at the intersection, with a school bus that was hit. For these traffic lights to go in, it seems that the people of the Latrobe Valley are the forgotten people of Victoria. The government is taking multiple things away from us. We are a very resilient population down there, and we do want to keep living and growing our families in our community down there, but we also realise that decisions that have been made here in Parliament are actually costing people their jobs and their livelihoods.

One of the things that I want to talk on today and that I do want to grieve about is people that are living in their houses, people that are walking the streets and people that used to walk the streets in the Latrobe Valley – and I know that this does go on right around regional Victoria – fearing for their safety. We have had families that have had to endure people breaking into their houses and stealing their cars. We have had tradies who, when pulling up at people's houses to go to work, have had to endure their utes being stolen. But worse than that, we have had certain families in the Latrobe Valley who have had to go through the pain – and I do grieve for them; I have grieved with them privately and I grieve with them now in the Parliament – of actually having family members that have been killed either on the streets or in their homes, because of the Allan Labor government's failure to protect them through tougher bail laws. All these people who have lost family members have done so because the perpetrators had been arrested and were then released on bail.

I speak of the Gordon family, and of Dr Ash, who was tragically killed here in Melbourne. His family, every single day, wake up grieving the loss of their son. They are the ones who have to go through family occasions – weddings, Ash's own birthday, Christmas – without him. Then there is the Wright family. Harry, who was 90 years old, was killed in his own home. It is unthinkable that we need to be protecting our local community because of the failure of the government to be able to make sure that people who have been arrested multiple times are not back out on the streets.

Today we had a massive funeral in Traralgon. With the greatest respect to the family, I will not mention the name of the young adult that was laid to rest today, but once again the government and the system have failed this family and this particular child. Today the family had to go and lay him to rest at a funeral for their son. It is unthinkable that as we stand here in this chamber we should be made to go through this – not once, not twice, but three times, just in my community of the Latrobe Valley. And it goes on everywhere. I am not naive enough to think that there are not other people in the city and also around regional Victoria that have lost their lives because of the crime wave that is currently going on in Victoria. I grieve for those families terribly, and I think everybody here in the chamber, because we are all decent people, grieves for these families that have paid the ultimate price of losing a loved one because we cannot keep them safe.

Our mums and dads that own businesses in the Latrobe Valley constantly have people walking through their doors if they have got shops, or if they are in our plazas and shopping centres and they have opened up businesses there where they are putting in their hard-earned money and spending their time, stealing stuff off their shelves and walking out, because there are no consequences at all for these particular individuals. Now, we talk about having the toughest bail laws in the country. Well, newsflash for the government: they are not working, because they are not tough enough. We are letting people commit these crimes not once, not twice, not 10 times, not 20 times, but up to 30 and 40 times. They are being put back onto our streets and making sure that families are living in fear. I have elderly people come into my office and beg me, 'Can we please clean the streets up and make them safe?' We have people that no longer will get on public transport and travel to the supermarket to get food.

They will only go at certain times of the day when they can rely on family members. I grieve for those people. They have lost the way of life that they should be living. They have worked hard all of their lives, and now in their later years they are locked up in their homes because they are scared to go out on the streets, so I absolutely grieve for them.

Also, as I touched on before, I grieve not only for the people of the Latrobe Valley but the people of Victoria that are relentlessly being told how wonderful it is that the SEC is coming back. They say it is back. What is the SEC going to do? It is going to lower our power prices; it was a guarantee. The Minister for the State Electricity Commission stood there, and I remember she went, ‘Our prices are going down, down, down.’ I am yet to have one person come through my office with their power bills and tell me they think the minister was right and their bills are going down. It is not right. I grieve for those people that are planning for these prices to go down in their family budget and all of a sudden are going without feeding themselves so they can put food on the table for their children. They are working two and three jobs, which is taking them away from their families. I grieve for those people, those family members. We say we need to make sure that our family time is safe and protected, but we are forcing people to work longer hours.

I grieve for them and for everybody in Victoria, especially in the Latrobe Valley, that has to watch television and see the smiles on the faces of politicians on the Labor side telling us that we are safe, telling us that our power prices are going down and telling us that everything is going to be all right, because that is not what we are seeing on the ground or, pardon the pun, at the coalface of people coming through my office door. I could ask any member here in the chamber, especially on the Nats’ side, and they will be getting these people coming through all the time, whether it be emails, whether they be walk-ins, because this is the mood of how people are. They have had enough of being frightened and being scared. I think it is not too far away that the silent majority, the people that are going to do the right thing most of the time, are going to become loud and find their voice. We always seem to pander to the really loud minority, the noisy minority, of people and the silent majority is pushed to the background, but I think the longer that this government is in charge, the louder and louder that is going to be.

As I said before, we spoke about homes being built around Victoria and the plan that the government has with the Big Housing Build. I grieve for land developers in the Latrobe Valley, because we have coal overlays that are archaic – they are 40 or 50 years old – and we have shovel-ready home developments such as this one development I will make a point of. Over 2000 houses are shovel-ready, but they are waiting for a coal overlay that was extended 10 years ago to be wound back so this development can go ahead. What do we do? We continue to ask ministers to help us out with this coal overlay so we can build more houses, because we are not immune to having people that are living on the street and need houses over their heads. We are not immune to having first home buyers, newlyweds, that want to build their dream home. I grieve for them. For the government it is a stroke of a pen to change these coal overlays. We are not asking for them all to be changed, only a certain few to be changed so we can have the opportunity to have houses built in the Latrobe Valley and through regional Victoria. I have spoken with developers, and they are sitting on their hands. They say they can start tomorrow with these developments. As the government talk a big game on their Big Housing Build, why are we being left behind in the Latrobe Valley? What we really need to know is why that is.

As I said, I do grieve for the people of the Latrobe Valley. In my time in Parliament, as I have engaged with them as a politician, as someone that has a voice here in Parliament, I have learned only too well – and I have known this because I have lived in the Latrobe Valley all my life – that people are doing it tough. They are worried about their industries closing down there, including the white paper industry, which had to close because of the timber industry shutting – an unforeseen circumstance, because the government did not do their due diligence to see what would happen if you just shut and cut and stopped a whole industry overnight. So we lost the white paper, and now we are transitioning out of the coal-fired power industry, without any leadership telling us what the new industry is going to be.

So I grieve for the people of the Latrobe Valley, and hopefully they have only got a little bit over 12 months until there is a change of government.

Opposition performance

Sarah CONNOLLY (Laverton) (16:46): I have to say I too grieve for the Victorian families who would have to put up with and continue to put up with the Liberal Party and the National Party talking them down – talking down our amazing, amazing Victorian community and talking them down time and time again. I lament how this would continue even if – I mean, God forbid – they ever did see their way back into the light, out of the wilderness and into government. It has been nearly seven years that I have been in this place, almost seven years, and I can tell you what, I have never heard those opposite – and I sit here, and I try to think of a time – actually say anything good about Victoria or good about Victorians.

Take the contribution from the member for Kew, now the Shadow Treasurer, and her talking about getting Victoria back into shape. Oh, here it is: ‘Let’s make Victoria great again.’ Victoria is an amazing state, and I say that as someone who was born and bred not in Victoria but in New South Wales. Victoria is an amazing state, and if you do not like it – I say as someone who was recently in New South Wales visiting family – the border is open. Go north, because this state and Victorians deserve so much better than a party of those opposite that absolutely laments everything about Victoria and what Victorians stand for. They talk it down. Now you have got the Shadow Treasurer talking it down again and again and again. They have never said one thing that they like about Victoria, and more concerningly – and this is what I am genuinely concerned about – they are bereft of any kind of positive vision of where they want to take Victoria. There is nothing to inspire Victorians about the future of our state under that party. Whether it is on transport, whether it is on housing or whether it is on health or education, you name it, there is nothing even resembling a ‘We’d like to see this’. It is just endless, endless, endless negativity about Victoria and Victorians from the Liberal Party.

More people than ever have been looking for work, and they have found it here in Victoria. We are the only state on the east coast of Australia to deliver an operating surplus in this year’s budget. I will note again that this was a key component of our much-loved former Treasurer’s plan to manage our state’s debt. In fact we are the only state in this country with a plan – a fiscal strategy – that aims to deliver surpluses in the future and tackle debt as a proportion of our gross state product, and whilst we are continuing to deliver the infrastructure and services Victorians need, we are tackling debt.

We are doing it while we complete major projects – major generational, transformational projects like the Metro Tunnel and the West Gate Tunnel. They are two huge projects, and after almost 10 years of having a federal Liberal government that did not put one cent into these projects, the Metro Tunnel and West Gate Tunnel are about to open. I do not think I have ever felt prouder sitting there and watching the Premier announce that they are going to be open in early December. People are absolutely beside themselves with excitement and happiness that this project is going to open. I know for all of the commuters in their cars – and I have to say there are a bunch of us in Melbourne’s west – we cannot wait. We cannot wait for the Allan Labor government to get on and open the West Gate Tunnel. That project is all about getting people out of traffic and getting them home sooner to do the things they like with the people that they love.

Whenever you hear those opposite talk about how they would manage state debt, their answers are always the same: it is all about cuts, cuts and more cuts. I recently saw a video made up by their new Shadow Treasurer this week where she spoke about tax reform. If you have listened to these people over the past couple of years, you will know what it means when they talk about tax reform. It means cutting taxes that by and large affect the wealthiest Victorians and biggest corporations here in this state. It is so out of touch. It is actually depressing to watch videos like this and hear them talk in this place. After seven years it is depressing. It is depressing to know that after seven years they continue to dwindle away out there in the darkness of the wilderness. It must be so lonely to be them.

I truly believe that you cannot say you are the party of lower taxes. They love to use that line at all levels of politics: 'Taxes will always be lower under a coalition government.' I can hear that for the next election, because I remember the federal Leader of the Opposition running that one around again and again like a madness mantra about a year ago when they were asked about opposing the Commonwealth stage 3 tax cut changes. They cannot say they are the party of lower taxes and then go on about government debt the way they do. The only way to balance that is by making deep, savage spending cuts that hurt thousands of Victorian families. That means you cut critical services from the front line in our communities – in communities like mine. You put people out of work.

Let us look at some of the things that those opposite have said they would cut. Because the member for Morwell mentioned it in his contribution, let us start off with the SEC, because if they are going to defend anything, these people will defend Jeff Kennett's legacies of cuts and closures – it is in their DNA. We know that doing that will not just mean fewer jobs, including regional jobs in places like Morwell, but it also will plainly mean – if we are talking about cutting the SEC – more expensive electricity bills, which I am not sure that the member for Morwell quite understands. If he is lamenting for people in his community, I wish that he would give people in his community my electorate office's phone number and we can certainly shed some light and truth on what is going on when it comes to electricity bills. There is one thing they will not tell you: Victoria actually has the lowest wholesale electricity prices in the country. It is almost half – yes, it is almost half – of what it is anywhere else, and it will remain below states like Queensland and New South Wales well into the future. The SEC is a big part of that, and those opposite have said time and time again they want to scrap it.

Speaking of Queensland, I used to spend quite a bit of time up in Queensland. My kids were born in Queensland, much to the horror of my father. It actually matters if you live on the border of New South Wales and Queensland in northern New South Wales. But speaking of Queensland, I would be entirely remiss if I did not mention Mr McCracken in the other place – gosh, this made me laugh. I laughed and laughed and laughed. He suggested looking into Campbell Newman. I remember Campbell Newman so well. I think he was the mayor of Brisbane City Council and then he ran in the state election. I was there at the time. Mr McCracken is talking about looking to Campbell Newman of all people as a model for how the coalition could address Victoria's debt. If you cast your mind back, this just gets so funny. When I was living in Queensland and Campbell Newman was the Premier, I remember what it was like to have friends that I sat with at the time at Energex. It has now got a different name; it is a government-owned corporation, a GOC. I had friends in Energex, plenty of Libs, saying, 'I'm voting for this guy'. I said, 'Don't do it, you'll lose your job, there'll be cuts and closures.' No, no, no – so they voted for him. Those people sitting beside me lost their jobs, 14,000 public servants were cut. There is a reason that Queensland Labor back then went from just enough MPs to fit in an SUV to being back in government after just three years. If that is the example that those opposite want to follow in government, they will probably suffer an even worse election defeat than they already have multiple times, if it is even possible at this stage.

The next big-ticket item on their list of cuts is the Suburban Rail Loop – or is it? I am kind of confused, because I was there when I heard the member for Bulleen completely flip what has been their policy and their line on SRL for so many years, and they have not been really clear on that lately. Is it cancel it, is it pause it, is it go ahead if it has started, or back to pause and review? They have had so many stances on the SRL at this point that I have to say, Victorians cannot really tell – I cannot tell. With our government, we have been extraordinarily clear: the SRL will be built, and I say this as someone representing Melbourne's west. I know we are not at this time the primary beneficiaries of the particular section under construction; our section is yet to come. But – and this is important, and folks in Victoria will see this when they go and have a look at their Metro Tunnel – this is a project not just about the next 10 years, it is about the next 25 to 30 years, because by 2050 Melbourne will be the size of London. That I think is actually terrifying. You talk to punters in the street about that and they can barely wrap their mind around it: the size of London by 2050. We need a transport system, and we need a housing system that can accommodate that reality, and we need to build it – not tomorrow, not in 10 years time or in 20 years time but right now, immediately. We know that Victorians cannot rely

on the old hub-and-spoke transport model of pumping trains in and out of the CBD in a city which will have 12 million people. That is why we are getting on with the SRL – to connect these spokes and make it easier for people to get around our city well, well into the future.

Now, housing – I know we love to talk about housing. Those opposite have made it very clear that they will scrap our housing reforms and our activity centres. This effort is of course spearheaded by none other than the member for Brighton. Despite losing his role as Shadow Treasurer, I was actually surprised, member for Brighton, that you were not made the Shadow Minister for NIMBYs over your way. While we have been getting on and building more than 55,000 new homes – more than New South Wales, more than Queensland – those opposite have been clutching their pearls to defend blue-ribbon suburbs like Brighton, like Kew, from creating just a little bit of space for young families to live in. It is just so sad. So when folks like the member for Brighton and the member for Kew spearhead the opposition's response to housing, what is their plan? Please tell us. If we cannot build new homes in leafy, affluent suburbs close to major transport connections, schools and shopping strips, then where on earth can we build them? For those that represent the outer western suburbs and outer burbs in this state, we know the answer to that question. They want to send all the new homes out our way into the outer suburbs, into areas that are struggling to catch up. They will gladly oppose new apartments in Brighton, but you would never see them oppose tens of thousands upon thousands of homes in Melbourne's outer west.

When Victorians think about the future of this state, they have a choice. With our government they can choose a positive vision for our state, one where they can buy or rent a home close to where they live and close to where they work and get around and get ahead that much easier. With those opposite, well, we do not really know, do we? There is no vision; there is no benefit. There is no point with that party. There is no point with the Liberals and there is no point with the Nationals, which is, I have to say time and time again, why Victorians do not back them. I grieve for all Victorians when they continue to be talked down by a party, those opposite, who actually stand for nothing and have no vision for people, no vision for this state, no positive vision.

Government performance

Brad ROWSWELL (Sandringham) (17:01): I do rise to speak on the grievance debate today, and it has been about – not that I have been counting – nine or 10 months since I had the opportunity to do so, and I have got a bit to say because of that, because in that time I think it is a fair question to ask: have things got easier for Victorians or have they got harder for Victorians? Has this Labor government made life easier for Victorians in that time or have they made it harder for Victorians in that time? I contend, with every fibre of my being, that life is harder for Victorians because of this Labor government.

Let us just start with the economy. There have been more than 60 new or increased taxes at the hands of this Labor government over the last 11 years – almost 12 years – alone. Every time a new tax is introduced in this state, someone needs to pay for it, and the people who have to pay for it are often the people who cannot afford to pay for it. Even if there is a perception that someone can pay a new or increased tax, the actual economic impact is passed down to someone who cannot afford to pay for it. Around 50 per cent of those new or increased taxes are on property. You wonder why the cost of property is going through the roof. You wonder why the cost of rentals is going through the roof. And the simple answer is this: because of Labor's taxes. I also acknowledge that there is a supply and demand circumstance here as well, and yes, we need to be building more homes, but the fact that Labor have increased taxes and around half of those are on property has not made the situation any easier for Victorians.

The priorities of this government are all wrong. The Suburban Rail Loop is an example. In my community is where the Suburban Rail Loop starts, at the intersection of Bay Road and Nepean Highway, at the Sir William Fry Reserve. I can tell you, having had the great privilege of serving as the member for Sandringham since being elected in 2018, my community has asked for many, many

things. They have asked for a safer community. They have asked for improvements to schools. They have asked for a better Sandringham Hospital. They have asked for improvements to roads, which now have potholes on them, something that perhaps once was only a circumstance faced by our regional and rural communities. But no, that is now hitting metropolitan Melbourne. They have never once asked me for a train line to Box Hill – not once. Not once has anyone in my community ever asked for that. I acknowledge that there are some transport deficiencies between my community and, say, Clayton, where Monash University is – a great educational institution.

I also acknowledge that many in my community aspire to do great things. Many young people in my community aspire to do great things, and a pathway to do great things is through a university degree. Many of those people like to attend and choose to attend the great Monash University, and transport connectivity between my community and Monash is an issue. I get that. But at this point in our history we desperately need to ask the question: is the Suburban Rail Loop the right answer to that question? On the Suburban Rail Loop, in this year's budget the Allan Labor government has a dollar figure next to it, but in the second year, the third year and the fourth year of this year's budget, titled 'Focused on what matters', budget 2025–26, the Allan Labor government are being a bit tricky. They do not have a dollar figure next to the line item expense for their Suburban Rail Loop. They simply have three letters, T-B-C, to be confirmed. They are not being frank with the Victorian people about how they are going to pay for this infrastructure. How sustainable is this? How rude of the Allan Labor government not to be up-front and frank with the Victorian people about how much their signature project is actually going to cost.

This is not a priority for our state at this time, at a time when crime is through the roof. Just last week I sat down with a mother of a six-month-old baby and her husband in their living room in Hampton. They had been recently subjected to an attempted home invasion. I sat down with them on their couch and I heard their story. At around 2:30 in the morning, when this young mother, who works in allied health, was breastfeeding her six-month-old son, on the other side of the window were youth offenders who had targeted their family home and had targeted other family homes in that neighbourhood. This just did not happen a few weeks ago. Now this happens every night. This family, by one measure, were quite smart. I mean, they have got a dog, they have got security lights and they have got security cameras. It did not stop these youth offenders from targeting their home. Just imagine for a second if that six-month-old baby's older sibling had been up and about, had a disturbed night's sleep and wanted to find Mum and Dad's bed and was confronted by one of those youth offenders. These are the very real situations that families in our state are pondering at the minute and, worse, are being subjected to.

Community safety should be a priority in this state. Community safety should be a priority for this government. They say it is. Time and time and time again they say it is, but it is not, because offenders keep on offending. They commit a crime. They get caught by Victoria Police. I want to put on record the admiration and the respect and regard that I have for the work that Victoria Police do. I am certain that there is a reason why there are around 1100 Victoria Police members who are on leave at the minute. They are sick of it. They are sick of doing the very best they possibly can to uphold the right, which is their sworn obligation as members of Victoria Police, and yet night after night they are out on the beat, picking up youth offenders, doing the right thing and then being let down by the justice system that puts those youth offenders back on bail so they go out and re-offend. No wonder those Victoria Police members, who I hold in the highest regard, are sick of it. These should be the priorities. Fixing these situations should be the priority of our state.

Alleviating the tax burden created by this government should also be a priority of this state government. In a life not so long ago I had the great privilege of committing to, together with our team, the repeal of some of the taxes that Labor have introduced. The repeal of Labor's schools tax, which is an attack on educational choice; Labor's holiday and tourism tax, which makes going on a holiday and choosing to stay in a short-term rental that much more expensive for families who, frankly, save and save and save and make decisions within their own family circumstance in order to have a break;

and Labor's health tax as well, which makes the cost of seeing a general practitioner – and not just a general practitioner but allied health professionals as well – that much more expensive, which in turn puts more pressure on the public health system and costs Victorian taxpayers more. We have committed to repealing these taxes under a Liberal and National government, and we will.

One of the things that we have also promised to repeal is Labor's emergency services tax. There is an impression that Labor's emergency services tax, which is being attached to rates notices sent out by local government at the minute, is a tax that impacts principally regional and rural communities. It does, but it also impacts metropolitan communities. It also impacts residential homes in metropolitan Melbourne. It also impacts small businesses in metropolitan Melbourne, as it has in my community. I have before me a number of rates and valuation notices from various local government areas in my community. There is a wonderful family business in Park Road, a Mitre 10. This is a third-generation business that has been in operation for close to 70 years, and the sons of the father, who has since passed, are now in control of this business and running it and providing those opportunities for people to earn a wage and just understand what the dignity of work actually is.

Yet they have got their rates notice, and credit to Bayside council, who have not increased their rates from one year to the next. But I will tell you what has increased: the Victorian government Emergency Services and Volunteers Fund, Labor's emergency services tax. It goes hand in hand. This particular property, Park Road Mitre 10, is over a couple of different sites. I have got one bill here where the rates from Bayside council are \$3423. Labor's emergency services tax charge on this rates notice is \$3932, so in fact more than council rates. I have got another rates notice here for a property which is part of this business. The council rates are \$2700. The Victorian government Emergency Services and Volunteers Fund tax is \$3001.50, so more than the council rates. What is the impact of these things? What does this actually mean? For this third-generation family that is providing those opportunities for employment so that people can understand truly what the dignity of work is – for them to be able to earn a wage, stand on their own two feet, provide for themselves, provide for their families, pay their school fees and pay their power bills, which are only going up and up and up – that may not be possible anymore.

Labor's taxes are making life harder for Victorians. Labor's taxes are not making life easier for Victorians. Labor's taxes are squeezing small businesses where they are getting to a critical point and having to make a decision about what they do in the future with their business. Do they continue providing those opportunities or do they not? Do they continue, frankly, bending over and coping it, or do they take a stand? I think we are at a critical point in our state's history with the decisions that many businesses in this state need to make. Do they continue or do they fold? That is on the minds of many, many businesses around this state at the moment. I think there is a better way, and I grieve for Victorians in the intervening period between now and the next election, because up until this point the Allan Labor government, formerly the Andrews Labor government, have shown no sign of changing their tune. This Labor government had an opportunity to do the right thing by Victorians. My contention today is that they have done the wrong thing by Victorians.

I contend that under Labor life is harder, not easier. I also contend that we need a fresh start. We need new leadership, we need new ideas, we need optimism, we need enthusiasm and we need a new team in place to offer Victorians the pathway and the certainty that they need to invest in our state. We need to create opportunities in our state and not punish Victorians for simply having a go, not punish Victorians for simply wanting to provide for themselves and their families.

The circumstance in Victoria is verging on untenable. If only the members of the Labor government recognised that. If only those members of Labor's backbench who enable the draconian actions of the Premier and the Treasurer – only today they introduced another state tax amendment bill, which no doubt will increase the tax burden on Victorians – recognised that their actions have consequences. Victorians are on the receiving end of a Labor government that frankly does not care. It is about time we had a fresh start in this place. It is about time we had a fresh start in this state, and only the Victorian Liberals can deliver that.

Opposition performance

Ella GEORGE (Lara) (17:16): That was spectacular – a spectacular leadership audition. The cameras were rolling, we had an audience and some other leadership potentials were in the back row watching on. If I had a vote in the Liberal Party caucus, I think the member for Sandringham would have it.

Brad Rowswell: On a point of order, Deputy Speaker, I find this a highly unusual grievance that the government member has.

The DEPUTY SPEAKER: That is not a point of order.

Ella GEORGE: I apologise for starting my grievance debate with a compliment to the member for Sandringham. But what can I say, I was blown away by his spectacular performance. Today I rise to grieve. I grieve for regional Victorians and how they are treated by the Liberals and those opposite. I grieve for regional Victorians who are at best ignored and at worst treated like the toenails of the state by those opposite – yes, the toenails of the state. Members opposite may wish that former Premier Jeff Kennett had never uttered those words – how they have come back to haunt them. They may wish to forget them, but do not worry, we will keep reminding the Liberals about what he said.

As a regional Victorian, along with my colleagues the member for Wendouree, the member for Ripon, the member for Geelong, the member for Bass, the member for Eureka and the member for Bellarine as proud regional Victorians, I will continue to remind those opposite that we are not the toenails of the state, despite what they might think about us. That is what they think about us in regional Victoria. It is disgusting to describe regional Victorians like that, and that is why I grieve for regional Victorians. We know that while members come and go, while members are promoted and while members are demoted, the Liberals do not change, no matter who their leader is, and they have had quite a few lately, haven't they? This is what they think of regional Victorians. When the member for Kew becomes leader, or perhaps it will be the member for Brighton who has just departed, I know nothing will change.

A member interjected.

Ella GEORGE: The member for Polwarth would make a great leader. How do I know that nothing will change? Let me take members back to December of last year when the Liberal member for Brighton made a series of quite bizarre social media posts claiming that the Premier of this state and the Treasurer of this state are unqualified to be leaders because they are from the country. He said that Victoria was being run by out-of-towners, that they do not even live here. Last time I checked, regional Victoria was still Victoria. You would think that such a senior leader in the Liberal Party would have glanced at a map once or twice and worked out that Victoria extends beyond the suburbs of Melbourne.

These comments are disgusting. They show a complete lack of respect for the 1.6 million Victorians who live in our beautiful regions, who live on the Bellarine Peninsula, who live in Geelong, who live in Lara, who live in Bendigo, in Ballarat, in Ararat, in Maryborough, down in Torquay, in Colac and in Winchelsea. These are beautiful, beautiful places and these people are disrespected by those opposite because the Liberals think regional Victorians cannot be leaders in this state. That is what the Liberals think of us. They think that we are the toenails of the state. Regional Victorians are not less capable because we do not live in Melbourne or because we cannot jump on a tram to get to work. We do not deserve to be treated with disrespect, which is how the member for Brighton has treated us.

Those opposite do not value the working families of regional Victoria and the contributions they make to our state. I grieve for working families, particularly regional Victorians who work from home, because if the member for Brighton has his way, they will all be back in the office five days a week. While it might be easy to get into Melbourne if you live in Kew or Malvern or Brighton, it is not easy as a regional Victorian, and I say this as a regional Victorian who once commuted to Melbourne every day of the week. You are on the train before 7; you are home after 7. That is 4 hours of commuting

time each day – 20 hours a week wasted commuting to work. What could you do with that time? I can think of a few things you could do with that time. Perhaps you could practise raising points of order in your new job as Manager of Opposition Business. You might want to read the new bail laws in Victoria given your new job as the Shadow Attorney-General, or you could practise looking outraged in the mirror so you have got that look perfected for the camera in question time.

What does this extra time mean for families? Four hours a day is 4 hours you get to spend with your family. You get to spend that with your kids, with your pets, with your friends. Go for a walk, enjoy the beautiful, beautiful regions in our state; go to the beach; go out to the country for a walk – there are so many things that you could do with that extra 4 hours of time. When I have had the opportunity previously to work from home, it was phenomenal to have that additional time back in my day. It made a real difference in my life, and I know it makes such a huge difference for every family where you have one parent or potentially two parents working from home.

I grieve for families in regional Victoria. I grieve for people who are working from home if the member for Brighton gets his way, because those opposite have shown that they are completely out of touch with the realities of modern working life and the needs of working families. If they understood the needs of working families, I think they would support this policy. I think they would support the state Labor government's policy to protect your right to work at home. Take the member for Brighton. He seems to really despise the work-from-home arrangements despite the proven benefits of them. Earlier this year, in February, he was demanding that the government force public servants back into the office full time. He even claimed that the government was paying hundreds of thousands of dollars to back office bureaucrats in some kind of sweetheart deal because they were allowed to work from home, and he accused those staff, those hardworking Victorians, of not doing their jobs.

That is shameful. How dare members in this place attack hardworking Victorians who are doing their jobs – jobs that they can do from the office and jobs that they can do from home. He launched this tirade without even consulting his colleagues in the shadow cabinet even as businesses, particularly those in regional Victoria, embraced these ideas. Working from home is absolutely game changing for regional Victorians, and it is something that every member on this side of the house will be fighting to protect. I am so proud to see this government doing something about it, but those opposite would rip those rights away with the stroke of a pen. I wonder if it is these outdated views on working from home that got the member for Brighton demoted in the recent cabinet reshuffle, but that is a matter for the Liberal party room. We know that working from home is something that workers love. Their working-from-home arrangements are incredibly popular. Workers report back that they are more productive and they have got more space in their day to do the things they love and make sure that they are getting their job done at the same time. It is something that works for workers and it works for businesses, and I grieve that those opposite will not get on board and will not support working from home; it is truly a travesty.

The Liberals cannot be trusted to back regional Victorians, and I say this with experience, because we know exactly what happened the last time they had that precious gift of government and the opportunity to create a better Victoria. What did they do with that opportunity, with that precious gift? They cut and they closed. They cut schools, they cut hospitals and they cut railway lines and train stations, something I know the member for Ripon knows too well. I think I saw her on social media recently celebrating the 10th anniversary of the Labor government reopening a train line – or was it a train station? I will have to check that one back, but I commend the member for Ripon for her advocacy for her constituents. She is an excellent member; they are very lucky to have her. These are railway lines and train stations that the Liberals closed and that Labor reopened, and I grieve for regional Victoria and regional Victorians if those opposite have the chance to do that again, because they talk about tax reform and the need to cut down on spending, but what that means is cutting essential services.

My question is: what is the first thing that the Liberals will cut? Will it be local schools? Will it be local hospitals? Will they slash train services to regional Victoria? Will they close down train stations

like they have done before? They have done it before and they will do it again. On this side of the house we build; we build schools, we build hospitals, we invest in our regional communities. We are currently building a \$500 million women's and children's hospital in Geelong. It is the biggest piece of health infrastructure we have ever seen in Geelong and something that you would only see delivered by a Labor government, because Labor governments care about regional Victoria. We build, they close, and we know that this hurts regional Victorians so deeply. When the essential services that regional Victorians rely on – health services, education services, employment services – are cut, when they are closed, when they are slashed, that impacts our lives. We are real people; we are not just the toenails of the state, despite what your former Premier may think of us.

Let us talk about education. This is something very close to my heart, as my mum was a primary school teacher in a state school when I was growing up, and I can tell you, as a local MP, I know just how much hardworking Victorian families rely on good public schools and getting a great public education for their kids, and I grieve for them. If those opposite have the gift of government one day – hopefully never – they will cut funding to schools. This Labor government is about to open the 100th school that we have built and delivered in this state. Those opposite, when they have the gift of government, what do they do with it? They cut, they close schools and they sack teachers. I grew up with my mum as a primary school teacher sitting around the dinner table at night worried about whether she was going to be impacted by the Kennett government job losses. It was horrific, the concern that everyone had about the future of education in our state. And what happened afterwards? A Labor government had to rebuild education in our state. We had to re-employ teachers, we had to rebuild schools, and we had to reopen schools that those opposite had closed. We had to reopen TAFEs, because it is not just schools that are cut and closed by those opposite, it is also TAFE and vocational education and training. Nothing is immune from a Liberal cut and closure. We have reopened TAFEs right across Victoria; in fact we have saved the TAFE network.

I also grieve for young people in regional Victoria, because we know how much young people rely on all of these government services and how much of an impact they have on their lives, from access to education – whether it is at school, whether it is at TAFE – to access to job opportunities and access to housing. Housing is so incredibly important for young people and their futures, and if those opposite had their way we probably would not be building anything and certainly not in their backyards.

What this Labor government is doing is making sure that young people have a future and making sure that young people have hope for their future by investing in education, by investing in housing and by delivering housing, including in regional Victoria. I truly grieve for young people if they are ever in a situation where the Liberals are cutting and closing the services, the TAFEs and the schools that they rely on, making it harder to attain their education, making it harder to get started in a career and land a great job and making it harder to find a home in the places that young people want to live.

When you cut education, when you are blocking housing, when you are cutting TAFE, when you are chaining the gates of TAFE, you are not just cutting services – you are cutting hope. You are cutting people's hope for their future. I grieve for young people in particular, because these government services are so important for their futures. I am really proud that we on this side of Parliament understand the importance of those services. We do not cut and close – those opposite do. The Liberal Party are known for one thing when they have the gift of government, and that is cuts and closures – slashing everything they can – and I grieve for Victorians.

Government performance

Richard RIORDAN (Polwarth) (17:31): Boy oh boy, am I ready to grieve this afternoon. Listening to some of the grieving opportunities from the government members today – you know, the best they can do to represent the good people of Victoria and regional Victoria is to sort of quote Victorian governments from nearly 30 years ago. I think that expresses the loss of focus that this government has. The member for Lara, the member for Ripon and others – and probably the member for Wendouree – say they represent their communities. One of the biggest protest rallies ever against the

government was in the member for Wendouree's electorate in recent weeks, and she tried to write it off as a bunch of malcontents. She completely disrespected the people within her community and around her community. We have the members for Ripon and Lara, who have had major projects cited for their communities. They do not talk about the angst and the heartache in those.

But worst of all, the biggest issue still in regional Victoria is of course the massive tax burden that this government insists on inflicting on regional Victorians. And the bit that they just do not understand is that people are paying hand over fist. I mean, for example, this emergency services tax. You know, the fire trucks and the volunteers and everybody – they have got to take their lives into their own hands to drive on the roads. In fact I received multiple pieces of correspondence this week from people on the Great Ocean Road. We are inviting the world to come and ride on the Great Ocean Road this weekend with Amy's Gran Fondo, and people are genuinely concerned about the safety of the thousands of bike riders in that region because there are just so many dangerous potholes on the Great Ocean Road. This is an iconic road – it is the nation's largest war memorial – and this government cannot even find the resources to maintain it to a standard that we can ride a bike on. That is how desperate things are in the state of Victoria. So when we understand how broke we are, how poorly managed we are and how this government is happy to film the Premier on the world's largest escalator, going up and down and surfacing herself down in a train station that we are led to believe will open sometime in the next six to eight months, when that eventually happens, the Premier cites that as this government's crowning achievement. The rest of us, who will most likely never use these facilities, are left to deal with the consequences.

The biggest consequence of course is the housing crisis. As the Shadow Minister for Planning and Housing, I deal with this issue every day. A couple of things concern me about the debate this afternoon. One was that the member for Laverton bemoaned the fact that people want to live in her electorate. She said, 'The opposition wants people to live in Laverton.' Well, when was the last time a member of this chamber did not want people to live in their electorate? I mean, you come to this role proud of your electorate. People coming to live in your electorate is a good thing. And yet we have members of Parliament representing the new areas of Melbourne – the growth areas of Melbourne – and members of Parliament are bemoaning the fact that people want to live there. That I find extraordinary. But, as the member for Bulleen points out, perhaps one of the reasons the member for Laverton can be forgiven for misunderstanding the desires of people to live in her part of the world is because she is not from there either. And so I guess, as a parachuted member from Sydney, she probably does not fully understand the wishes and desires of the people in her community.

But when we look at the rhetoric coming from government at the highest levels, we can fully understand why the member for Laverton may have said that people going to live in her community was a bad thing. I refer first to the former Premier, who in 2022 made a grand announcement, which has sort of been the focus of this government for quite some time, that young people do not want to own houses. Young people do not want to live in houses; they all want to live in apartments. Okay, that was his choice, because he had the significant data research from what his kids had told him. So let us assume that the Andrews family want to sell up in Mulgrave and go somewhere else into a penthouse apartment perhaps. That is good for them, but is it the desire of the average Victorian? Well, this side of the house absolutely supports Victorians' rights to own a home – to have their ambition to get their piece of dirt and have their own home. It is not a desire everyone has, but it is still, we believe, an overriding reason for people to live.

So you can imagine my shock when attending a briefing to industry sector leaders in the last week when this was the rhetoric from the head of planning and housing here in the state of Victoria, and I will quote. In the lead-up to this, of course, those at the forum asked the question: 'Why was housing so unaffordable and so unattainable here in Victoria?' And the answer to that question was: 'Yes, in part it is tax.' So the government and those in the department recognise that the 43 to 44 per cent tax burden that is on the average cost of a new house is part of the problem. We agree with that. We absolutely agree with that. Then they went on to say, 'In part it's planning reform.' Well, yes, we can

always do better planning reform; that is true. Of course we disagree strongly with the way this government is zeroing in on local councils, local communities and existing residents to demonise them as part of the problem. Nonetheless, we will agree that there is in part planning reform required. And, yes, ‘Part of it is changing cultural attitudes to housing.’ There is that ‘cultural attitudes to housing’ concept that the former Premier brought up some three years ago.

Let us go further into the answer. ‘I do hear a lot that migrants come to Australia chasing the Australian dream of the quarter-acre block. Well, I’m really sorry, but that dream doesn’t exist anymore in Victoria.’ Imagine a government so bereft of good housing policy that it publicly declares to the housing industry, to those given the job of building new homes, ‘We’ve given up on people being able to live in a house.’ Well, I am sorry, this side of the house does not believe that. This side of the house does not support that proposition. But wait, there is more. They went on: ‘Well, I’m really sorry, but that dream does not really exist anymore. We need to as a society that includes new Australians’ – so they are having a dig at the people that come here to make a home, and this is this government speaking – ‘embrace the fact that the way we live has to change and reflect our changing society, as per the vision articulated by the former Premier.’

That is just such lazy government. It is a give up on what people want. Every single study, every single report, says most people in Victoria still aspire to own a home. This government says, ‘Oh, well, they aspire to own an apartment near a train station.’ Well, heavens above, who on earth thought that is what most people aspire to? Yes, it is part of the market; I totally agree with that. But is that where 70 per cent of Victorians want to live – they are going to come to Melbourne and live near a train station, because they are never going to drive a car again?

I am from regional Victoria. We heard members on the opposite side before talking about, ‘Oh, we’ve got to not disrespect regional Victoria.’ Well, you are not going to get very far in regional Victoria under this current government’s regime, because if you wanted to go to Warrnambool and see the whales, for example, and come through beautiful Winchelsea, Birregurra, Colac, Terang and Camperdown, if you are happy to stand for 3 or 4 hours with no food and a broken toilet – and that is if the train has not been substituted with a bus – then that might work for you. But you would probably only ever do it once, because of the concept of going that distance with substandard transport, particularly because that journey today takes longer than it did in 1890.

It takes longer than it did in 1890, and there is less food. The timetables under steam were more impressive than what this government can produce, and that is, quite frankly, a disgrace. The government not only disrespect regional Victoria but they are winding the clock back. Our roads look like roads from 1890, they are so pothole ridden. In fact I had a marvellous front page in the *Colac Herald* last week, you will be pleased to know. Even the member for Wendouree has been on the front page of the *Colac Herald*, which means they cover a broad range of topics. The member for Narracan shared that photo with you.

We had an issue where our dual-lane Princes Freeway was completely and utterly blown to bits, pothole after pothole. In order to guilt this lazy government into doing something we got the front page. Later that afternoon, out came the poor hapless Fulton Hogan repairmen or VicRoads repairmen or whoever they had on duty that day, and they threw a little bit of cold mix into the holes. Do you know what, I drove on the road that afternoon and saw the ready hasty patching that went on, because that is all country Victorians can expect these days, a bit of patching. We have patching at our schools, we have patching in our hospitals, we have patching everywhere, and now we got patching on the roads. I went back the next day after 20 mil of rain, and sure enough the cold mix was all gone and we were back to square one with our holes. That is what we are dealing with in regional Victoria.

In the moments I have left I want to get back to housing because the member for Lara, and I certainly listened to her contribution, talked about the houses this government is building. Can I just educate those opposite, because they are reading too many of their minister’s press releases which talk about the houses they are building. They are not talking about the actual increase in houses and, quite frankly,

the homeless, women escaping domestic violence and the poor people living under bridges and in doorways all over Melbourne. Colac is a sea of homelessness, with people living in tents that the RSL hand out. Every community is experiencing homelessness like it has never seen before.

I just remind those opposite of the most recent facts that their government has produced. If you are looking for public housing in inner-eastern Melbourne, you have less bedrooms now than what you had in 2018. If you are in outer-eastern Melbourne, you have less public bedrooms available than what you had in 2018. If you live in Hume and Merri-bek, you have less homes available. If you live in Loddon, you have got a heap less bedrooms available in public housing. North-east Melbourne has less homes and – I was actually surprised by this – even Bayside has a lot less bedrooms available than what they had in 2018. Despite all the rhetoric and focus on attacking the Shadow Attorney-General for his advocacy for his community, they have even got less in his electorate. Then we get to inner Gippsland, fewer homes; outer Gippsland, less bedrooms.

We get to Barwon, my own patch, the member for Lara's patch. Who else is over there? You have got your one member who does not turn up at all for Geelong. Guess what, Barwon, my region, has less homes. We have had promises, we have had talk, we have had hard hats, we have had fluoro vests – we have had the lot – but we have got less bedrooms for \$4.5 billion. We are not talking about a little, mild attempt at spending money. They have spent – I cannot say what most people would say about the amount of money – a lot of money with very little outcome, because everyone on the other side is happy to read the minister's press release and look at glossy photos with hard hats, and no-one says, 'Have we got more for that? Have we actually got something more for that?' The answer, tragically, sadly, is no. The absolute irony is that the next big effort that this government is making is to demolish the 44 housing towers. They are talking about getting rid of more bedrooms before they have even got back to the same amount of bedrooms they had when they started. It just seems incompetent beyond comprehension. I know for a fact this government has been advised on numerous occasions on ways that they could have spent this money to end up with more accommodation, more housing and more safety for women escaping domestic violence.

In fact we have had quite a debate today on people with mental health and the need for support and this government's commitment or alleged commitment to helping with mental health. Can I give an example in my own electorate? We were the beneficiaries of a community housing provider focused on mental health. The accommodation was finished back in December. We still have got empty flats or apartments in that because the system does not allow people in my local community who are desperate for mental health to get there, and the reason is they do not have enough money. So this Labor government is creating public benefit mental health housing and has a system in place that the poorest people cannot access. Quite frankly, that is a disgrace. It is just another example of how, on the housing issue, whether you are escaping domestic violence and being forced to wait in excess of two years or whether you have got mental health and you are on an NDIS plan but your NDIS plan does not have enough money to pay for your accommodation, you miss out. And these people, as a government, are happy to let brand new accommodation sit empty, just like the ones in Ararat. The member for Ripon up there has got 16 lovely new public housing apartments built – finished back in April – and they are sitting there empty. I mean, heavens above, there is a housing crisis. I do not know what more needs to be given to this government for it to understand it has to look at its performance. It has to look at how you better serve people in Victoria.

Opposition performance

Tim RICHARDSON (Mordialloc) (17:46): It is great to rise on the – no, it is not. I grieve today. I have never grieved before for a movement like the opposition party, and today I grieve for the opposition, who are now so dysfunctional in Victoria they undermine the very tenets of a Westminster democracy. They have got to the point of dysfunction now that they almost need an intervention, and there has been a call. For those that have not seen it, we have had a saviour come from the north – from New South Wales a leader of the Nationals has appeared. Like the white knight coming from the north, we have got the Leader of the Nationals David Littleproud out on the annexe right now talking

to the Leader of the Nationals Danny O'Brien around what the next steps might be. I feel like the Nationals have seen the light. They have seen that this cannot go on anymore; they cannot be associated with the Liberals anymore. It is doing irreversible damage, and David Littleproud has come from the north with a plan.

I grieve for the opposition for the position they are in today, because it was the Leader of the Nationals, when he was the member for Gippsland South and had shadow portfolio roles, who said that they should break away in 2022. And you might remember, he got into a bit of trouble for that. It was the old proverbial 'put in the freezer' during that time. But I see Mr Littleproud out there now, and I am really interested if there are any Nationals out there. I think they are all just going and praising him and saying, 'Thanks for coming to Victoria. Can you give any sense?' Because the amount of backgrounding going on at the moment, the amount of commentary by the opposition on themselves, is at fever pitch. And we know when it comes – in the third year of the term the member for Bulleen is always just in that sort of rounding. And I know that they are ready. He has got the portfolio now of readiness for governing. I just think he is wondering which aspiring Premier he might be readying himself for governing, such is the uncertainty here.

I want to take the house through just how the Liberal–Nationals find themselves at the moment. You might have seen, Deputy Speaker, that there was an article by Shannon Deery in the *Herald Sun* this week. I do not know if you turned your attention to it, but it said that there has been a meme doing the rounds. Now, I do not know, Deputy Speaker, you are a trendsetter, but there has been a meme doing the rounds – that is a bit like a thing you put on social media that you might share in a WhatsApp or a Signal group – that has showed the member for Berwick's head superimposed on Bernie Lomax. You might know that that is the character from *Weekend at Bernie's*. The connotation here – and the absolute implosion of the opposition right now that they are openly mocking their Leader of the Opposition – is that the member for Berwick, who they describe as *Weekend at Bernie's*, is only here to remain very soon. In quoting this article, 'to say the knives are out' for the member for Berwick, following the reshuffle recently that only half of them knew about, 'would be to underestimate the mood inside his party room'.

Then you go across to the *Age* article and Chip Le Grand's piece that says, in the quoting of that, and I do not know – the member for Polwarth might, because I know he is close and the numbers person for the member for Berwick over there – but you might just want to, when you are asked by media whether your colleagues have had a call about the shadow portfolio shuffles, probably not say the honest answer and all of the truth and say that they are too busy to take my call, and they are not quite sure what portfolios they might have.

Such is the dysfunction – and poor, poor member for Western Victoria Region in the other place, Joe McCracken, who was promised a portfolio, promoted, got ready, had the name, sized it up. I heard the business card order was done with the other member for Western Victoria Region Bev McArthur. They had it ready. They had it scoped out. They had the business cards and title, and by the time they went to print on the shadow, it was gone. Back to the backbench, he went. That is the level of dysfunction, those being promoted without portfolio responsibilities. They have now got the chief of staff and the opposition leader running the Liberal Party. It is an utter wasteland, but we look at that and wonder how it could get any worse, and it is going to get a lot worse. We know in the next sitting week there is absolutely movement afoot. Not only did we see the extraordinary circumstances of the federal Nationals leader here trying to coax the Nationals away from this absolute rabble of an opposition right now – we see that. There is no other moment right now for Mr Littleproud to be here other than to say remember there is a bit of form there. Remember they did the separation with the Liberals nationally. There is a bit of form here.

But I want to know from those opposite, and we appreciate the intellect and inspiration of the member for Bulleen. He is getting in readiness to govern. He did a trade mission with the shadow parliamentary secretary to the opposition leader recently. They went off to Argentina to do some trade relations. On the Thursday at the end of the sitting week, such is how well it is all going over there, but I wonder, is

the member for Bulleen getting himself ready for government? Is it the member for Kew? Is the member for Brighton an outside chance? The member for Bayswater and I sometimes do some laps around the garden. I was out there, I was doing some stretches and I thought there were some other characters doing some laps, going around the gardens. And there I saw the member for Brighton, and – drum roll – the member for Nepean. Two laps, you can get a factional hit going; three laps, you have got a spill. They were doing three laps, and I thought, here we go. Here we go, the drum roll is beating. We know when it is coming. I just think if I was doing Sportsbet odds and I was looking at how the opposition was tracking, I am a true believer in the original backgrounding that happened here, that undermined the member for Berwick. I am a believer in the member for Bulleen like no-one is. That part of the Shannon Deery article around Jeff Kennett, three times in waiting – I am a believer. I think, member for Bulleen, it is time to back yourself in again.

Lauren Kathage interjected.

Tim RICHARDSON: The member for Yan Yean has just got the puns: a Bulleener. I like that. A Bulleener, believe in yourself, come forward, stand up for the Liberals. Be something, because at the moment your party is undermining the democracy of this system. Where do we have a reference point? It is Senator James Paterson. What did he say this week? What did he say – we are at risk of a populist running through the middle of us like Nigel Farage, and then I went, okay, that is interesting. So they are not talking about the intellectual ideological basis of their movement and their party. They are worried about another populist – because they are, in their hearts, populist in their origins – popping up and taking away their political ground. It is not about the merits of the issue or the policy at the time. It is about the power, their position and their status. And that is what it has always been about for the Liberals. You know, it has been about the battle. It has been about the politics, and we have the twisted irony now where the Leader of the Opposition, who fronts up to murder crime scenes, is now depicted as the *Weekend at Bernie's* figure. I mean, it has done an absolute full circle, and it is open ridicule and mocking.

I think this is the first time the opposition is making an assessment and judgement based on talent. The last few times it has been factional. They have knocked off the member for Malvern. Remember that? He was polling in the 40s, see you later. They knocked off the member for Hawthorn. Polling in the 40s, see you later. Well, where did those two go? Well, we saw the polling drop then, leading into 2022, and then we have seen the member for Berwick take them down to a double digit primary drop right now, and the member for Berwick has just one wood. This is a golfing term, for those tuning in, the millions at home watching this grievance. The golfing term for this is he has only got one wood, the member for Berwick: it is crime, it is crime, it is fear, crime, a bit more fear, and that is all that gets circled on over and over and over. It is never about how we actually divert people away from crime, how we support young people into the future or how we bring accountability and drive crime down. I do that in supporting the Minister for Prevention of Family Violence as the Parliamentary Secretary for Men's Behaviour Change. When you have 95 per cent of violence perpetrated in Victoria by men and boys, that is the question to ask. Not, 'This is another populist thing: I am going to go to a murder scene that I have no context for' – the disrespect and disregard – but the Liberals in their heart and soul know this.

They know this to be true. They know they cannot go on with the member for Berwick anymore into the future because they are absolutely dysfunctional. They are backgrounding on it. Next sitting week the numbers will be done and we will see the member for Berwick being moved through. But it goes to why I said there is grieving for this movement now and the Westminster system and how that is undermined. It goes to two particular policy areas. One is treaty. It is an absolute disgrace that the member for Hawthorn, back when he was opposition leader and candidate-in-waiting coming in, supported this. And the member for Kew no less said that she would support the referendum, came into this place, in one of the most twisted speeches – I could not believe the amount of different positions that were taken in that speech, without talking to anyone from our First Nations community, without even having a chat, in a progressive electorate like Kew – and said, 'I voted for the

referendum,’ and stood up there, did the piece in the media, got the hit in the media that said, ‘Look at me, I’m a progressive Liberal,’ and then came in here as the Shadow Treasurer now and opposed treaty. That will be a mark on the member for Kew for a generation. You cannot take that away right at this moment. Well, that is now an aspiring leader who does not stand up when leadership matters.

And then you have got the Suburban Rail Loop. Oh, my goodness. I tell you what, remember Tom Elliott’s pieces on 3AW? ‘Oh, this is the greatest travesty. We should lock up people because of this Suburban Rail Loop.’ You remember Daniel Andrews was going to get arrested for the Suburban Rail Loop? Jacinta Allan, the Premier, was doing just outrageous things. And then they saw the Newspoll, and they went, ‘Oh, hang on. Hang on. Our internals!’ Are they still getting Freshwater doing their polling? I am not sure. Remember Peter Dutton was winning by about 15 per cent in the seat until he wasn’t – that was Freshwater for you. But then they saw the Newspoll, and then the true leadership was showing, the member for Bulleen up on the panel, and I thought, ‘This is the moment again,’ and my heart started to flutter. The member for Bulleen said, ‘Look, if it’s far down the pathway, we’ve just got to get it done.’ I thought, ‘Finally!’ Finally he saw that moment. 2018 rolled through, then 2022, and I thought, ‘This is the bipartisan frame,’ and then the member for Berwick fumbled the pass again. And again I see in media that the member for Kew is the new Shadow Treasurer. This is what the member for Bulleen said:

If the project’s commencing, the project goes ahead – it’s as simple as that.

I think that is pretty absolute. I think that is pretty sound. I would agree with that. There we go. And what he said on east–west link would be consistent with that position. That sounds pretty sound. No, because the member for Kew said:

We have been very clear that we will pause and review the contracts, and the construction arrangements and the finance arrangements related to the Suburban Rail Loop.

And I am thinking, this has been backgrounded out as the champion team. Who is deputy? Who is going to be leader? We all know that there is a bit of a ticket being formed. And I thought, ‘Will the member for Bulleen be the deputy leader contestant and the member for Kew the top seed, or will it be vice versa, and what is the Trojan horse running through the pack? And we know what that is.

Michaela Settle interjected.

Tim RICHARDSON: It is not Sam Groth, no. It is not the member for Nepean. All serve, no volley, member for Eureka, unfortunately. It is the one and only, the real numbers person in here, the member for Brighton. He had a \$5 billion black hole in his treasury figures – you know, that old chestnut of conservatives: ‘Oh, we’re going to cut taxes. We’re not going to tell you which services we’re going to cut. It’s all going to be fine.’ That is that little chestnut that has been rolled out. Well, that is what has been offered up, and he has been demoted. And as a bit of a surprise, the member for Evelyn took a hit in the roll and got moved around and then missed out on being Manager of Opposition Business. I thought the member for Evelyn had us on the ropes on some occasions. The member for Evelyn would get up there and I thought, ‘That’s it, that’s it. That’s a strike-out.’ It must hurt to see the member for Brighton back there now. Obviously it is a bit of a sideshow for the member for Brighton, but that is what we see right now. We see those are the leadership contenders coming forward and the dysfunction that we face. And it is undermining of democracy to see, 55 weeks from caretaker – that is right, get your calendar ready – the member for Bulleen still does not know, as the Shadow Minister for Transition to Government, who the aspiring Premier might be on that side.

I have got some contenders for him. If he is looking through, I have got him at the top of the list, the member for Bulleen. Do not forget Sandringham – did you see that before in his grievance? He said, ‘Back when I was doing a bit of this stuff’ – the bit of that stuff was being Shadow Treasurer, until he got knocked sideways to digital innovation. I do not know what he has been doing in that, maybe he could have gone on the Argentina trip with the member for Narracan and the member for Bulleen. Do not give up on the member for Brighton. And then, the greatest travesty, the member for Hawthorn.

He came in on the Mental Health Legislation Amendment Bill 2025 and did just brilliant, no notes, and I thought, ‘Amazing’. I was sitting there going, ‘There we are’. They could have found a spot on the shadow somewhere for the member for Hawthorn, but they did not find a spot for him. Look, he is up and about. He has seen off the challengers. He has seen them all off, he has got the loan scheme going. He has got the 30-year mortgage ready to go, and here he is – he is back and he is not going anywhere. They could not find him a spot; that is how dysfunctional this crew is.

The plea to the opposition is: get your house in order. Let us have a challenge – give the date, time and place, we will be there with the journos, we will be cheering. We have all got in our caucus the Sportsbet odds going right now. Mine is \$1.30 that the member for Bulleen comes back because it is the third year.

Question agreed to.

Bills

Statewide Treaty Bill 2025

Second reading

Debate resumed.

Steve McGHIE (Melton) (18:01): It is a great honour to speak after the member for Mordialloc’s grievance. It was fantastic.

Treaty is about equity and part of that is letting First Nations Victorians have a say over the issues that affect them. This pathway to treaty has been going on for more than a decade. It is something that was introduced by the state Labor government, the Andrews Labor government, in 2014, with it committing to treaty in May 2016. There have been two state elections since then for our constituents to have a greater say on this, and they did – they carried it with a greater majority. Most of the Victorian community have supported this movement towards treaty, and we are pleased to say they still support it.

I want to raise the issue of a press release that was made back in 2022 by the opposition, in particular the member for Murray Plains, who then was the leader of the state Nationals. The member for Bulleen, who is at the table here right now, would have been the Leader of the Liberals at that time. I will read this press statement; I think it is from June 2022. The heading is ‘Statement on Treaty Authority and Other Treaty Elements Bill’, and it states:

The Liberals and Nationals Party Room has today supported the advancement of Victoria’s Treaty process.

The *Treaty Authority and Other Treaty Elements Bill 2022*, which will be debated in State Parliament tomorrow, facilitates the establishment of a Treaty Authority, a body that will support future Treaty negotiations between Aboriginal Victorians and the State of Victoria. It also makes other minor legislative amendments.

Shadow Minister for Aboriginal Affairs Peter Walsh said Liberals and Nationals MPs today voted to support the Bill when it goes before the Legislative Assembly on Wednesday.

“The Liberals and Nationals are committed to advancing the Treaty process in Victoria in a way that supports self-determination and reconciliation while strengthening community and connection to country,” Mr Walsh said.

“We will continue working closely with the Traditional owners and Registered Aboriginal Parties to ensure this process drives genuine progress towards Closing the Gap targets, as committed by every Australian state and territory.

...

“Treaty is deeply personal, meaning that the road to achieving it will be different things to all people.

“Moving forward we must continue to ensure this process is delivered in a way that respects, and strives to meet, all the community’s ideals and expectations, while contributing positively to reducing disadvantage for Aboriginal Victorians.”

Well, well, how things have changed in the opposition since 2022. I am proud to stand as part of the Allan Labor government that is working to establish the first treaty in this great country of ours. Treaty is about making sure that First Peoples get a say over their health care, their families' housing and their kids' education, the practice of their culture. Now and into the future treaty is about acknowledging the pain and suffering of the past and working together towards a better future, not only for our First Nations people but for all Victorians. I am honoured and proud, and I commend this bill to the house.

Tim READ (Brunswick) (18:05): Here on the unceded lands of the Wurundjeri people of the Kulin nation, in an important meeting place for the eastern Kulin people for thousands of years, with my Greens colleagues I will be supporting the Statewide Treaty Bill 2025. Those who oppose it seem to have forgotten some inconvenient history, so I will start by acknowledging some uncomfortable facts: one branch of my ancestors travelled from Sydney, crossed the Murray and settled just north of Wangaratta on Yorta Yorta country in 1838, and just a few years later, not far away, near Oxley, stockmen led by George Faithfull massacred 150 to 200 First Nations people or more in one day in 1842. My ancestors took land from Aboriginal people, and the economic and other benefits flowed from that land on to me. While nothing I have read suggests that they were involved in the massacre, they surely benefited from the removal of Aboriginal people from the land that they then farmed. Opposition to the treaty bill seems to be based on some idea that it is unfair to give any advantage to First Nations people, as if none of the history documented by the Yoorrook commission had ever happened, as if the massacres at Oxley and elsewhere in Victoria did not happen, as if the land was not stolen, but we cannot pretend that we all arrived at the present day from an equal start. The First Nations people in Victoria were subjected to genocide, and a treaty now, even 200 years late, is the very least we can do.

This bill establishes a new entity, Gellung Warl, with three parts: the democratically elected First Peoples' Assembly of Victoria, which has already done such important work in bringing about this treaty; Nginma Ngainga Wara, an independent accountability body; and Nyerna Yoorrook Telkuna to lead truth-telling in our local communities with the aim of eventual healing and reconciliation. We have heard scaremongering from those opposing this legislation, but this treaty bill is not a radical proposition. It is a first step toward delivering benefits for First Nations people based on self-determined priorities established by the democratically elected First Peoples' Assembly. We have heard other critiques of this bill, that what it establishes is still limited by colonial institutions like this Parliament and Victoria's legislative system; however, the Greens have consulted with the First Peoples' Assembly and the Blak Greens, among others, and as a result we are proud to support this legislation today without amendment. But it is crucial that this legislation is not where the journey ends.

I acknowledge former Greens MP and current independent federal Senator Lidia Thorpe, the First Nations woman in this place who spoke in this chamber seven years ago to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018, the bill that set out the process which has led to this legislation today. Senator Thorpe has since welcomed this legislation and congratulated the First Peoples' Assembly on getting to this point while emphasising that the measure of this treaty will be in what it materially achieves for First Nations people.

Repeatedly we have seen this Labor government talk a big game about truth and treaty while in the next breath spruiking their punitive sentencing and bail changes that disproportionately lock up First Nations people in Victoria, including children. These laws and the entire legislative framework that allow desecration of lands, sacred sites and waterways for the sake of extractive industries, fossil fuel companies and highways help to perpetuate ongoing land theft, criminalisation and colonisation in Victoria. This treaty bill is an important first step, but there is a long way to go, and treaties can help us get there.

It is my privilege to support this historic treaty in Victoria and the work of the First Peoples' Assembly. We hope that this will lead to further treaties. In the meantime, the Greens and I will keep supporting First Nations peoples' self-determination, because this journey is far from over.

Daniela DE MARTINO (Monbulk) (18:09): Today I rise with deep respect and a profound sense of responsibility to speak on the Statewide Treaty Bill 2025, a bill that marks a once-in-a-2½-century milestone in our shared history. I would like to acknowledge the traditional owners of the lands on which we stand, the Wurundjeri people of the Kulin nation, who, along with the Bunurong people, are also the traditional owners of the land across the district of Monbulk, the Dandenong Ranges – Corhanwarrabul in Woiwurrung and its foothills. I pay my respects to their elders past and present and acknowledge all Aboriginal and Torres Strait Islander peoples across Victoria along with my colleague and friend in the other place Ms Sheena Watt.

I also want to thank all involved who have contributed in one way or another to the culmination of the first Statewide Treaty undertaken in our nation’s history. Five days ago, 10 October marked 190 years since the shameful declaration of *terra nullius* by Governor Bourke, which quashed all treaties made prior to that moment in time. Bourke effectively declared that this land did not belong to anyone prior to British settlement. It did not belong to the Aboriginal people who had lived here as the oldest continuous living culture in the world for over 65,000 years – he whitewashed history. We must be honest about our past. The wrongs committed against Indigenous Australians are not confined to history books; they are lived experiences. Dispossession, discrimination and exclusion have shaped the lives of First Peoples for over two centuries. Policies were made about First Peoples, not with them. The Yoorrook Justice Commission laid bare the truth of these injustices, and this bill to establish treaty is a direct response to that truth.

This bill is not about guilt, it is about responsibility. It is not about blame, it is about healing. It is not about rewriting history, it is about finally writing it together. The bill before us today starts to undo the harms caused to First Peoples under British settlement. It puts Aboriginal people at the centre of decision-making about themselves. In the words spoken so eloquently yesterday in this place by Ngarra Murray, it is built on respect, truth and shared responsibility, where First Peoples’ culture, knowledge and authority are not just acknowledged but are central to how we govern, care for country and make decisions together.

Treaty is about looking to the future, it is about healing and about moving forward together. I stress together because much has been said by those opposite that treaty will cause division. Let me be clear: what makes something divisive is not the pursuit of justice but the refusal to acknowledge it. Division comes from denial, from fear and from the unwillingness to listen. Treaty is not divisive, it is unifying. It brings us together in truth and invites all Victorians to walk forward side by side with honesty and hope.

Up until this point we have been an international outlier when it comes to having a treaty with our First Peoples. It is far more common for treaties to exist than not across the world. That we are the first jurisdiction in Australia to finally do this fills me with an incredible sense of pride. It is almost overwhelming when one stops and considers the significance of this moment. Not many have occurred in this place that come close. Women’s suffrage is one of the very few that I can think of, and imagine a place today where that had not occurred. I hope in a century’s time people cannot even imagine life before treaty.

As noted by a number of my colleagues who have spoken in support of treaty, I know that I am on the right side of history. When my grandchildren, if I am ever blessed to have any in the future, ask me one day, ‘Nonna, what are some of the things you are most proud of in your work?’, I will answer without hesitation supporting the first state treaty in Australia’s history and sitting in this place to hear the words of Ngarra Murray and Rueben Berg ring out across the chamber and into the records of *Hansard* into perpetuity.

I often reflect on how lucky I am that my immigrant grandparents chose to come to this country, which has been so lovingly cared for for over 65,000 years by the First Peoples of our nation. I have often reflected on how ignorant I had been when it came to knowing and understanding the history and contributions of the First Peoples across time. What we were taught in school was so rudimentary as

to be insulting and, shamefully, what I taught in my early teaching years a quarter of a century ago was not much better. Thankfully we are embedding truth-telling into the Victorian school curriculum.

A member interjected.

Daniela DE MARTINO: ‘Hear, hear’ to that indeed. Yesterday morning on the steps of Parliament I felt deeply honoured to have participated in the smoking ceremony performed by Uncle Andrew Gardiner and Thane Garvey-Gannaway. ‘Wominjeka’ means come with purpose, they told us. We come with purpose. I come with purpose to stand and speak in support of treaty. What a privilege and honour it is to do so. I commend this bill to the house.

Tim RICHARDSON (Mordialloc) (18:14): It is indeed a profound honour to rise and speak on the Statewide Treaty Bill 2025. It is a moment and time of substantial significance. I want to acknowledge the Wurundjeri people and pay my respects to your elders past and present, and the Bunurong people in the Mordialloc electorate who have cared for country since the Carrum Carrum Swamp sustained life and country, and Port Phillip Bay, which of course was a flat plain that sustained life until it flooded some 8000 to 10,000 years ago. Do you know how we know that? Because 85 per cent of the species in Port Phillip Bay are uniquely Port Phillip Bay, which shows there was a great flood that has been passed down through storylines and generations.

In the limited time I have got, I think we need to call out – and I think this will be my contribution here – some of the things that have been said by the opposition quite clearly. I would have loved to have done 30 minutes on how significant this is for Victoria, but we need to say, and those who are commentating outside this place about treaty need to understand: the referendum has nothing to do with treaty. We have taken the treaty to three elections now. We have had a readiness for treaty and a pathway to treaty for years. The referendum was about a change to the federal constitution. The treaty is with Victorian First Nations peoples. It has been through a number of elections. It has been voted on, it has been endorsed and it was supported policy by the former Leader of the Opposition, the member for Hawthorn. It was at one point supported by the Nationals. It is upon them to decide and determine why they have walked away from that, but it needs to be acknowledged that this has been to elections and it has been through that process.

The new body, the First Peoples’ Assembly – those opposite have commentated on this new body being something that is being created in addition to or outside of the legislature or the executive. Shock, horror – it has been going on for a number of years now. Where has everyone been, when the First Peoples’ Assembly has been addressing the pathway to treaty for a number of years? And, guess what, I walked out this morning, I looked up and the sky was still blue, the sun still came up, and policy was enhanced because of the First Peoples’ Assembly. The absolute comments that I saw from those opposite around it not being representative – it is representative. It literally was an election that went through of First Peoples to then be representative on country and land, so let us get rid of that myth.

Regarding the notion that we are setting up a body that is in addition to or to the exclusion of Victorians with First Peoples, guess what their answer to not supporting treaty is – an Aboriginal affairs portfolio. I just heard that. They keep reading this out, and I keep going, ‘Why is the media not questioning or calling this out?’ They have gone with an Aboriginal affairs portfolio that is exclusive, that focuses on policies particularly for First Nations people and that will be funded targeting Closing the Gap initiatives – education, health and outcomes – which is exactly what the Victorian government is doing through treaty. What nonsense. What nonsense to come in here and say that – and how disrespectful as well.

And then the notion – and I want to be very clear about this – that the lived experience and living experience of people is littered throughout portfolio policies across government. I mentioned two massive royal commissions, the Royal Commission into Family Violence – lived experience is at the heart of everything that we do in that space – and the Royal Commission into Victoria’s Mental Health System. Both of these royal commissions had multipartisan support. The lived and living experiences

are at the heart of that. We literally have a funded levy into perpetuity that acknowledges a disproportionate need to fund into the future. I could name thousands more portfolio policies that do that. And yet, why is it that when we talk about treaty or First Nations peoples it suddenly stirs up opposition and interest? Again, it will be for those opposite, when they go into committee in the other place, to deal with this.

In the final time that I have got here – and I hope that answers clearly the absolute gaping contradictions by those opposite of trying to navigate their opposition to this. But I want to say one important thing: treaty is for everyone. It should be the greatest pride and place in Victorians – in every single Victorian. Whether you are First Nations and have 60,000 years of continuous connection, whether you arrived the other day as a permanent resident with a hope and a dream to be an Australian citizen one day or you have been here for generations, it is a pride of place that we can all celebrate – a long story, a long line, and a long connection to country and water. This is a moment of pride for Victoria and a moment of pride for our nation like we have never seen before, and it should be the greatest uniting moment. I thank the First Peoples' Assembly for all the work they have done, the Minister for Treaty and First Peoples, the parliamentary secretary and the Premier for their leadership. Let us get it done.

Eden FOSTER (Mulgrave) (18:19): I am incredibly proud and honoured to stand here today in support of this momentous legislation, the Statewide Treaty Bill 2025. I would like to acknowledge the Wurundjeri people of the Kulin nation as the traditional owners of the land on which we are gathering today here in the Parliament of Victoria and also acknowledge the Bunurong people, whose lands include my electorate of Mulgrave. I want to acknowledge that sovereignty was never ceded and that Victoria is and always has been Aboriginal land. I also want to extend a thank you to those involved in this process: the First Peoples' Assembly, the ministers that worked on this and everyone who was in support of this bill.

This bill represents the first treaty put to a Parliament between Indigenous people and the government in any jurisdiction in Australia. This is simultaneously an incredibly radical and conservative action. It is radical in the sense that this represents the biggest change in our relationship as a state with its Indigenous population since colonisation, giving them a say on matters that affect them and greater ability to advocate for their rights. With the assent of this treaty, we will be standing at the forefront of the nation on reconciliation and cementing Victoria as a leading light of First Nations empowerment. Conversely, this reform is conservative in that we will become just one of many postcolonial nations that have had treaties with their Indigenous populations for more than a century. The Treaty of Waitangi, the foundational document of New Zealand, has been in place for close to 200 years. In following in the footsteps set by other jurisdictions, we too embark on the next stage of our long and winding journey towards reconciliation.

I just want to note a personal connection to why treaty is so important to me. It goes back to my heritage. My mum is from India, of Anglo-Indian descent, but growing up she led a life disconnected from her Indian heritage and culture thanks to colonialism. She does not know Bengali or Hindi. She has never performed traditional dances and has rarely worn a sari. My personal experiences are very similar to this, but my own estrangement from my culture is even more pronounced. My mum at least studied Bengali and Hindi at school; I cannot even count to 10 in those languages. My family's lived experience mirrors that of broad swathes of our rich multicultural communities. Many have had their ancestral homelands taken from them by colonialism, and in finding a new home here they live in an identity purgatory. They do not feel wholly Australian or wholly of their ancestral culture, because they feel unable to engage with both aspects of themselves, and as such they struggle to belong and connect.

I bring these experiences to this debate because I have always felt a parallel between our struggles and those of our Indigenous communities. Generation after generation have been estranged from their culture, identity and heritage, and this is just a fraction of the pain inflicted upon them. In the last 250 years these communities have been enslaved, disenfranchised, kidnapped, incarcerated and

subjected to what amounts to systemic genocide of the longest-living continuous culture in the world, a culture we should be so proud of. However, some in this place cannot find the good in themselves to tolerate treaty for even a hundred days if they were to gain power – and that says a lot. Future generations of our First Peoples will carry the scars and burdens of their disenfranchised forebears. Similarly, all of us are lesser for the loss of millennia-old cultural knowledge that passed with the victims of colonisation, not to mention the impact of transgenerational trauma that continues to this day and will only continue unless we, this Parliament, take the steps towards treaty, a step that our First Peoples have been calling for. When will those oppose listen, and truly listen with open minds and open hearts, to those who cared for this land for tens of thousands of years?

To build a brighter future, this government and all that succeed it need to be accountable to our First Nations community in Victoria and commit to working collaboratively to resolve the vexing issues they face, rather than dictating what is best for them. The treaty's provision for Gellung Warl is a crucial step towards realising our shared aspiration for the Voice that has been heard around the state since 2019 to become an entrenched part of our democracy. That should be a moment of pride for everyone in this place and beyond. Similarly, the Yoorrook Justice Commission has done incredible work and serves as a crucial mechanism by which trust in our institutions is enhanced throughout our Indigenous communities. Together, these reforms and the dozen others included in this landmark legislation will inform and support us as legislators to make a real difference in supporting First Nations communities and closing the gap in generations to come.

The Statewide Treaty Bill is our opportunity to take the next steps on our path to reconciliation. Together let us walk in pursuit of a closed gap and a brighter future. I am so proud to be part of a government that is the first in the nation to bring a treaty to Parliament, and I wholeheartedly commend this bill to the house.

Belinda WILSON (Narre Warren North) (18:25): I would like to also start by acknowledging the traditional owners of the land where we are today and paying my respects to their elders past and present. Yesterday was a really big day. For decades laws passed in this Parliament enabled forced removal of Aboriginal Indigenous children from their families not because they were unsafe but simply because of their culture, their language and the colour of their skin.

I actually feel really personal about this. I am sorry. I sat there yesterday while the opposition gave some remarkable reasons why they would not support this bill, while a room of people looked at us all, and we are the ones deciding about this, and it really weighed on my shoulders. We have got a chance to be part of the change, and a gallery full of incredible human beings have been looking on us for the last two days with smiles and anticipation and hope that has been so long coming. This bill is about building a future where First People are not just consulted, but they are heard and valued. And I want you to know that I take this responsibility really seriously.

I am sorry. I am sorry for what has happened in the past. I am sorry for my ancestors, my family that came from England, Ireland and Scotland and invaded this land. It is actually only in my older years I have felt and taken this really personally. I am not actually really interested in looking back on my family history. That is probably something that my family will read back in *Hansard* in many years to come and curse me for, but that is okay. But it really weighs on me, and I am so proud to stand in this chamber, to be part of this change and to have this opportunity to be part of this incredible government that is passing treaty. I cannot tell you how proud I am.

This bill recognises that First Peoples are not only stakeholders; they are sovereign peoples with the right to shape the systems that affect their lives, the right to advise the government, to make decisions on matters directly affecting First People and help build capacity in communities across the whole state of Victoria. This is not just about listening; this is building something lasting that is led by community and grounded in culture, education and truth. This is not about attempting to rectify past injustices. It is about making sure the next generation of Aboriginal Indigenous children show up in a

state that respects their identity, respects their culture, their voice and their right to shape the systems that directly affect their lives and their future.

This is not the first time this government has walked this path, or I should say, not the first time a government has walked this path. It is countries like New Zealand, Canada and the United States that have long recognised the importance of treaty in resetting relationships with their First Peoples. Many people have spoken about New Zealand and the modern treaties that they have in place. Victoria now joins them in acknowledging that justice begins with truth, and progress begins with partnerships. To those unsure about treaty, I ask you to look at the history we have inherited and ask: what is the alternative? More silence? More delay? More of the same?

Doing nothing is not neutral, it is a choice. And it is one we have made for far too long. This bill is not about division. It is about recognising that the systems we have built have not always served everyone equally, and now we are doing something about it. This is our moment to stand on the right side of history – to say clearly and without hesitation that we are ready to do better. And with this bill, we begin. I command the bill to the house.

Gary MAAS (Narre Warren South) (18:30): I rise today to proudly contribute to history in this great state. Before I do that I wish to acknowledge the Wurundjeri Woi Wurrung people of the Kulin nation as the traditional owners of the land upon which we are gathering today and their elders past and present. I also acknowledge the traditional owners of the lands on which my electorate of Narre Warren South sits, the Bunurong people of the south-eastern Kulin nation.

The Victorian government is committed to true reconciliation, truth-telling and treaty with First Peoples, and it can only occur by empowering and supporting our Indigenous people through self-determination. True reconciliation begins with understanding our past and acknowledging First Peoples' continued custodianship of country. The Labor government has been on the truth and treaty path for nearly a decade now, and I acknowledge all the remarkable and indeed painful work that has informed the process. I also acknowledge the impact of the findings from the Yoorrook Justice Commission, which brought to light the experiences of First Peoples and uncovered the uncomfortable yet deeply important lessons from that.

Treaty puts all of this into action, and it will improve outcomes for First Peoples going forward. The first negotiated Statewide Treaty agreement brings together First Peoples, through the First Peoples' Assembly of Victoria, and the Victorian government to build a new relationship based on respect, trust and integrity. It acknowledges our past and is a chance for all Victorians to move forward together. Victoria is the first Australian state to introduce treaty to its Parliament, making this a particularly historic moment and one that I hope sets a precedent for other states in our country. Treaty does not take away anyone's rights. It is about improving services and lives for First Peoples across areas like health, housing and education. It will help all Victorians to build a shared connection with Aboriginal history and bring our communities together. In the oldest continuing culture in the world, one with over 65,000 years of history, why would you say no?

The Victoria that I know and the one that I love is one based on respect, inclusion and understanding. I see this every single day in my community in the outer south-east of Melbourne, which is home to thousands of people from many different backgrounds. My constituents understand how our First Peoples have struggled for recognition, acceptance and respect. Like many have said in this place, many of these constituents have come from lands foreign to this one, but they see their own stories as adjacent to the plight of our First Nations people. Our modern Australian story is built on immigration, and it is time that we recognise all of those who were here before us and now work together for our collective future.

I say thank you to our First Nations people for the very generous invitation that you have given to us to work and walk alongside you. Those opposite have said no to Mabo. They have even said no to the simple acknowledgement of country. They say no to welcome to country, they have said no to the

Voice and they have said no to treaty in Victoria. I very proudly say yes, and in doing so I know that my Labor parliamentary colleagues and I stand on the right side of history. Those opposite are building quite a record on so many issues as they continue to dig themselves into a deeper hole of irrelevance. The idea that you would dismantle treaty in your first 100 days of government – somehow that it is relevant, somehow that it is a thing – shows that you should never have the honour of governing in this state. Now is the time to recognise, respect and work together on outcomes that benefit all Victorians. Now is the time for treaty in Victoria.

For bringing us to this point can I just say thank you to all members of the Yoorrook Justice Commission and all current and former members of our First Peoples' Assembly of Victoria. I am proud to stand here in support of treaty, and I am proud to commend this bill to the house.

Kat THEOPHANOUS (Northcote) (18:35): I acknowledge the Wurundjeri people of the Kulin nation as the traditional owners of the lands on which we meet and by which the Northcote electorate is encompassed. I pay my deep respects to their elders past and present, to their culture and connections to the lands and waters and to their strength, resilience and enduring spirit.

In the inner north the story of Aboriginal resistance, leadership and empowerment runs deep. It is in the work of giants like William Cooper, Aunty Marge Tucker, Uncle Bill Onus, Aunty Elizabeth Morgan, Uncle Doug Nicholls and Lady Gladys Nicholls. It is in organisations like the Aborigines Advancement League, which in 1969 became the first Aboriginal-run organisation to fully control its own affairs in Victoria – a huge milestone for Aboriginal civil rights and self-determination. It is in the establishment of Australia's first Aboriginal women's refuge, known now as Elizabeth Morgan House, in Fairfield, and in the statewide peak bodies that stand proud in the inner north: the Victorian Aboriginal Health Service, the Victorian Aboriginal Community Services Association, the Victorian Aboriginal Child and Community Agency, the Victorian Aboriginal Community Controlled Health Organisation, the Victorian Aboriginal Legal Service and the Victorian Aboriginal Education Association Incorporated – all steeped in the history of Aboriginal activism and the call for services that meet community needs. The suburbs cradled by the Merri and Darebin creeks are enmeshed with this story. They echo with the voices of Aboriginal educators, artists, athletes and advocates who have shaped generations and propelled this cause forward. There is a kinship and an allyship that continues today across our community, grounded in truth, respect and shared purpose.

It is from that local connection that I rise in strong support of the Statewide Treaty Bill 2025, a bill that enacts the commitments made by the state of Victoria in Australia's first negotiated treaty with First Peoples. This is a historic moment for all Victorians, one that calls on each of us to show courage and resolve and to share with pride. Its significance was so powerfully elucidated by Ngarra Murray and Rueben Berg in this chamber yesterday. Since colonisation First Peoples have been dispossessed and excluded from the social and economic opportunities that most Victorians take for granted. Even today, with all of the goodwill that exists in our community, those inequities remain – the ripple effect of government policies and practices that now send chills up our spines. Treaty gives us a way to change what is not working. And let us be clear, what has been tried has not been working. It is about giving First Peoples a real say over the policies that shape their lives, their health care, their children's education, their families' housing and the practice of their culture now and into the future. It is how we close the gap, how we build something lasting, grounded in the recognition that our state is stronger when it reckons honestly with its history and when we walk forwards together.

Victoria has formally been on the truth and treaty path for nearly a decade. For so many it has been much longer than that. In 2022 I spoke in support of the Treaty Authority and Other Treaty Elements Act 2022, establishing the framework for negotiations – one that invited First Peoples, the First Peoples' Assembly of Victoria and the state of Victoria to come together in an act of healing. Then last year on a sweltering November day we gathered in the Darebin Parklands for a ceremony that formally commenced negotiations. This site in Alphington, where you can feel the soul of the land, embraced us in arms both hopeful and heavy – hopeful because for the first time in generations there is a chance to walk together into a different future; heavy because the weight of injustice does not lift

easily but instead sediments, solidifies and forms the bedrock that fortifies for the struggle ahead. That struggle does not dissipate today, but it shifts, carried forward with new strength and new resolve.

The treaty bill will establish Gellung Warl as an ongoing democratic representative and deliberative body for First Peoples in Victoria. Its role will be to make decisions on policy and programs for First Peoples, to provide an independent accountability mechanism for closing the gap and to build on the truth-telling of the Yoorrook Justice Commission. At its core it is about a future where Aboriginal children grow up knowing that their culture is respected, their rights are upheld and their communities are safe and strong.

To those opposite who have sought to cast doubt on this process and have committed to unravelling it if they come to power, who say that treaty will divide us or that it is unnecessary or that it will take something away, I say this: open your hearts and your minds. Treaty does not divide us; it brings us closer together. It empowers every single one of us to create a fairer and more just Victoria. To the Aboriginal community in my electorate and across the state: your leadership and persistence has made this possible. And to the next generation of young people watching today: this is your future being built in real time, a future founded on respect and equality, not denial and silence. When history looks back on this moment, it will see a Labor government that had the courage to do what is right. I am proud to stand on the side of justice and to lend my voice in this Parliament to a treaty in Victoria. I commend the bill to the house.

Anthony CIANFLONE (Pascoe Vale) (18:41): I rise to support the Statewide Treaty Bill 2025. In doing so, I would like to begin by acknowledging the traditional custodians of the lands on which we meet and pay my respects to the elders past, present and emerging, the Wurundjeri people of the Kulin nation, but particularly my First Nations colleagues in this place and beyond, the member for Geelong, member for Northern Metropolitan Region Sheena Watt and of course Victorian Senator Jana Stewart. I acknowledge the members of the First Peoples' Assembly, including inaugural co-chairs Marcus Stewart and Aunty Geraldine Atkinson and today's co-chairs Rueben Berg and Ngarra Murray, and Uncle Andrew Gardiner, who represents the Wurundjeri people in the Assembly. In doing so I rise to express my pride in being part of a Victorian Labor government that is leading the nation when it comes to progressing the aspirations of the *Uluru Statement from the Heart* – Voice through the creation of the First Peoples' Assembly, truth through the establishment of the Yoorrook Justice Commission and treaty through this bill, the nation's first treaty bill.

I am proud to be part of a Victorian government that has continued to listen, respect and help elevate the views and aspirations of generations of advocacy by First Nations people, which will culminate through this bill, which is built on extensive consultation, engagement and action since we came to government in 2014. Because, as resoundingly demonstrated by the Yoorrook Justice Commission, over many generations previous Victorian governments and parliaments actively disempowered, silenced and ignored First Peoples when it came to making decisions about their interests. For far too long, this has led to a lack of understanding, often producing harmful and ineffective laws and policies, the legacy of which we continue to see today in the form of employment, education, health, wellbeing and socio-economic outcomes – all gaps that we must close. That is why it is critical, despite previous good intentions, that we now begin to reset that relationship between the state and First Peoples to ensure the mistakes of the past are not repeated. That is why this Statewide Treaty Bill places self-determination at the heart and helps us to continue striving towards closing those gaps, reconciliation and making a practical difference to help First Nations people with health, wellbeing, education, socio-economic and many other outcomes.

The bill will take effect through a range of new measures, but there are three in particular I want to highlight. The future of the First Peoples' Assembly of Victoria and ongoing First Peoples' representative body, the assembly of Gellung Warl, elected by First Peoples, will be the central decision-making arm of Gellung Warl and is answerable to First Peoples via its democratic nature and cultural obligations. Number two: the Nginma Ngainga Wara, which comes from the Wadi Wadi language, will be the independent accountability mechanism required under the national agreement to

close the gap, and it will be the mechanism to help hold the state accountable for achieving its commitments to First Peoples. And number three: Nyerna Yoorrook Telkuna, in the Wamba Wamba language, will be the ongoing truth-telling office and will provide for non-judicial, place-based and self-determined truth-telling, healing and reconciliation intended to build on the Yoorrook Justice Commission's official public record of the history of the colonisation of Victoria.

But of course treaty, sadly, is no longer a bipartisan area of policy in this place. The Liberals and Nationals have pledged to introduce legislation to repeal the treaty bill should they form government within the first 100 days. Fancy that – you are going to the election and your first commitment, should you be elected, is to repeal the bill that brings reconciliation and First Peoples together.

Instead they propose a new First Nations Victoria body, a standalone department, in their own words, to work alongside Indigenous Victorians – ‘alongside’ not ‘with’ – reportable to a new minister. This flies in the face of the work that has been done by Labor and this place through Voice, treaty and truth. It totally ignores the extensive consultation and engagement we have done over these years to get to this point. It is not what First Nations Victorians have asked for, and the Liberal–National approach is a return to the paternalistic government that these conservatives only know to always fall back on.

Look at the claims here. They claim to be a party of economic rationalism, but the Productivity Commission has also recommended this approach of self-determination through this bill. That is the way we get better economic outcomes – through self-determination in this bill. They claim to be the party of families, but through their approach here, as I will demonstrate shortly, they are all about division. They are not about bringing together families. They are about dividing families and communities. They claim to be the party of smaller government, but their own election commitment here is actually about creating more government – a new bureaucracy, a new portfolio – which flies in the face of that claim. They claim to be the party of deregulation, but their approach again is about more regulation, more bureaucracy. Here we are actually proposing self-determination and decentralisation of government policy. It is unbelievable, and they wonder why the Liberals and Nationals continue to lose public support, confidence and trust.

They opposed the yes vote of course, and look at where Peter Dutton led them in the federal election. They got decimated. He lost his own seat. Their federal Liberal leader lost his seat. They have opposed welcome to country ceremonies. They have opposed anti-vilification reforms in this place that we have sought to strengthen to protect people from vilification on the grounds of sex, gender, faith, culture and disability. Their federal Liberal leader heir apparent Andrew Hastie is off and about demonising migrants again. He is saying the Liberals have to go further to the right to get One Nation votes, and they have got Jacinta Price as well demonising Indian migration. And in this place, while we are debating treaty, in the other chamber they are in the process of debating a matter that is all about taking away recognition for Indian and Sikh communities. As a son of migrants myself, I will always stand up for minority communities, multicultural migrant communities and First Nations communities, because that is what we do on this side of the house. We always do what is right, and history always reinforces that approach. It is a world away from the Sir Robert Menzies era of this Liberal Party. He would not recognise where they are today. It is this party that has always progressed Voice, treaty and truth. This bill does that at the Victorian state level for the first time, introducing a new treaty in this country, and I commend the bill to the house.

Mathew HILAKARI (Point Cook) (18:47): I too rise to support the Statewide Treaty Bill 2025. In this place yesterday Uncle Andrew Gardiner of the Wurundjeri people, one of their elders, reminded us of the dual meaning of ‘wominjeka’, and that of course is ‘welcome’, something that is well known across our community, but also ‘come with purpose’. I am glad to be on the side of politics that has come with purpose on this day and yesterday in this place, because there have been too many missed opportunities for our whole community. We missed the opportunity to deal with treaty in the settlement in 1803, we missed the opportunity in the short-lived Batmania and Melbourne’s establishment in 1837 that followed, we missed the opportunity when the colony of Victoria was

established in 1851 and we missed the opportunity in 1901 at Federation. We come with purpose. We do not intend to miss this opportunity again.

Aunty Joy Murphy Wandin spoke in this place several years ago during NAIDOC Week, just in the chamber next door to here, and what she said was I think probably one of the most generous things that I have heard and certainly the most generous thing that I have heard in this place, which was to invite all the parliamentarians of this Parliament to keep making laws on behalf of all Victorians, including Aboriginal Victorians. Think of what generosity that statement is when this is the place that has been the centre of colonisation in Victoria, the centre of dispossession, the centre of so many laws which have impacted in a negative way Aboriginal Victorians. Of course I pay my respects to the Wurundjeri people, the oldest living culture the world has ever seen – something that we should celebrate every single day in this place, and I know many of my colleagues do. I know what weight Aunty Joy placed on us in thinking about the types of laws that we pass in this place, and I take that with me in the decisions that I make in this place.

I want to also acknowledge Sheena Watt, my friend from the other place who has been such a comrade through all these years.

In this chamber yesterday Ngarra Murray reminded us that Aboriginal governance is the oldest system of government. Rueben Berg in this chamber reminded us that treaty is not charity, it is justice. I invite listeners to reflect on the words that they spoke in this chamber, because we have a lot to learn. I live on the land of the Bunurong people and work on that land too. The words of N'arweet Benbow were recounted to this Parliament in 1858 at a select committee of the Legislative Council. They recounted the strong oral tradition of the Aboriginal community and in particular of the Bunurong people. Part of this was to talk about the history of Port Phillip Bay. The land that we now call Melbourne extended right out to the heads of the bay. Port Phillip Bay was a large, flat plain. It was a place for hunting kangaroos, for hunting 'opossums' and for cultivating yam daisies. I thank N'arweet Professor Caroline Briggs for her essay recently in *Meanjin* improving on the retelling of the oral tradition that that Parliament heard and putting it into its contemporary place. I will quote from that essay:

... one day there came a time of chaos and crises. The Boonwurrung and the other Kulin nations were in conflict. They argued and fought. They neglected their children. They neglected their land. The native yam was neglected. The animals were killed but not always eaten. The fish were caught during their spawning season. As this chaos grew the sea became angry and began to rise until it covered their plain and threatened to flood the whole of their country.

The people went to Bundjil, their creator and spiritual leader. They asked Bundjil to stop the sea from rising. Bundjil told his people that they would have to change their ways if they wanted to save their land. The people thought about what they had been doing and made a promise to follow Bundjil. Bundjil walked out to the sea, raised his spear and directed the sea to stop rising. Bundjil then made the Boonwurrung promise that they would respect the laws.

The place the Kulin then chose to meet is where the Parliament of Victoria is now located. They debated issues of great importance to the nation; they celebrated, they danced.

This land will always be protected by the creator, Bundjil, who travels as an eagle.

It was not until the 20th century that we accepted this truth – this true history. We only accepted this when we found the old riverbeds of the Yarra and Werribee rivers that crossed across our bay up to the heads. Imagine 10,000 years of accurately retelling the history of our place. We can often only remember what happened last week, and sometimes only barely so, but this was 10,000 years of oral tradition. If we listen, we have a lot to learn. I hope that if this bill passes – and I am confident and hopeful that it will – this story will be told by the Bunurong people in language by representatives of their people in the Gellung Warl and this treaty will lead to renewed leadership and relationship between Aboriginal people and the state of Victoria. I commend this treaty to the house.

Nathan LAMBERT (Preston) (18:53): It is a pleasure to rise as the 45th Labor speaker in favour of the Statewide Treaty Bill 2025. I certainly will not repeat all of the wonderful earlier contributions, including those of Rueben Berg and Ngarra Murray at the top of the debate, but I will use my time to

briefly, but importantly, acknowledge the very strong local support for treaty across Preston and Reservoir. We are very lucky locally to have a significant First Nations population amongst our friends and neighbours. It is not quite on the level of Mildura and Shepparton and some regional areas, but I believe that of the 55 metro electorates, Preston ranks fifth in that respect.

As I mentioned in my inaugural speech, Preston is very lucky to be home to a number of our key Aboriginal controlled community organisations, and I think I said it was the place where you are most likely to run into one of our great First Nations leaders getting coffee or groceries. I will not list them all, but Senator Jana Stewart and Marcus Stewart are based locally. The Victorian Aboriginal Legal Service on High Street is led by Nerita Waight, who was here yesterday. We have Dardi Munwurro further up High Street, led by Uncle Alan Thorpe. I know Yoorrook justice commissioner Travis Lovett is very familiar with our area. I think he will not mind me saying he is a fan of Preston Health and Fitness, the iconic gym on Murray Road that I also am a fan of. It is a great gym. And then further south, the Victorian Aboriginal Child and Community Agency on Bell Street, that I think the member for Northcote mentioned, is run by Aunty Muriel Bamblett. The Victorian Aboriginal Health Service has a major service further along Bell Street, run by Mick Graham along with ambassadors Aunty Lynette Briggs and Uncle Alan Brown. Uncle Alan Brown is very involved in our local Darebin area as well. And then further along Bell Street is the old Northland Secondary College, which was a famous leader in First Nations education prior to the Kennett government attempting to shut it down.

A member: Shame!

Nathan LAMBERT: I know, shame. Here in the chamber today I will not mention them, but we have some fantastic First Nations advisers who have done a wonderful job on treaty. They will not want to be named, but I know they know the Reservoir area well.

Suffice to say, people locally do not need to be convinced of the value of self-determination and of the value of First Nations leadership on First Nations issues, because they see the benefits of it and the realities of it in those strong, locally-based organisations. We all know that true, genuine collective decision-making can sometimes be messy and contentious; we know that in this place, but it is powerful, it brings people along, and certainly for First Nations people it has a legitimacy that institutions with a colonial origin can never have. We very much look forward to the way that Gellung Warl will build on the work of Aunty Jill Gallagher and Marcus Stewart and Aunty Geraldine Atkinson and others, and we look forward to the way that it will further interact with our local ACCOs and other parts of our rich First Nations civic life to, most importantly, improve outcomes for First Nations people.

And I say that not because it is my opinion but because it is the opinion of many, many local people who have contacted me about today's bill. I have not got time to quote all of them, but I will finish by quoting Melissa Collins. I have not actually met Melissa, but she emailed to say that she and her family deeply support the new treaty legislation in Victoria, and she went on to say:

We particularly support truth telling in schools. Both of our children learnt Woiwurrung as their LOTE in Primary school with a local First Nations elder and this significantly shaped their knowledge and understanding and attitudes of local Woiwurrung culture and history.

Melissa goes on to make the case for teaching more First Nations languages and culture in schools. I quote that because it is just emblematic of a general attitude that is not only supportive of treaty but supportive of the fantastic further initiatives and further bills that we will no doubt see in this house as a result of having treaty and from having the very important collective decision-making apparatus that we are putting in place with this bill today, and which stands in such contrast to the frankly shameful alternative propositions put forward by the opposition. So on that basis and on the basis of its very strong local support in Preston and Reservoir, I commend the bill to the house.

Martha HAYLETT (Ripon) (18:57): I would like to begin by acknowledging those who came first to the lands that I live and work on: the Barengi Gadjin people, the Dja Dja Wurrung people, the

Eastern Maar people and the Wadawurrung people. I pay my deep respects to their elders past and present, and I acknowledge the Wurundjeri Woi Wurrung people, the traditional owners of the land on which we all meet today. I want to thank the members of the First Peoples' Assembly of Victoria for their tireless work to get us to this point. I thank the Yoorrook Justice Commission for their incredible work over four years to listen to and share the truths of thousands of First Peoples and to develop the *Truth be Told* report tabled in this place on 1 July this year.

This week in Parliament is historic and a culmination of so much work by so many. It is the product of listening, of difficult conversations and of long-term commitment. It has been an almost 10-year process and will be the first treaty of its kind in our nation. That fact alone should fill us with humility and purpose. This bill is about righting the wrongs of the past and building a stronger state for the future. It acknowledges and reckons with the truth of what was done to Aboriginal people so we can create a better future together. It will give Aboriginal communities the freedom and power to deliver practical solutions at a local level, and it will provide recognition, voice and a platform for partnership between First Peoples and all Victorians.

One part of this bill I am particularly excited about is how it will create better and ongoing education about the impacts of colonisation on First Peoples and about the diversity, strength and resilience of First Peoples in our schools. Education shapes us. Education shapes how future generations understand one another and how they choose to act. I remember as a 16-year-old student on Dja Dja Wurrung country at Bendigo Senior Secondary College, choosing to do year 12 Australian history because I wanted to learn more about Indigenous history. We spent only one week on the over 65,000 years of Indigenous history and culture in this country, and so much more time on the settlers and the gold rush. Even at 16 years old, I remember being angry about this. I wanted to learn more, and now students will get that opportunity.

Business interrupted under sessional orders.

Mary-Anne THOMAS: I move:

That the sitting be continued.

Motion agreed to.

Martha HAYLETT: I was just saying that at 16 years old I remember being angry about spending only one week learning about Aboriginal history in this country. I wanted to learn more, and now students will get that opportunity, because if we do not learn about our history, especially the toughest parts of our history, we are doomed to repeat it. We must give every young Victorian the chance to learn the truth. I was proud yesterday to join the smoking ceremony with my 13-month-old son Liam. That moment was a privilege and a reminder of why this work matters. It was a moment I will remind him of in decades to come. When we think of treaties and truth-telling we must think about the legacy that we are creating for our children and grandchildren. We must ask what kind of Victoria we want them to inherit.

This bill will bring everyone who calls Victoria home closer together. It will help us to move beyond denial and division toward shared responsibility and shared hope. This bill is not just a piece of legislation, it is a promise – a promise to listen, to learn and to lead with courage. It is a commitment to walk alongside First Peoples, not ahead of them, and to build a future grounded in truth, justice and respect. I want my son to grow up in a Victoria that is honest about its past and brave about its future, a Victoria where First Peoples are not just recognised but empowered. This bill is a step toward that Victoria, and we are ready. I commend the bill to the house.

Josh BULL (Sunbury) (19:02): I begin by acknowledging the traditional owners of the land and pay my respects to elders past, present and emerging. I acknowledge the Wurundjeri people of the Kulin nations as the traditional owners of these lands.

There are days in this Parliament and there are days. Some days are those that in years to come will blur into one and some days, like yesterday, will stand in our memory forever – historic, significant and monumental. Our historic treaty, delivered in this bill, will not erase the pain and trauma of the past. It cannot bring those that were murdered back and it cannot return those that were stolen, nor will it fix the countless injustices committed towards our First People. But finally, after so long, after so much work and so much fight and commitment, a treaty between our First People and our state will be delivered.

Treaty is justice, treaty is self-determination, and treaty is how we close the gap. Treaty makes us a better place, a fairer place and a place we should strive to create. So many jurisdictions around the world have delivered treaty, and now we join them. Despite all of this, and despite the pain and the trauma and the grief and the determination to bring today forward, those opposite remain opposed. That is not leadership, and history will judge those opposite poorly. History will again prove those opposite to be focused on fear and division, not on bringing people together and not on hope.

I want to take the opportunity to thank every member of the First People's Assembly, the Yoorrook Justice Commission, the commitment of the Premier, the Minister for Treaty and First Peoples, the outstanding parliamentary secretary, ministers, members of the government and people within my community like Raquel Stewart from the Sunbury Aboriginal Corporation and Kylie Spencer, who have put in countless work each and every day, and today is a proud day for them.

Above all I want to thank every single person who has fought to see this treaty delivered – to see healing, to see a way forward and to see hope. This is a historic moment for our state, and I proudly commend this bill – the treaty bill – to the house.

Dylan WIGHT (Tarneit) (19:05): This evening I rise to make a contribution on the Statewide Treaty Bill 2025. Before I begin, I would like to acknowledge the traditional owners of the land on which we meet, the Wurundjeri people of the Kulin nation. I also pay my respects to the traditional owners of the lands that I represent, the Bunurong people. This was and always will be Aboriginal land. I would also like to acknowledge the co-chairs of the First Peoples' Assembly of Victoria, Ngarra Murray and Rueben Berg, and every current and past member who has played such a significant role in shaping this process. Their commitment and leadership are what has brought us to this historic moment.

We are here today not just debating a bill. It is a defining step in how our state recognises truth and builds lasting partnerships. Here in Australia we are home to the world's oldest continuing cultures. For more than 65,000 years First Peoples have lived on these lands with deep knowledge and custodianship. This bill represents what true reconciliation looks like in practice: it is not about rewriting history, it is about strengthening the relationship between the state and the First Peoples who have always been here. It is about taking practical steps to ensure that self-determination, truth-telling and accountability are permanent features in Victoria's democracy. On this side of the house we believe that progress happens through inclusion. We believe that Aboriginal Victorians must have a real say in the decisions that affect their lives and their communities. This bill delivers on that principle. It establishes new institutions to ensure First Peoples are heard in policy, service delivery and law making. It recognises that the best outcomes come when people are partners in the work that shapes their future. For too long decisions were made for Aboriginal people rather than with them – the difference matters. Such change leads to better programs, stronger communities and a fairer society for everybody.

Some Victorians will see this bill as a moment of pride and progress. Others may feel unsure about what the change will bring. To those who seek to divide communities and misrepresent what this bill does, this bill is about moving forward together, not divided. We have seen across time that progress takes courage and consistency. Successive Labor governments under the leadership of former Premier Daniel Andrews and of course Jacinta Allan have stayed the course on this journey. Each has built upon the work of the last, guided by the belief that reconciliation must be ongoing, practical and real.

BILLS

4038

Legislative Assembly

Wednesday 15 October 2025

This bill is the culmination of years of good governments that listen to those who are impacted by our policies.

Premier Allan said that this bill reflects and gives effect to the rights and principles enshrined in the United Nations Declaration on the Rights of Indigenous Peoples. It is important to understand why that matters, because we are talking about universal principles. We are talking about a United Nations declaration that Australia endorsed some time ago. What is happening here is not untested and unprecedented, as some have stated. Treaties have been established all around the world. Australia endorsed UNDRIP; this is exactly what it envisaged. How do we know that? All we have to do is to read the declaration. The declaration affirms that Indigenous peoples are equal to all other peoples. The declaration notes the concern that Indigenous peoples have suffered from historic injustices as a result of colonisation and the dispossession of their lands, territories and resources, thus preventing them from exercising in particular their right to development in accordance with their own needs and interests. The declaration recognises the urgent need to respect and promote the rights of Indigenous peoples, affirmed in treaties, agreements and other constructive arrangements with states.

I would say to those opposite, ‘Take this opportunity. Walk with the First Nations people of this state and this government towards treaty. And for once, read the room, read the leaves and be on the right side of history.’ I commend the bill to the house.

Bronwyn HALFPENNY (Thomastown) (19:10): I also rise and acknowledge the traditional owners and custodians of the land on which the Victorian Parliament is, and I also acknowledge that Parliament House was actually built on traditional ceremonial land, as explained to us by Uncle Andrew Gardiner, a Wurundjeri elder. It was an important meeting place where decisions and laws were made for thousands of years before European settlement.

Today is a historic day, a day that I know I will always remember as we debate the Statewide Treaty Bill 2025 in the Victorian Parliament. This is a bill that will give effect to this first Statewide Treaty with Victoria’s First People. I am so proud to be standing here to speak in favour of treaty with First Nation people in Victoria and so proud to be a member of the Allan Labor government that in partnership with Aboriginal people is reforming the relationship between Aboriginal people and the state, a relationship that should be built on equality, respect, trust and honesty.

I thank Aboriginal Victorians for giving us this chance despite the dark history of colonisation and the role governments have played, implementing policies to the detriment of Aboriginal people, policies and actions that have devastated communities, with impacts reverberating through the generations. I also wish to thank the elected members of the First Peoples’ Assembly, co-chairs Rueben Berg and Ngarra Murray, as well as first chairs Aunty Geraldine Atkinson and Marcus Stewart for steering us to this point, and I thank them for their generosity and vision. I also of course want to thank all members of the First Peoples’ Assembly and the Yoorrook truth-telling commission.

Change is often feared and requires leadership and courage to push forward. It is much easier to do nothing. I recall when the Hawke Labor government announced the introduction of Medicare, universal health care in Australia. Many Australians opposed the change, influenced by scare campaigns from the private medical profession and free marketeers who claimed it would reduce the quality of health care and deny patient choice.

It sounds incongruous now, but this was very effective then. Just as the opposition’s claims against treaty may be effective in stoking fear and playing on prejudices to divide now, I believe they will be exposed for what they are over time – petty, patronising, ignorant and unjust. A number of opposition members quoted individuals and told us of constituents who were opposed to treaty, but I also know that they received messages from constituents supporting treaty, but they chose to listen only to those that did not.

Several constituents wrote to me supporting treaty with Victorian First People. They wrote to me with comments such as that any path forward requires respect for First Peoples agency and that the bill is

consistent with the United Nations Declaration on the Rights of Indigenous Peoples and they support treaty because they believe in equality and a better, safer country for us all.

We talk about colonisation and the policies of government as if this was all in the past, but the actions of government continue to cause harm. That is why we need to walk together and support self-determination, so Aboriginal people can be part of the decisions that will forge all our future together. Treaty is not just about or for the benefit of Aboriginal people. It is necessary for all Victorians. We need a new perspective to deal with the challenges societies across the world are facing.

I see every day the uncompromising effort and effectiveness of organisations in the electorate of Thomastown. The Bubup Wilam child and family centre, created by women such as Lisa Thorpe with board members such as Uncle Andrew Gardiner, who is also a member of the First Peoples' Assembly; and the First Peoples' Health and Wellbeing centre, operated by people such as Karinda Taylor, a Wamba Wamba woman. These are the examples that we have, and we can all learn so much from these as part of the treaty in Victoria.

John LISTER (Werribee) (19:15): Werribee – it is the name of my electorate. It is the name of the waterway that winds its way through the heart of the city where I live. However, this name is only borrowed. The word comes from the Wadawurrung language, Weariby Yallock, which means streamed, shaped like a backbone or spine. Like the spines most of us possess, the river runs through the body of our community and is the link between different Kulin nation groups, the Wadawurrung, Wurundjeri and Bunurong, and I would like to pay my respects to their elders who may be here, past and present as well. Along the river they dance and celebrate their connection to this country with every group that came.

Before I reflect on why I support the particulars of this bill, I want to recognise this history of the land that I and thousands of others now live on in the Werribee electorate. As I said in my inaugural speech, I am here to echo the voices of my community. In preparing my contribution today, I wanted to thank Wadawurrung elder Aunty Judy Dalton-Walsh for her guidance on many matters but notably on discussing with me why treaty is important to our Victorian Aboriginal community. Parts of my contribution today have also been written by young people from Wyndham Central College, not just Koori students from young mob but also students from many cultural backgrounds. As a former teacher, I worked in schools where the population of First Nations people is significant. I understand the importance of giving a voice to First Nations people. On the smallest of scales, I worked with members of our young mob group to develop programs at school and to hear from them how we could improve relationships between students and teachers, because change comes when we listen, we learn and we act.

The bill before us today codifies the relationship between the government and First Nations people. With this bill, we are focusing on fixing the imbalance that First Nations people have endured in the past. This treaty is aiming to have a positive impact on the lives of First Nations people, giving the community a voice in the Parliament of Victoria and government and acknowledging them in decisions, resulting in more equality and fairness in our state. The treaty opens a gateway to healing and breaking the generational cycle of trauma as well as boosting community outreach. Victoria will be the first Australian jurisdiction to enter into treaty, and it opens the doors for other states to follow.

These words that I have just spoken were from young people in my electorate, because treaty does not just affect our actions today but paves the road for future generations to continue to work towards reconciliation – the past and the future.

I hate to go too deep into the opposition policy thought bubble we have heard about, but in reflecting on the past I wanted to draw the house's attention to previous debates on civic recognition of marginalised communities. In October 1908 this house debated universal suffrage and the extension of voting rights to women. We were following the lead of the rest of the country and most of the Commonwealth on this reform – reform that no-one today would bat an eye towards. When you read

those paternalistic comments of those who opposed the legislation back then, you could substitute, in *Hansard*, words like 'ladies' and 'women' with 'Aboriginal' or 'First Nations', and you would end up with almost the same speaking notes that the Liberals and Nationals have spewed in this contemporary debate. Nine people at the time, in 1908, voted against those reforms: Messrs Bayles, Keogh, Langdon, Livingston, Mason, McCutcheon, Robertson, Bowser and Thomson. I would like to encourage those opposite to not be on the same dishonour roll for people who stood in the way of civic recognition. Cross the floor and do the right thing, because if you do not you will be remembered with this same handful of past members of this house, and we will make sure of it.

To end on a positive note, I wanted to reflect on a gig I attended last year in the heart of Werribee. Some say they did not know treaty was happening. Well, to those people, they did not hear the sweet sounds of Dan Sultan at that gig floating across the train tracks in Werribee that night. Never would I have thought, sitting on the grass next to the mighty Weariby Yallock watching this gig, that I would be here today, adding my name to the right side of history. But this is not about me. It is about those kids who were dancing at the front of the stage that night, dancing just like those people in the past danced along the Werribee River with every group that came. This is treaty, and I commend this bill to the house.

Lauren KATHAGE (Yan Yean) (19:19): I rise to speak on the Statewide Treaty Bill 2025. The electorate of Yan Yean takes in the boundary between the lands of the Taungurung and the Wurundjeri. These two groups are in relationship with each other through meeting at what cartographers draw as a line. What they draw as a line on a map is in reality a relationship. Through knowing clearly where that line is, in respecting that meeting point between their lands, they can be in the right relationship. Relationship is central. It has been my experience that when moving through or staying in Aboriginal communities there is a desire to place you, to understand how you fit in the community, and that is often achieved by learning what your relationship is to a particular person. Then you can be placed in the web of relationships of the community, and someone you meet then knows how they can relate to you. It is a privilege to be in relationship. Treaty places us. It is not a burden, it is a gift. It brings all Victorians together into relationship with each other. The line that we meet at today, which at first appears as a boundary, is in fact a line in the sand. The First Peoples' Assembly of Victoria is standing at the line waiting for us.

There has been a lot of talk of journeys the last two days in the chamber. Those opposite say we all want to get to the same place; they just have a different map of how to get there. I looked at their map, at each of the points that were proposed, and I saw that they want to take us to places that we have already been. Each of the things they propose are already happening. Their spokesperson for Aboriginal affairs did a lap of Victoria, had a few meetings, came back and has a plan, so here are some examples of how what those opposite propose is already being fulfilled. They suggest a ministerial advisory council to ensure that we are working with them, made up of Aboriginal leaders across regions and sectors. They should check the history of the Aboriginal Executive Council. Maybe they should learn about the Aboriginal Justice Forum or the various education forums. They spoke about devolving decision-making to those areas that are on the ground; there are regional versions of those forums. They suggest capacity building for funding for Aboriginal community controlled health organisations when that is already in place and well established. They suggest an Aboriginal workforce strategy. Well, it is called Barring Djinang. It is in its second stage. They might like to learn that it already exists and it is being done by the Victorian Public Sector Commission. It has been in place for a long time. They suggest annual reporting to Parliament on Closing the Gap progress. That happens in June. Where were you last June? I was here; I heard the report. It is tabled every June. You are welcome to be here. They suggest devolving power to ACCHOs to ensure that what the Victorian government is doing is actually delivering on need. Well, they might like to look up the self-determination frameworks that exist for each department in their implementation plans, the long-term funding arrangements that are being established to ensure flexibility of funding to be based on need, and the minister here, the Minister for Treaty and First Peoples, might well know the example of the strengthening lifelong Aboriginal health and wellbeing initiatives. We have been there.

As I said earlier, the First Peoples' Assembly, representing Aboriginal Victorians, are standing at the line waiting for us, waiting to go on the journey with us. They do not want to revisit all the places on the map provided by those opposite or indeed by the government. We are going somewhere new. They want to hold the map this time. They know how to get to a place better than this one. I am keen to get there. I commend this bill to the house.

Michaela SETTLE (Eureka) (19:24): It is truly an honour and a privilege to stand and speak on the Statewide Treaty Bill 2025 here on the land of the Wurundjeri people. We stand on land that was a meeting place for the Wurundjeri and Bunurong peoples for millennia, a place for important discussions between clans. This bill heralds the start of important discussions on truth, justice and self-determination. I begin by acknowledging the traditional owners of the land on which we meet, the Wurundjeri Woi Wurrung people of the Kulin nation, and I pay my respects to their elders past and present and extend that respect to all First Nations people of Victoria. In my electorate I would like to acknowledge the Wadawurrung people, the traditional owners of the lands around Ballarat, Bacchus Marsh and Moorabool Valley. I thank Uncle Bryon Powell for his work representing our people, the Wadawurrung, on the First Peoples' Assembly of Victoria. Thank you for your guidance to us all.

This bill before Parliament is historic. It is the next step in a journey that began with the commitment to treaty in 2016, a bold and defining moment when Victoria became the first jurisdiction in the nation to begin formal treaty discussions with its First People. That commitment recognised what many of us already knew: that a relationship between First Peoples and the state must be built on justice, on self-determination and on truth. Since then we have seen years of dedicated, often difficult and always deeply personal work by the First Peoples' Assembly of Victoria. I want to acknowledge every member, past and present, for the extraordinary leadership that they have shown on behalf of their communities. They have walked this path with courage, with grace and with a steadfast belief that their voice must be heard and must be respected. I thank the current co-chairs Ngarra Murray and Rueben Berg for their powerful and important address to Parliament just yesterday. I would also like to acknowledge Jill Gallagher AO for her tireless advocacy and her role in building the foundations of this process.

This legislation builds on all that has come before: the establishment of the First Peoples' Assembly in 2019, the creation of the Treaty Authority and the truth-telling process through the Yoorrook Justice Commission. Each step has deepened our understanding of truth, healing and justice. In my community the importance of truth-telling is clear. In Ballarat we know the stories of the stolen generations of children taken from their families and placed in orphanages and institutions in our city. Those truths are part of our shared history, and they must not be hidden in silence or shame. This legislation ensures that what happened to them is not forgotten but understood as a part of the truth that we must confront together. Uncle Murray was taken from his family and sent to Ballarat. With dignity and courage he forged a life for him and his family in Ballarat, and he worked tirelessly for the recognition of children forcibly removed from their families. Uncle Al Harris shared that generosity of spirit, sharing his stories and music to help us all towards reconciliation. I am forever grateful that our First Nations people have shown us such dignity and generosity as we walk together towards treaty.

This bill sets the foundation for enduring respect between government and First Peoples, guided by principles of self-determination and equality. That is something that makes our whole state stronger. To the members of the First Peoples' Assembly, to leaders like Jill Gallagher and Bryon Powell, to the elders and the communities who have carried this movement for decades, we thank you. Your strength and persistence have brought us to this moment. I would also like to acknowledge the minister at the table, the Minister for Treaty and First Peoples, for all of her work in making this historic moment come to our Parliament. This bill is an act of respect, it is an act of reconciliation and it is a promise that in Victoria we will continue to walk together toward justice and truth. I commend the bill to the house.

Pauline RICHARDS (Cranbourne) (19:29): My heart is singing to be here on this day in this place and to be able to have an opportunity to contribute on behalf of my community on this extraordinary bill, the Statewide Treaty Bill 2025. I would like to begin by acknowledging the traditional owners of this land and pay my deepest respects to elders past, present and emerging. I also acknowledge that this land was never ceded and put on the record my gratitude to Wurundjeri elder Uncle Andrew Gardiner for the smoking ceremony that took place yesterday on the steps of Parliament – a reminder that this was the place where people have been coming together for centuries on this land to make collective decisions on behalf of First Nations communities.

To Rueben Berg, Ngarra Murray, Marcus Stewart and Aunty Geraldine Atkinson, thank you for your leadership. And of course, as so many people have recognised, to Aunty Jill Gallagher AO I pay my deepest respect and gratitude – because in a previous life I got to spend some time with Aunty Jill – for the leadership she showed not just at the Victorian Aboriginal Community Controlled Health Organisation but across the state. I pay my gratitude of course to the member for Geelong and Ms Sheena Watt from the other place for their tenacity and the leadership they have demonstrated, and to the Minister for Treaty and First Peoples, who is here today. I would also like to acknowledge the Minister for Public and Active Transport and Mr Gavin Jennings, a former member of the other place, for the work that they have done to bring this treaty to us here, and our Premier, who has been steadfast. In my local community of course there is Josh West and all of the other mob who look after Cranbourne.

Quite a few years ago the minister for treaty, who is here at the table, brought to my attention that there were a bunch of kids in my community who were First Nations kids and that I should perhaps find out a little bit more about whether there was an opportunity for these kids to vote on this very first assembly. So I went and had a glass of orange juice and a sticky bun with some Koori kids at Cranbourne Secondary College. I would like to dedicate this contribution to those kids, because boy, did I learn a lot from them, and I have continued to learn a lot from my local Koori kids.

Juanita Isherwood is our local Koori engagement support officer, and she has been running Marrung Mob Kids Deadly Day. She ran one recently at Cranbourne Gardens, and the member for Bass was there. What an extraordinary group of people we have in my community. I am so grateful at a local level to the Casey Aboriginal Gathering Place and Uncle Joe – Joseph Anthony Swindle – who won an award recently for his contribution from the City of Casey.

We know treaty is an opportunity not to divide Victoria but to complete it. It is significant that Victoria is the only state in the Commonwealth so far to have a treaty, but I know that the other states and jurisdictions are watching, because it is time. Great progress has been made in my local community, especially with Dandenong and Districts Aborigines Co-operative Limited, and I am very much looking forward to working with DDACL on our new community-controlled First Nations hub in Cranbourne. They do amazing work.

We have been gifted something beautiful and today is a day for happiness. We have been given something which recognises respect and partnership and truth. So we are not going to turn our head away; we are going to turn our hearts towards this gracious offer. Of course I have been disappointed that this has not been something unanimously supported in this chamber. I love this place. I love hearing the contributions from colleagues, and today my heart continues to sing at the tenacity and contributions that I have heard, because we are moving forward in partnership with First Nations people. We are moving forward to improve health and wellbeing outcomes and to achieve the promise of a better way that only we as Victorians can offer. I am proud to be the final speaker in this chamber on treaty 2025. I am proud of this Parliament. I know truth is hard, but I commend the bill to the house.

James NEWBURY (Brighton) (19:34): I move:

That debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until tomorrow.

*Announcements***Public Advocate**

The DEPUTY SPEAKER (19:34): I wish to advise the house that today the Speaker administered to Daniel Glenn Stubbs, the Public Advocate, the affirmation required by section 14 of the Guardianship and Administration Act 2019.

*Business of the house***Postponement**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (19:34): I move:

That remaining business be postponed.

Motion agreed to.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Emergency Services and Volunteers Fund

Danny O'BRIEN (Gippsland South) (19:35): (1340) My adjournment matter is for the Minister for Emergency Services. The action I seek is for the minister to reform the rebate system for CFA and SES volunteers for the Emergency Services and Volunteers Fund, in particular to provide for a paper-based option for volunteers. The minister will be aware that many volunteers are of advancing age or perhaps of a more manual disposition and the online system is not particularly conducive to them being able to make the application.

Just about all of my colleagues in the Nationals at least have had volunteers come to their offices seeking assistance to make their application for the rebate. We had a life member of the CFA who was completely unable to fill in the form. He was given a wrong password, I am told, and simply could not proceed. We have had volunteers report that the helpline to address this has not been helpful at all. There are a number of other issues that have come up from different volunteers seeking to apply for the rebate. For example, many of them have property in the name of a husband or wife but it is the spouse that is the volunteer so they are unable to apply. I have had at least one volunteer from the electorate of Gippsland South miss out on quite significant money simply because the property is in a different name. I had another one recently where a young captain of a fire brigade has a house block. He is trying to save money and is intending to build on that house block, but because it is not his principal private residence and nor is it a farm, he has to pay the full whack.

The Nationals and Liberals are very committed to scrapping this new tax, but in the interim, when the government is constantly saying that volunteers do not pay it, that they get the rebate, it would be helpful if all volunteers – or as many volunteers as humanly possible – were able to get this rebate. One of the ways that it could be done is to provide at least a paper-based option for the non-computer-literate to be able to fill in the form. I ask the minister to take action on this matter.

Fishermans Bend development

Nina TAYLOR (Albert Park) (19:37): (1341) My adjournment is for the Minister for Roads and Road Safety, and the ask is for the minister to visit my electorate to see the progression of road safety upgrades in the areas of Port Melbourne and Fishermans Bend. The Victorian government is investing significantly in Fishermans Bend, with a key focus on transforming the area into an innovation precinct, including approximately \$197.7 million for the former Holden site to create a centre for advanced manufacturing, engineering and design. Other major investments include funding for

transport connections and a broader plan for infrastructure like new streets, parks and drainage over the next few decades.

This is part of a larger urban renewal project expected to create 80,000 jobs and accommodate 80,000 residents by 2050. An important component of Victorian government investments into Fishermans Bend is road safety upgrades, particularly in and around schools, namely Port Melbourne Secondary College, already delivered – the school, that is – and Narrarrang Primary School, which is currently being constructed. In addition, there are important road safety upgrades planned for Beacon Road, which intersects Williamstown Road, Port Melbourne, as it is a very busy community sporting precinct. I advocated hard to secure the funding at the last state election and subsequently to anchor funding from the Fishermans Bend taskforce allocation to support the enhancement of pedestrian safety. I look forward to having the minister join me to support the progression of these important projects in my electorate.

St Kilda Primary School

David SOUTHWICK (Caulfield) (19:39): (1342) My adjournment tonight is to the Minister for Education, and what I request the minister to do is to finally provide funding for a hall for St Kilda Primary School. St Kilda Primary School has run a huge campaign. I know the member for Albert Park is here, and hopefully she will get on board. I know the member for Prahran has done so much tireless advocacy on this – they want a hall for all. This is a fantastic document that has been put together for a multipurpose hall for the school and the community. The Victorian government must urgently deliver the hall for the community that St Kilda Primary School has missed out on.

In 2020 the Victorian government demolished the St Kilda Primary School hall and still has not replaced it. Since then students have had no indoor space for PE, assemblies or school events. They are literally having their assemblies out in the rain. All other schools have got this kind of facility. This is a growth school, a school that has the lowest amount of open space. Only 5 per cent of the school is open space.

Most of the people living in the area do not have backyards; they live in apartments. This is the opportunity to give them a hall, to give them some space, and ultimately, for one of the most popular schools in our area, to finally deliver what they are missing out on. We know that at the time we had a number of people, over 200 people, participate in a rally. We have had 440 enrolled schools get on board with this. There are 3800 petitioners in here that signed the petition that wanted to get on board. And I want to particularly pay tribute to Caroline Thornton, the school president, who brought her kids down to help advocate for this. I know they are very passionate. We must deliver this hall. The school has had their hall demolished by the government; it is time that the government rebuild it. It was a promise by the government to do this and the government should finally deliver it. I call on the Minister for Education to finally deliver a hall for all.

Emerald Secondary College

Daniela DE MARTINO (Monbulk) (19:41): (1343) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to provide a formal update on the progress of the upgrade and modernisation works at Emerald Secondary College. Emerald Secondary is a wonderful local school with a dedicated team of educators and support staff who work hard to support students in both their learning and wellbeing. The school is a vital part of our Hills community, and I know how much this investment means to local families. In the lead-up to the election I advocated for our government to invest in completing Emerald Secondary's master plan, and in the 2023–24 state budget \$8.77 million was allocated to deliver this major upgrade and modernisation project at the college. I have been advised that additional compliance steps have been required due to updates to the National Construction Code. Specifically, the site must meet specification 43, which outlines bushfire protection measures for schools in high-risk areas. These safeguards are essential to ensure buildings are resilient and safe for students and staff. As part of this project, the project team has undertaken a pre-r129 check with the CFA and developed a fire performance-based design brief. These are

important steps that ensure the design meets fire safety standards through tailored, expert solutions. I understand these requirements have added time to the process, but they are necessary to ensure the safety and integrity of the final build in my beautiful but very fire-prone district of Monbulk. The project is now in the tender documentation phase. It is a significant investment for Emerald Secondary College and the broader Hills community, and I look forward to the minister's response.

Production of documents

Jess WILSON (Kew) (19:43): (1344) My adjournment tonight is for the Minister for Education, and the action that I am seeking is for the minister to publicly reveal the amount of Victorian taxpayer money that he is spending on barristers and other legal advice to take me to VCAT over a freedom-of-information request. In late 2023, I submitted an FOI request seeking access to a list of condition assessment reports for every school in the state. Releasing these documents would provide transparency about the maintenance and facility upgrades needed in our schools, where that is in the greatest need, where school funding is being directed and where the priority is right here and now. My request was knocked back by the Department of Education, with the department informing me that disclosure would be contrary to the public interest. But the Victorian Information Commissioner came back and said the department was wrong and that this information is in the public interest – it is in the public interest that Victorians know where maintenance of publicly funded schools is in greatest need.

With dozens of upgrades being delayed in Labor's recent budgets and basic upgrades taking up to 12 months to be addressed, Labor is failing to appropriately maintain and upkeep Victorian schools. We have classrooms with asbestos, rising damp and mould. At Canterbury Girls Secondary College in my own electorate, a wall collapsed a few years ago, sending bricks and glass crashing to the floor. Luckily, no-one was hurt, but students were on campus at the time, with more than 100 staff and 1000 students. This is a school that is in desperate need of upgrade, and it is just one example around the state.

On what planet, with the maintenance of Victorian school facilities publicly funded by Victorian taxpayers, is it not in the public interest to disclose how the maintenance scores of each one of those schools is monitored and listed in this state? Not only is the government refusing to release this information but it is spending significant resources on barristers and legal advice. I ask: what does Ben Carroll have in common with Novak Djokovic? It is not 24 grand slam titles, but it is Nick Wood SC, the barrister who represented Mr Djokovic on his issues when he came to Australia during COVID. MinterEllison are representing the Minister for Education to prevent the release of this information, with tens of thousands of dollars at a minimum being wasted by this government to fight information that is in the public interest.

Kororoit electorate student support

Luba GRIGOROVITCH (Kororoit) (19:46): (1345) My adjournment matter this this evening is for the Minister for Education also. Could the minister please update us on the investments made by the Victorian Allan Labor government regarding the delivery of students' wellbeing and support programs across my electorate of Kororoit? Being an up-and-coming patch with one of the fastest growing electorates in Australia, there is an added emphasis on supporting and expanding the school force, including Creekside College, a school in the heart of my electorate. Officially established in 2012, Creekside College is situated opposite Caroline Springs' beautiful lake. The school, despite being a recent addition to the electorate, accommodates approximately 1490 students, with the intention of prioritising student welfare through an extensive team of nurses, councillors and program for students with disability coordinators, solidifying the students' behavioural, social and academic needs. This aligns with their mission of empowering every student to succeed now and also into the future, fostering a culture where everyone feels valued and motivated to achieve their fullest potential.

That is why it was a privilege for me to return to the school not so long ago for their outstanding event with Blue Light Victoria, an early intervention program that connects students with emergency services. Events like this are vital to help promote safety and trust, creating an open and safe place for

students. It was a practical step towards creating safer and more connected communities, starting in our very own school, and it is my responsibility as the local member to ensure that schools like Creekside are given the opportunities and resources to help fund and facilitate these imperative events. I am committed to doing everything I can to continue supporting our local schools. This ongoing advocacy will help ensure the schools such as Creekside are well equipped with the adequate resources to assist their students and communities, as our investment goes beyond the mere school gates. We are investing in the schools and their future and opportunities for students' futures. I look forward to the minister's response so I can share it with my dedicated Kororoit community and the schools such as Creekside College, whom I look forward to working with and continuing to advocate for.

Mornington Peninsula bus services

Chris CREWTHER (Mornington) (19:48): (1346) My adjournment matter is for the Minister for Public and Active Transport, and the action I seek is for the minister to update my community on the timeframe for delivery of the new route 886 bus service between Mornington and Hastings as well as long overdue improvements to routes 784 and 785 to deliver bus services to currently unused bus stops. Firstly, my community has been waiting over 10 years now for this service. It takes 1.5 hours to get between Hastings and Mornington via public transport for what is only an 18-minute drive by road. That reflects the fact that 82 per cent of people on the Mornington Peninsula have no access to public transport, and indeed the seats of Mildura and Mornington are the only two electorates in the whole of Victoria with zero passenger rail services altogether. Instead this government is spending \$200 billion-plus on the Suburban Rail Loop, which sits as a TBC item on the budget papers in addition to their debt, which is growing up to \$194 billion in just a few years time. This Mornington to Hastings bus route is crucial for my residents.

In addition to that I have been advocating for upgrades to routes to service unused bus stops for places like Beleura retirement village, Peninsula Grange retirement village, Mornington holiday park, St Macartan's Parish Primary School, Mornington Racecourse and elsewhere that have had bus stops for 10 years now, but no buses actually go into those bus stops, so that means thousands of residents are forced to drive when they probably should not or they are stuck in their homes or they just do not have that access to public transport to get out in their community.

Because of this, before the 2022 election I advocated for a commitment by an elected Liberal government to deliver the Mornington to Hastings bus service, rerouting services to those retirement villages and elsewhere with those unused bus stops. Labor did not commit to match that at the time. However, after much pressure after the election, Labor finally committed to those services, but it took a lot of effort. It took a lot of effort to the point that they only actually included funding for the Mornington to Hastings bus service in this year's budget, and they said that those people in the retirement villages have to wait for a rerouting of their services until the Mornington to Hastings bus route comes to fruition, even though I have said they should not have to wait until that time. I am now calling for them to deliver this as soon as possible. There is no clear timeframe. I know that the Labor government probably wants to roll this out in about October of next year, just before an election, so they can win votes, but my constituents cannot wait any longer.

Hastings electorate ministerial visit

Paul MERCURIO (Hastings) (19:51): (1347) My adjournment matter tonight is for the Minister for Economic Growth and Jobs, and the action I seek is for the minister to come down to my electorate, spend a little bit of time around my electorate and specifically visit some wineries. I know that some people are thinking probably it is going to be a long lunch, but it will be a working day. I might get him to come down on the train on the Stony Point line and get off at Hastings and check out some of the businesses there and the jobs and economic potential with the renewable energy terminal. I cannot get him on the Hastings–Mornington bus route yet, but if the member for Mornington would like to have a meeting with me, I can tell him exactly when the bus will be delivered. But I will not do it today. I would like to thank the Labor government for giving me the money to make this bus possible.

We will not go to Mornington this time, but after we have been to Hastings we will go down to some wineries. There are many great wineries on the Mornington Peninsula, as well as distilleries, breweries and restaurants, but there are a couple in my electorate that the minister is interested in. They are batting above their weight locally, nationally and globally, and that is where the interest is. I look forward to the minister coming down and spending some time with me – and I look forward to chatting to you later.

Renewable energy infrastructure

Wayne FARNHAM (Narracan) (19:52): (1348) My adjournment this evening is for the Minister for Planning, and the action I seek is that the minister give very careful consideration to the battery farms that are being proposed in my electorate. The locations are in Shady Creek, Yarragon North and Bunyip. Everybody knows that regional Victoria is bearing the burden of the government's renewable program, but something is really concerning about these areas where they have got these battery farms that they are going to set up. I will reference Shady Creek. You should not be setting up a battery farm where you have got a bushfire overlay. That is not smart. We know that if these batteries catch fire, they are not easy to put out and the risk to the environment is quite significant. The other location, the one in Bunyip, is right next to rivers that run through that area. Again, I live in an area of Victoria that is bushfire prone. The Baw Baw shire is regarded as one of the most disaster-prone areas in Australia.

I am asking the minister to give these very, very careful consideration, because what is happening is that these get approval by the minister with very little or no community consultation, and rightly these communities are getting more and more nervous the more of these that come online. It is one thing to push things through and to ram them through; it is another thing to listen to the community about their concerns. What is even more scary is that where these battery farms are, there is no renewable overlay. It does not exist. The renewable overlay is 50 k's up the road, more towards Moe or Morwell – up that way. But what is also concerning to me, after I read up on this, is that the minister can remove overlays at her will for these programs to happen. That includes bushfire overlays, heritage overlays and flood overlays. It is quite frightening in regional communities that those overlays can be totally disregarded, and then they can put these battery farms wherever they want. I am urging the minister to reconsider these three farms and their locations, because at the moment they are not appropriate. They have to have a serious think about it so my communities are not at risk physically or environmentally.

Clarinda electorate schools

Meng Heang TAK (Clarinda) (19:55): (1349) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to provide information on how the Allan Labor government is investing in schools in Clarinda, in my electorate. Last month, together with the minister, I was delighted to announce that Westall Secondary was one of 30 schools to be sharing in over \$16 million to undertake 31 maintenance projects between them. This is a fantastic outcome for our local community, with Westall Secondary College being allocated \$2.55 million for roof replacement, guttering, downpipe painting and other work. Well done to the principal Tristan Lanarus, who is fantastic for his school as well as the broader local community. I am really looking forward to visiting the school soon to see the work taking shape and hear more about the school's broader vision going forward. This is an important investment which provides funding to address high-priority maintenance issues and will ensure Westall Secondary College can undertake essential work in classrooms and other school buildings.

Including this latest round, the program has now funded \$105.5 million for 300 projects at 280 schools in 2025, and the government has invested \$18.5 billion over the past 11 years to build new schools and deliver more than 2300 school upgrades, supporting more than 30,000 jobs in construction and associated industries. The Allan Labor government is investing in the education state so every student can access a great local school and a quality education wherever they live. I am very proud to see Westall Secondary supported by this investment, ensuring students in the Clarinda district have access

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to the world-class learning environment and facilities that they need to thrive. I thank the minister and look forward to his response.

Responses

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (19:57): The Leader of the Nationals and member for Gippsland South had an action for me as Minister for Emergency Services to look at how accessibility can be improved for CFA members to access the rebate for the Emergency Services and Volunteers Fund.

Danny O'Brien interjected.

Vicki WARD: And the SES. I thank the member for raising this matter. As the Emergency Services and Volunteers Fund is an expansion of the fire services levy, a property charge that was adapted by the previous coalition government in response to the recommendations of the 2009 Victorian Bushfires Royal Commission, the member would be aware that this is the first time a rebate has been available for eligible volunteers. The action the member seeks is an action for the Treasurer, but I have noted his concerns and advocacy, and I will pass on the member's request. I also suggest the member raise this concern directly with the Treasurer.

The member for Albert Park had a matter for the Minister for Roads and Road Safety where she invited the minister to visit Fishermans Bend to support her progression of important road safety upgrades. The member for Caulfield had a matter for the Minister for Education, which was to provide funding for a hall at St Kilda Primary School. The member for Monbulk had a matter for the Minister for Education. She seeks an update on the upgrade to Emerald Secondary College. The member for Kew had an adjournment matter for the Minister for Education seeking information regarding legal fees concerning the member's freedom-of-information request. The member for Kororoit asked the Minister for Education to provide an update regarding investments in student wellbeing across her electorate.

The member for Mornington had an adjournment matter for the Minister for Public and Active Transport where he sought an update on the timeframe for the delivery of route 88 bus services and improvements to the 704 and 705 bus service routes. The member for Hastings' adjournment matter was for the Minister for Economic Growth and Jobs to visit some of his local businesses – and in particular, some of the amazing local wineries, which he could also bring here – that are batting above their weight, he says, creating fabulous produce and jobs. The member for Narracan had an action for the Minister for Planning seeking her attention to renewable planning concerns he has, particularly regarding battery farms. The member for Clarinda had an adjournment matter for the Minister for Education seeking information on how the Allan Labor government is investing in schools in his electorate. All of these matters will be passed on.

The DEPUTY SPEAKER: The house stands adjourned till tomorrow morning.

House adjourned 8:00 pm.