



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Wednesday 18 October 2023**



**Office-holders of the Legislative Assembly**

**60th Parliament**

**Speaker**

Maree Edwards

**Deputy Speaker**

Matt Fregon

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Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Wayne Farnham, Bronwyn Halfpenny, Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

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

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

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Peter Walsh

**Deputy Leader of the Nationals**

Emma Kealy

**Leader of the House**

Mary-Anne Thomas

**Manager of Opposition Business**

James Newbury

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

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

<sup>1</sup> ALP until 5 August 2023

<sup>2</sup> Resigned 27 September 2023

<sup>3</sup> Resigned 7 July 2023

<sup>4</sup> Elected 3 October 2023

**PARTY ABBREVIATIONS**

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

# CONTENTS

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BILLS	
Crimes Amendment (Non-fatal Strangulation) Bill 2023 .....	3795
Introduction and first reading .....	3795
DOCUMENTS	
Documents .....	3795
BILLS	
Summary Offences Amendment (Nazi Salute Prohibition) Bill 2023 .....	3795
Council's agreement .....	3795
MEMBERS STATEMENTS	
Middle East conflict .....	3795
Eltham Football Club .....	3796
Water policy .....	3796
Betty Gibson .....	3797
Ashwood electorate cricket clubs .....	3797
Electrify Boroondara .....	3797
Flowerdale Community House .....	3797
Community Bushfire Safety Expo .....	3797
Officer District Park .....	3797
Kaduna business park .....	3798
Stroke awareness .....	3798
Celeste Manno .....	3798
Shane Warne Oval .....	3798
Hampton Bayside Bowls Club .....	3798
Royal Brighton Yacht Club .....	3798
Anti-vilification legislation .....	3798
Wimmera River, Dimboola .....	3799
Electricity infrastructure .....	3799
Middle East conflict .....	3799
Sunbury Show .....	3799
Warragul North Primary School .....	3800
Narracan electorate homelessness services .....	3800
Middle East conflict .....	3800
Cost of living .....	3800
Frankston electorate infrastructure projects .....	3801
Pregnancy and Infant Loss Awareness Month .....	3801
Mental health .....	3801
Wellsprings for Women .....	3802
Year 12 students .....	3802
Afghanistan earthquakes .....	3802
Middle East conflict .....	3802
Footscray crokinole club .....	3803
WestSide Roller Derby .....	3803
West Footscray Roosters women's football club .....	3803
Make a Difference Dingley Village .....	3803
Keysborough College and Westall Secondary College .....	3803
Compassionate Hands .....	3803
STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS	
Public Accounts and Estimates Committee .....	3804
Report on the 2023–24 Budget Estimates .....	3804
Public Accounts and Estimates Committee .....	3805
Appointment of the Parliamentary Budget Officer .....	3805
Public Accounts and Estimates Committee .....	3805
Report on the 2023–24 Budget Estimates .....	3805
Public Accounts and Estimates Committee .....	3806
Report on the 2023–24 Budget Estimates .....	3806
Public Accounts and Estimates Committee .....	3807
Report on the 2023–24 Budget Estimates .....	3807
Scrutiny of Acts and Regulations Committee .....	3808
Annual Review 2021 and 2022: Statutory Rules and Legislative Instruments .....	3808
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day .....	3810
BILLS	
Transport Legislation Amendment Bill 2023 .....	3810

Statement of compatibility.....	3810
Second reading.....	3815
Early Childhood Legislation Amendment (Premises Approval in Principle) Bill 2023 .....	3824
Statement of compatibility.....	3824
Second reading.....	3826
Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023 .....	3828
Statement of compatibility.....	3828
Second reading.....	3832
Gambling Legislation Amendment Bill 2023 .....	3835
Second reading.....	3835
MOTIONS	
Parenting support services .....	3851
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Government performance.....	3854
Ministers statements: housing supply.....	3855
Commonwealth Games.....	3856
Ministers statements: healthcare workforce.....	3857
Electric vehicle tax .....	3857
Ministers statements: Ethical Clothing Australia .....	3858
Public housing.....	3858
Ministers statements: education funding.....	3860
Schools payroll tax .....	3860
Ministers statements: Spring Racing Carnival.....	3861
RULINGS FROM THE CHAIR	
Constituency questions .....	3862
CONSTITUENCY QUESTIONS	
Murray Plains electorate .....	3862
Lara electorate.....	3862
Polwarth electorate.....	3862
Kororoit electorate.....	3863
Morwell electorate.....	3863
Glen Waverley electorate.....	3863
Sandringham electorate.....	3863
Narre Warren North electorate.....	3864
Morningson electorate .....	3864
Broadmeadows electorate.....	3864
MOTIONS	
Parenting support services .....	3864
COMMITTEES	
Select Committee on the 2026 Commonwealth Games Bid.....	3870
Premier .....	3870
MATTERS OF PUBLIC IMPORTANCE	
Children .....	3878
COMMITTEES	
Select Committee on the 2026 Commonwealth Games Bid.....	3901
Premier .....	3901
ADJOURNMENT	
Nepean electorate funding .....	3911
Cardinia Environment Coalition .....	3912
Loch Sport bushfire preparedness.....	3912
Bridge Inn Road upgrade.....	3913
Heatherwood School.....	3913
Suburban Rail Loop .....	3913
Mildura electorate schools.....	3914
Tareit electorate schools .....	3915
Public housing.....	3915
Emerging Artists Creative Hub .....	3916
Responses.....	3916

**Wednesday 18 October 2023**

**The SPEAKER (Maree Edwards) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

***Bills*****Crimes Amendment (Non-fatal Strangulation) Bill 2023***Introduction and first reading*

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:34): I move:

That I introduce a bill for an act to amend the Crimes Act 1958 to provide for two non-fatal strangulation offences and to make a consequential amendment to the Family Violence Protection Act 2008 and for other purposes.

**Motion agreed to.**

**Michael O'BRIEN** (Malvern) (09:34): I ask the minister to provide a brief explanation of the bill.

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:34): I thank the honourable member for Malvern. The bill will introduce two new offences of intentional non-fatal strangulation against a family member into the Crimes Act 1958. The bill will also make a consequential amendment to the Family Violence Protection Act 2008 to ensure that non-fatal strangulation is recognised as an act of family violence for the purpose of family violence intervention orders, consideration of bail applications and protections for witnesses giving evidence.

**Read first time.****Ordered to be read second time tomorrow.*****Documents*****Documents****Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Auditor-General – Eloque: the Joint Venture Between DoT and Xerox – Ordered to be published

*Planning and Environment Act 1987* – Notice of approval of an amendment to the Victoria Planning Provisions Planning Scheme – VC241.

***Bills*****Summary Offences Amendment (Nazi Salute Prohibition) Bill 2023***Council's agreement*

**The SPEAKER** (09:36): I have received a message from the Legislative Council agreeing to the Summary Offences Amendment (Nazi Salute Prohibition) Bill 2023 without amendment.

***Members statements*****Middle East conflict**

**David SOUTHWICK** (Caulfield) (09:36): I want to put on record my thanks to Victorians that have sent their support and outpourings of love to the Jewish community and the people of Israel. Many have asked how they can help. United Israel Appeal (UIA) at the moment is running 'Send a virtual hug to Israel', which sends a video message, and I encourage those that are listening that want to record a message to do so. Natasha Blumenkranc has organised a fantastic project called Project 10,000 – 10,000 letters are being sent to Israeli soldiers and to the victims of terror. I want to thank

particularly Gaby Davis from Bialik College, who organised that school to get involved. A number of other schools are getting involved as well.

There are a number of donation drives being run at the moment. Maccabi, at the Kfar Maccabiah site, which is their basketball stadium, has been converted into a shelter to accommodate 600 displaced people in safety. Thank you to Maccabi Victoria for the work that you are doing there, and there is an opportunity to help by donating there as well. Magen David Adom is doing a fantastic job providing medical needs for their ambulance service into Israel. The Jewish National Fund Hadassah hospital and Australian Friends of Sheba Medical Centre are running appeals as well, and of course 100 per cent of UIA's donations are going to the victims of terror.

### **Eltham Football Club**

**Vicki WARD** (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (09:38): Congratulations to the Eltham Panthers division 2 senior and division 2 reserves teams for their outstanding grand final victories in the Northern Football Netball League. The Eltham seniors men's team broke their premiership drought with a resounding victory over Diamond Creek, claiming the premiership – a special shout-out to Finnbar Maley for his stellar performance, netting a career-best six goals and winning best on ground. Well done to captains Darcy Vallance and Jackson Weatherald, coach Tom Bongetti and the rest of the team for their incredible achievement this season.

In a thrilling grand final the reserves teams faced Thomastown – sorry, member for Thomastown. Despite falling behind in the first quarter and being behind at quarter-time, they roared back to clinch a 77-point victory – a shout-out to Luke Sirianni, who won best on ground, captain Harry Chandler, coach Lukas Avramov and the rest of the team for their exceptional performance. A shout-out to the hardworking Eltham Football Club committee: president Mick Smith, vice-presidents Les Jessop, Brett Sinclair and John Rudden, treasurer Steve Smith, secretary Mal Brown and general committee members John Smith – in fact John Smith does pretty much everything – Matt Jessop, Narelle Sinclair, Mark Horsfield and Darren Hargreaves. Well done to both teams for their incredible achievements. I cannot wait to see what they do next season in division 1. It has been a long time coming, and I am glad the Panthers are back in division 1 where they belong. Go, Panthers!

### **Water policy**

**Tim McCURDY** (Ovens Valley) (09:39): I want to highlight to the communities right across northern Victoria the risk that is before us regarding water buybacks. The Albanese Labor government is risking people's livelihoods and the viability of our regional communities. Minister Plibersek needs to join me for a tour of irrigation communities in the southern basin to hear firsthand what is at stake. Every 100 gigalitres that is stripped out of the southern basin will cost 500 jobs – jobs that we cannot afford to lose.

We know that Mother Nature is not always as consistent as we would like, and that is why we build dams. We have built them in the past, and I still believe that the Big Buffalo dam could assist with flood mitigation for better environmental outcomes. Every megalitre that leaves our farming communities will be another nail in the coffin of small regional towns. Of course we all want what is best for the environment, but we can coexist and we can have our cake and eat it too. Make no mistake: buybacks will kill communities. What is the rush? When we can all work together for water savings, we can all be winners. In low rainfall years irrigators in northern Victoria will not have enough water to irrigate permanent plantings. Peaches, nectarines, apricots and almonds will not survive consecutive dry years. I urge the Albanese government to meet with me and southern basin irrigators and communities to fully understand the damage that will be done if they continue to be bloody-minded. We can work together in harmony with farmers, the environment and the government, if they will only try.



**Betty Gibson**

**Matt FREGON** (Ashwood) (09:41): Happy 100th birthday to Betty Gibson from my area. I was delighted to join Betty and her family from all around the country at her favourite restaurant, Macca's in Burwood, where they put it on. Apparently a Fillet-O-Fish is the order of the day for Betty. It is not my personal favourite, but Betty loves it, so it was a great birthday. It was good to see it and fantastic that Macca's put it on.

**Ashwood electorate cricket clubs**

**Matt FREGON** (Ashwood) (09:41): While we are talking about centuries, cricket season has opened up. The Burwood and Camberwell South cricket clubs had their season launches on the weekend, and I was lucky enough to go down and have a chat to them all. I want to give a shout-out to Nick Fennessy at Camberwell South and Kate Bellamy, president at Burwood. Burwood are celebrating their 150th year, which is a pretty good effort for a good old club. It was great to see the new Zimbabwean female cricketer, Mode, who apparently got straight off the plane and got a lazy 60-odd not out. She has hit the club flying.

**Electrify Boroondara**

**Matt FREGON** (Ashwood) (09:42): In other news, in the last week we got together with Electrify Boroondara for their expo, and there was bipartisan support. The Leader of the Opposition was there, the member for Kew was there, I was there, Monique Ryan was there, the mayor was there – everyone was there. We had a great talk about transitioning from gas to electricity. It is something we all need to do, and this government is working very hard to help people do it.

**Flowerdale Community House**

**Cindy McLEISH** (Eildon) (09:42): The Flowerdale Community House group are a great bunch of people, led by their effervescent coordinator Rebekah Grant. They provide a range of support services within their local community, and for the last three years they have been working tirelessly, tapping into volunteer power and various funding sources, to build a fabulous community garden. I was delighted to open the garden on Sunday 8 October and got to see how they have turned their vision of providing a mixed garden of vegies, flowers and natives into a wonderful garden space for people to connect to. I have no doubt it will be a valuable asset for the local community. Congratulations to Rebekah, along with her band of volunteers: Don Love, Jackie Hare, Rose Elsom, Jill Vizec, Michael Barrott, Gary and Jenny Leather and Joe Law.

**Community Bushfire Safety Expo**

**Cindy McLEISH** (Eildon) (09:43): The St Andrews Community Bushfire Safety Expo was held on 8 October. There was a good turnout of landholders keen to learn and gather information. It was particularly pleasing to see people in attendance who had no previous bushfire experience getting prepared, as we are potentially heading into a high fire danger season. It was pleasing to see the broad range of practical advice that was on offer to everybody who attended. Topics ranged from fuel reduction to preparing fire plans and assessing property risk. These expos require the time and effort of many people behind the scenes to make the day a success, so I applaud the efforts of the Pantom Hill and St Andrews CFA brigades in hosting this event and in particular Mike Jansz and Colin Paisley. Sadly, highly regarded bushfire expert Kevin Tolhurst, who was scheduled to speak, died a few days earlier. The loss of his expertise will be greatly felt across Victoria.

**Officer District Park**

**Emma VULIN** (Pakenham) (09:44): Last week I was excited to be involved in the sod turns for not one project but two. Officer District Park, located on Lansell Avenue in Officer, will be an exciting new adventure and nature park. I joined mayor Tammy Radford from Cardinia Shire Council to officially break ground on this \$7.2 million project. The Allan Labor government invested \$2.2 million through the Growing Suburbs Fund, and I am looking forward to seeing stage one

complete. It comprises a new off-leash area for dogs, a parkour zone, fitness equipment, running stairs, exercise stations and a 1-kilometre looped track, but that is not all. There is also a lookout, two 20-metre long slides, wetland areas, public toilets and picnic facilities. The next stage will see the construction of a regional level skate park, mountain boarding tracks and a new cafe.

#### **Kaduna business park**

**Emma VULIN** (Pakenham) (09:44): The second sod turn last week was with the Treasurer at the Kaduna business park in Officer South, with the team at McMullin. The 92-hectare business park is poised to become an industrial powerhouse. It will ensure lots of jobs are created closer to home for people in my electorate, who can choose to work nearby and have less time commuting.

#### **Stroke awareness**

**Emma VULIN** (Pakenham) (09:45): The last thing I want to acknowledge is that this Sunday I celebrate my personal seven-year strokeversary. It is a time that my family and I celebrate that I am still here but also a time for me to raise awareness about stroke to others. So, remember FAST – face, arms, speech and time – and do not delay in calling 000 if you notice anyone that has symptoms of stroke.

#### **Celeste Manno**

**James NEWBURY** (Brighton) (09:45): Celeste Manno was a bright, shining light taken from the world too soon. The tragedy has been compounded by the way her alleged murderer, an obsessed co-worker, has behaved throughout the plea-hearing process in court. Tonight the community will hold a candlelight vigil on the steps of Parliament for Celeste and all victims of violence. To Celeste's mother Aggie: your daughter will never be forgotten.

#### **Shane Warne Oval**

**James NEWBURY** (Brighton) (09:45): Shane Warne grew up as and remained a Bayside local. As a boy he first started to kick the ball on RG Chisholm Reserve in Sandringham. Last weekend the Bayside community mayor Hanna El Mouallem and the Warne family celebrated the reserve being renamed the Shane Warne Oval. The renaming was special, and Bayside council should be commended for leading the initiative.

#### **Hampton Bayside Bowls Club**

**James NEWBURY** (Brighton) (09:46): Hampton is still smiling about our bowls club being saved from closure following an enormous community campaign to save it. Over the weekend the newly renamed Hampton Bayside Bowls Club came together for its first special meeting in a celebration of the opening of the new bowling green. John Lord, the executive and all members deserve an enormous thankyou for saving our much-loved club.

#### **Royal Brighton Yacht Club**

**James NEWBURY** (Brighton) (09:46): With the firing of a shotgun, the 149th season of the Royal Brighton Yacht Club was declared open as the club is on the cusp of celebrating its 150th anniversary. As the story goes, the club was set up following a challenge raised between two gentlemen on Middle Brighton Beach. Congratulations to the commodore Niesje Hees on the opening.

#### **Anti-vilification legislation**

**Nina TAYLOR** (Albert Park) (09:46): Victoria's rich cultural diversity is one of our greatest strengths as a state. Hate and violence have no place in our community. That is why we are taking significant steps to protect all Victorians from hateful speech conduct and violence through our anti-vilification reforms. In my new role as Parliamentary Secretary for Justice I had the honour of representing the Attorney-General at three round tables with the multicultural community on our upcoming anti-vilification reforms. Vilification as a whole is a complex issue that requires time and

extensive community feedback, especially from those who are most often impacted by it, to get the reforms right. In these consultations we heard about extending the anti-vilification laws beyond race and religion to protect more Victorians; improving criminal anti-vilification protections, which include reviewing maximum penalties for criminal serious vilification offences; and lastly, broader changes to anti-vilification civil protections. I am proud that Victoria was the first state to ban the public display of the Nazi symbol, and we have just passed the bill to ban the vile Nazi salute and related gestures through both houses of Parliament. It was an honour to have the opportunity to hear directly from our vibrant multicultural community on how we can keep Victorians safe and, with their help, eradicate hate crimes from our state.

### **Wimmera River, Dimboola**

**Emma KEALY** (Lowan) (09:48): I have a matter to raise with the Minister for Environment, who I am asking to urgently intervene on a matter regarding trees that have fallen into the Wimmera River at Dimboola. For many years – decades, actually – community have always managed the river exceptionally well when there have been trees that have fallen into that area. However, they have been held up this time around. They cannot clear these trees for reasons that Parks Victoria have identified there may be some cultural heritage issues, but nobody is making a decision. This of course has local implications. The Dimboola Regatta will be going ahead in early November, on the 11th and 12th of November, but the community cannot clear these trees. It is putting a community event at risk – and also the national barefoot waterskiing at night competition, which happens in March every year in Dimboola. So I ask the minister to intervene to get a decision made to clear the trees – how this can be done, what approvals need to take place – but just to make a decision and let this community get on with using the river as they always have, which is in a very respectful way.

### **Electricity infrastructure**

**Emma KEALY** (Lowan) (09:49): I would also like to raise a matter for the Minister for Energy and Resources. The VNI West project has been incredibly mishandled by the Australian Energy Market Operator and with the direction of the government. The community consultations that have taken place have been substandard, with information left on gate posts and some landholders who still have not been contacted. We have even seen heavy-handed security guards throwing people at community meetings onto the ground. It is unacceptable. I ask the minister to meet with this group and hear firsthand – *(Time expired)*

### **Middle East conflict**

**Josh BULL** (Sunbury) (09:49): As this house did yesterday, I condemn in the strongest possible terms the devastating and destructive terrorist attacks by Hamas on Israel and its citizens. I send my deepest sympathies to those Israeli and Palestinian families, those who have lost loved ones and the thousands that have been injured over this horrendous and horrific period. This government and this house stand with all of those affected. We send our love and our support to all of those both here and abroad.

### **Sunbury Show**

**Josh BULL** (Sunbury) (09:50): On a much lighter note, it was terrific to join many of my volunteers recently at the Sunbury Show – the 102nd Sunbury Show – featuring rides, show bags, local agricultural activities, dancing, music and a whole lot more. No, member for Footscray, I did not do any dancing. I had many great conversations with residents. All came to share their thoughts and their views about many of the local projects that are occurring within our local community, projects such as the Sunbury Road upgrade, delivering the brand new multideck car park, delivering the brand new synthetic athletics track at Boardman reserve and upgrades to local schools, including Sunbury West Primary School and Goonawarra Primary School. It was terrific to see so many within our community out and about enjoying all of the things that are so terrific about the place where we live.

### **Warragul North Primary School**

**Wayne FARNHAM** (Narracan) (09:51): It was great to attend Warragul North Primary School last week with local councillor Jazmin Tauru to talk to the kids about leadership, and it was great to see these grade 5 children there that really take an interest in it. With all kids you always get some challenging questions, and there were quite a few that came my way, even one question from one young fellow that asked me how I keep my head so shiny. I would love to go back to visit Warragul North Primary School, as that was a great day.

### **Narracan electorate homelessness services**

**Wayne FARNHAM** (Narracan) (09:51): I would also like to congratulate our local community of Narracan. You have heard me in this place talk about the community project that we were doing to deliver four units for homeless women over 55, and I was extremely grateful that our Shadow Minister for Women the member for Eildon and the opposition leader came down to help open these units. It was a successful day with many, many trades attending and over \$300,000 of in-kind contributions. These units are now ready for women that are homeless and doing it tough to have some respite and somewhere to stay while they get back on their feet. It was a fantastic event attended by all, and a very big congratulations to Fairview homes and Quantum, who came on board with that, and also WAYSS with their provider services. It is a fantastic result for our local community.

### **Middle East conflict**

**Bronwyn HALFPENNY** (Thomastown) (09:52): I am speaking today on behalf of more than a thousand residents and community leaders in my electorate who have contacted me in extreme distress. They are asking why they are not hearing any condemnation of Israeli action against civilians in Gaza. Many have families there. One man has already lost 11 members of his family. Others are concerned about human rights. I believe every life is precious. I condemn the senseless killing of Palestinians and of Israelis, and I am appalled by Hamas's heinous attacks and kidnapping of innocent people. The onslaught on Gaza has now taken more innocent lives. No-one is being spared, including children under the age of 15, who make up 40 per cent of the population. Residents tell me their loved ones are being subjected to relentless bombardment, with hospitals shut down and basic necessities denied. This is wrong. In the words of one United Nations representative, not one drop of water, not one grain of wheat and not one litre of fuel was allowed into Gaza in the first eight days. In fact Gaza is being strangled, and it seems the world right now has lost its humanity. This is a human tragedy. All of the exits from Gaza are closed. Residents fear the worst is yet to come. As Martin Luther King said, this is 'the ultimate weakness of violence'. It multiplies evil in the universe. It does not solve any problems.

### **Cost of living**

**Ellen SANDELL** (Melbourne) (09:54): I recently went to compare grocery prices. A 2-kilogram pack of Cold Power laundry powder at the Reject Shop will set you back \$12.50, yet if you go to Coles, it is double that – \$24. A kilo of frozen peas you can get at Aldi for \$2.59; go to Woolworths and the same product is \$3.80. In fact it is the same across the board. I looked at dog food, pasta, juice, chips, pads – sanitary items – and groceries across the board are up 10 per cent this year, outpacing inflation. But you know what else is also up? The profits of the supermarkets. Woolworths profits went up nearly 20 per cent last year. The supermarket duopoly of Coles and Woolworths is ripping people off, and they are ripping people off because they think that shareholder profits and CEO pay packets are more important than people being able to afford to put food on the table.

But the galling thing is that governments actually have the power to do something about it. Governments around the world are taking action to put caps on essential items. Here in Victoria the state government have state power to do the same thing, but they are just refusing to use that power. That is why the Greens are calling for an inquiry into corporate price gouging, especially by the major

supermarkets, and for the government to actually step in. Greedy corporations are ripping people off, and it is time the Labor government stepped in and did something about it.

#### **Frankston electorate infrastructure projects**

**Paul EDBROOKE** (Frankston) (09:55): Speaker, I know last night you looked out on the horizon and you saw four magic cranes in the sky down in Frankston. I know you can see them from Bendigo even. You can see these bloody things from space. They are amazing – \$1.1 billion of hospital being built right in Frankston. We have got our fourth crane up. It is out of the ground now –

**Josh Bull:** What about the car park?

**Paul EDBROOKE:** I will get to the car park, member for Sunbury. It is amazing. There are cranes in the sky and boots on the ground in Frankston. Of course though we have got the car park. Construction started on the Frankston commuter car park, which is a partnership with the federal government – one of the car parks the former federal government actually did get around to approving. We have made sure the Labor government has given us the money for that. It is being constructed – 500 free, new commuter car parks for the City of Frankston.

But we do not stop there. Across the road – go past the brand new station and brand new Young Street – we have actually got the second-stage redevelopment of Chisholm TAFE. Now, we know that Chisholm TAFE provide the skills people need for the jobs they want – for the whole peninsula. Indeed I do not want to risk offending my friends in the south-east, but this is the flagship TAFE of the south, and all of their community will be coming to this. There is so much going on in Frankston; we are winning education awards, we are winning tourism awards. We will keep this going. And do you know what? The funny thing is the former member for Hastings said to me, ‘You will never build that hospital.’ I want him to come back down from Queensland and visit now.

#### **Pregnancy and Infant Loss Awareness Month**

**Alison MARCHANT** (Bellarine) (09:57): With October marking Pregnancy and Infant Loss Awareness Month I would like to share two local events I attended last weekend to remember babies who have left us too soon. I first attended Hope Bereavement Care’s Walk to Remember. After releasing doves to start the walk, families strolled along Geelong waterfront in honour of their babies. I was there to remember our girl Georgia, born sleeping in 2008. Wind and rain did not deter us, and I thank Hope Bereavement for hosting each year to allow families the time to honour their angels.

On Sunday I attended the Geelong Cemeteries Trust’s ceremony, which again provided a beautiful space to remember, and we all lit candles at 7 pm as part of the global Wave of Light. Hundreds of parents each year experience pregnancy or infant loss, and it is more common than you realise. What hurts the most in grief is the silence, with many unsure how to talk about it. I hope that sharing my own story and supporting events such as these helps break that silence. Tomorrow here in Parliament an organisation called Pink Elephants will provide information and peer support for anyone impacted by early pregnancy loss. Today I offer my thoughts to parents who experience this loss. To the friends and families who may not be sure what to say to those who are going through this loss, this is my best advice: please say the baby’s name out loud. It is a hard conversation, but there is nothing more special than hearing your baby’s name, as they still lit up our lives, even for a short amount of time.

#### **Mental health**

**Chris COUZENS** (Geelong) (09:58): Last week I had the privilege of attending both the World Mental Health Day breakfast held by Geelong mental health and wellbeing local and the Geelong Cemeteries Trust Blue Tree sculpture opening, and of course I joined the member for Bellarine and the Geelong infant bereavement service, Hope, at a candle-lighting service in the Geelong memorial gardens. These events play a critical role in continuing to raise essential awareness about mental health. As we are all aware, mental health affects each and every one of us in some way, whether through our personal journeys or those of friends and loved ones. You are not alone during these challenging times.

I also want to extend this message to First Nations communities, who for the past few months and especially with Saturday's disappointing result have been faced with extreme challenges. I know that First Peoples are resilient, but the hurt is there right now. I want to emphasise the Allan government's ongoing commitment to ensuring that your voices are heard and counted. We will continue our journey to treaty. For many this is a difficult period, and I want to make sure you are aware that there are services like 13YARN available 24/7 if you require further support. By spreading the message that it is okay not to be okay, things like the Blue Tree sculpture and the service for infant bereavement – these initiatives and collaborations with the community – collectively break down the stigma associated with mental ill health.

### **Wellsprings for Women**

**Belinda WILSON** (Narre Warren North) (10:00): I am excited to share my experience at a fantastic event hosted by the Wellsprings for Women organisation. Wellsprings is an incredible women's centre resource in our community offering essential programs across Dandenong, Casey and Cardinia. Last week I attended the launch of Pathways to Volunteering for Migrant and Refugee Women. They know these women bring incredible skills and talent with them. However, they are also aware that there are numerous obstacles that these women face finding ways to use their skills and make a difference. The Pathways to Volunteering program is their answer to this challenge. It provides a sense of purpose, opens new doors and pathways and is a way for these women to engage with the community through volunteering.

### **Year 12 students**

**Belinda WILSON** (Narre Warren North) (10:01): I would also like to give a huge shout-out and wish much good luck to the year 12s of this year, who will have English exams underway in only six more sleeps. My baby Ned is one of these incredible year 12s, and I am a very, very proud mum. Ned has faced many challenges through his very short 17 years, from absence epilepsy at the tender age of five to low vision in one eye, for which he had to undergo eye patching for five years – and anyone with little kids knows how challenging that is – to having to wear a helmet for the first six months of his life. Everything he does in life he looks at with a glass half full. I am so proud of you. You will always be my baby. You have worked so hard. It is time to let those balloons go and enjoy the ride.

### **Afghanistan earthquakes**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:01): Today I grieve for the 2400 people killed and thousands injured in the Afghanistan earthquakes. I grieve for their families and friends, both overseas and here in our communities, who shoulder the grief and worry of lost loved ones and for their futures after such devastation.

### **Middle East conflict**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:02): I grieve for the 1400 Israelis and 2800 Palestinians, and more overnight, who have died and all civilians affected by the violence in Israel and Palestine. I unequivocally condemn the atrocious terrorist acts carried out by Hamas. I also condemn the killing and targeting of civilians, Israeli and Palestinian alike. We have all seen pictures of the barbarity of war over the past week: mothers separated from their children, fathers crying over the dead bodies of their families. My heart breaks thinking about the terror, suffering, uncertainty, displacement and unimaginable grief that continues to unfold for millions in the region.

I share the concern of the UN about the blockades and the humanitarian situation in Gaza, and I welcome the relief efforts that have been announced by the UN, the World Health Organization and the EU. I call for the unconditional release of all hostages being held by Hamas. I also call for the immediate protection of civilian lives and human rights. I acknowledge the immense trauma of our local communities who have families and loved ones in both Israel and Palestine and urge us all to remember that Victoria is a state where our diversity is our strength, where everyone should be able to feel safe and where hateful prejudice will not be tolerated.

**Footscray crokinole club**

**Katie HALL** (Footscray) (10:03): We do not do things by halves in Footscray, particularly when it comes to niche sports. I am delighted to inform the Parliament that Footscray is now home to Australia's, and in fact the Southern Hemisphere's, largest crokinole club. Last week they had 53 people participate in their crokinole tournament out the back of Domenico's pizza – good pizza, member for Sunbury – and I am really proud that this club has evolved very organically in Footscray. Crokinole, for the uninitiated, is based on the sport of curling. It is a board game from Canada. Congratulations to Alex and Des, who have started the club and have created this amazing little community in Footscray.

**WestSide Roller Derby**

**Katie HALL** (Footscray) (10:04): I would also like to congratulate the WestSide Roller Derby for their open day last weekend –

*Members interjecting.*

**Katie HALL**: No, my knees are not in good shape.

**West Footscray Roosters women's football club**

**Katie HALL** (Footscray) (10:04): I would also like to congratulate the West Footscray Bokkers, the amazing div 2 women's premiers. It was an amazing grand final, and the Bokkers did us all proud, as did the under-18s Roosters.

**Make a Difference Dingley Village**

**Meng Heang TAK** (Clarinda) (10:04): This week is Anti-Poverty Week, a great opportunity to acknowledge and reflect on poverty in our community and how it hurts us all and to come together to take action collectively to end it. One group that is doing just that is Make a Difference Dingley Village. For over 30 years Make a Difference have been providing support and services to those in need in our community. They have helped thousands. Every Thursday morning the emergency relief program distributes a host of food parcels, food vouchers and gas and electricity bill contributions from out of the Marcus Road office. Their financial counselling support is also making a huge difference in the lives of many individuals and families. Late last month I was very honoured and proud to visit the office with the former Minister for Consumer Affairs to discuss the amazing work and the results their financial counselling services are delivering, giving people and families a fresh start. It is truly amazing the great work and the sense of community at Make a Difference. I would like to say thank you to the CEO Marion Harriden and chairman Scott Lowther and all the amazing staff and volunteers for their tireless services and commitment to make a difference to those who are vulnerable, facing hardship and experiencing a crisis. I would like to say thank you all.

**Keysborough College and Westall Secondary College**

**Meng Heang TAK** (Clarinda) (10:06): I would also like to congratulate all VCE students for their graduation from Keysborough College and Westall Secondary College. Best wishes for the exams coming up.

**Compassionate Hands**

**Pauline RICHARDS** (Cranbourne) (10:06): I am very pleased to have visited Compassionate Hands last week for one of what will be the beginning of several Diwali festivals. Compassionate Hands, run by Jagdeep Singh, do terrific work, particularly in our local community, supporting our Indian diaspora. It was a joyous occasion. The food was amazing, the music was terrific and the dancing was sublime.

*Statements on parliamentary committee reports***Public Accounts and Estimates Committee***Report on the 2023–24 Budget Estimates*

**David SOUTHWICK** (Caulfield) (10:07): It is a pleasure to rise to speak on committee reports. The committee report that I want to refer to today is the Public Accounts and Estimates Committee 2023–24 report. In my opening remarks I want to just make mention that in that report probably right across all the portfolios there is a common theme of waste and mismanagement. I think this is probably evident in the now Allan Labor government. We saw it from the previous Premier, and unfortunately it continues. I wanted to particularly draw attention to some of the areas in transport, in infrastructure and in the Commonwealth Games – they were all the portfolios of the now Premier, the previous transport and infrastructure and Commonwealth Games minister.

This committee report talks a lot about how things could be done better – how if we plan things properly we will not get the waste and mismanagement that we are now seeing. The problem is that when we see waste we will see blowouts. When we see particularly in major projects \$30 billion worth of blowouts on every single project – no matter what you look at, whether it be tunnels, whether it be level crossings, whether it be the Suburban Rail Loop – it ends up being taxpayers that pay the price. We know that so many taxpayers in Victoria are already doing it so tough. The answer from the Allan government to these blowouts is to tax people more, when they are already hurting. We know that there is a housing affordability issue at the moment. We know that people are struggling to pay their rents, if they can get a home in the first place. In all of these issues we are seeing this, and it is all as a result of waste and mismanagement.

I refer the chamber specifically to the area of the Commonwealth Games, because it is not just about sport but about how a government actually does things or in fact does not do things. Finding 77 talks about how the government announced Victoria would no longer be hosting the 2026 Commonwealth Games after the original \$2.6 billion budget for the event ended up being revised to \$6 billion. We knew during the actual hearings that both ministers who were responsible, the current Premier and Harriet Shing in the other place, were steadfast in how much this was going to cost. ‘Yep, we’re right. We’ve got the \$2 billion’ – and all of a sudden magically afterwards that figure blew out to \$6 billion. This recommendation – recommendation 42 – says:

The Department of Jobs, Skills, Industries and Regions publicly release a detailed breakdown of the original \$2.6 billion forecast cost of hosting the 2026 Commonwealth Games, as well as any cost–benefit analysis undertaken, and a detailed breakdown of the revised approximate of \$6 billion forecast cost of hosting the 2026 Commonwealth Games.

We have been asking for that since the cancellation of the games, and the government are not forthcoming with those details. It is really, really important to find out how within a matter of weeks of having hearings in which we had reassurance that the government had the money, had the plan, had the budget and had it all ready to go, we had it go from \$2.6 billion to \$6 billion without any real detail. It is really important to have that detail so we can understand what went wrong. We cannot keep having these failures from this government, because taxpayers pay the price, and as I have said, the current Premier is responsible for \$30 billion worth of taxpayer blowouts.

We now have the new major projects minister, who came into the chamber yesterday spruiking the Suburban Rail Loop again with no real details about what this is actually going to cost. They are all numbers that have been given but with no real hard figures, no rigour around what it is going to cost taxpayers, and we know things like Geelong fast rail and airport rail, which was promised as part of SRL, are now on the backburner. We know that a lot of people have been laid off from airport rail. Some people are still employed. There is no detail. There is so much waste and mismanagement by this government, and that is why Victoria is broke and Victorians are paying the price. We have got to do things better, because at the moment Victorians are struggling with an absolutely tired and useless Andrews, now Allan, government.



**Public Accounts and Estimates Committee***Appointment of the Parliamentary Budget Officer*

**Paul HAMER** (Box Hill) (10:12): There are a lot of committee reports to speak about in this sitting week, but I want to speak about the Public Accounts and Estimates Committee (PAEC) report *Appointment of the Parliamentary Budget Officer*. The Parliamentary Budget Officer is a very important role under the legislation that was passed by the Andrews government in 2017 creating an independent position which is responsible for preparing election policy costings, pre-election reports, post-election reports and costings of other policies or proposed policies at the request of a member of Parliament and providing advisory services to members of Parliament on financial, fiscal or economic matters, including in relation to the costing of proposals included in the state budget. While we in this place may debate the merits of the questions that might be posed to the Parliamentary Budget Office or the merits of the various proposals, it is very important that there is an independent Parliamentary Budget Officer that can fulfil the duties for all MPs.

The term of the previous Parliamentary Budget Officer had expired, and I thank Mr Anthony Close, the previous Parliamentary Budget Officer, for his service. The time had come to appoint a new Parliamentary Budget Officer, and I was part of the PAEC subcommittee that was part of this recruitment process. I just want to at the outset start by acknowledging and thanking the selection panel who commenced this process, and they were Mr Jason Loos, Deputy Secretary of the Department of Premier and Cabinet; David Martine, the Secretary of the Department of Treasury and Finance; our own Bridget Noonan, the Clerk of the Legislative Assembly; and Mr Yves Giroux, the Canadian Parliamentary Budget Officer, who given the time difference between Ottawa and Melbourne often found himself working long into weekend evenings in order to be able to share his thoughts and participate in the meetings with the candidates. A very extensive selection and interview process was conducted, and I do thank the executive recruitment firm Watermark Search International for the work that they put into identifying potential candidates.

I must say as a member of the selection panel, the PAEC subcommittee, I was amazed at the standard of the candidates, and I do want to thank all of the candidates who put in applications for this very important role in the governance of Victoria. You never approach an application of this type lightly, and I again want to thank all of the applicants that put their names forward. After a very extensive process and multiple interviews, the PAEC subcommittee and the PAEC committee in whole selected Mr Xavier Rimmer, who had been the Acting Parliamentary Budget Officer and was previously working in the Parliamentary Budget Office, as the next Parliamentary Budget Officer. Mr Rimmer is a longtime public servant and economist. He has worked in the Australian Parliamentary Budget Office. He will make a fantastic contribution in his role as the Parliamentary Budget Officer, and I wish him well in this role.

**Public Accounts and Estimates Committee***Report on the 2023–24 Budget Estimates*

**Tim BULL** (Gippsland East) (10:16): I would like to make a contribution on the Public Accounts and Estimates Committee 2023–24 budget estimates report. I refer to page 149 and the timber harvesting transition and worker and industry support package. Recently the timber industry harvest and haul contractors in my electorate got the details of this so-called transition package in draft form, and it is clearly a proposal that has been put together to meet a specific budget rather than to deliver the right outcome for these timber workers. I mean, if the people who put this package together think that this is going to be even close to being adequate, they are idiots. It is going to go nowhere near meeting the needs of these families.

I will give you a couple of examples of why it is unfair. Firstly, the compensation for loss of income is absolutely woeful. It would have been far better to work off the precedent that was set for the Gippsland Lakes commercial fishermen where they were given three years of their average income as

a base for their departure package before they got into their nets – I guess the comparison to timber workers is their machinery, but as a base it was three years of their average income. In relation to machinery compensation, you will not believe this. It says the government will pay the difference between the 2020 market value of a piece of plant and the equipment auction value. You read that and you think that is okay, but then you go onto the next clause and it says the department reserves the right to pay less than the full difference to meet the available budget of the package. The criteria have clearly been designed around a budget – and machinery over 10 years old is not going to be compensated for. It is worth a lot of money, but it is not even included in the machinery compensation package. It is a disgrace, and it is proof that the minister has put together this package based on a capped budget and not looking after the best interests of these timber workers in a fair manner.

Secondly, one of the options presented to contractors is to enter into longer term contracts to undertake forest and fire management works with the Department of Energy, Environment and Climate Action. Righto, you have got to put in an expression of interest if you want to work for DEECA. But they do not know what the remuneration is, they do not know what the work is and they do not know where the work will be. How can they put in an expression of interest without knowing what they are going to be paid, where the work is or what they are expected to do? They only find that out after they have put in their expression of interest. Talk about putting the cart before the horse.

Thirdly – and these are just three examples – the government has said that for redundant employees they will provide the opportunity to participate in training over 10 business days but then they said it will be at no cost to the state, so the harvest and haul contractors have got to pay for the retraining of their own workers when the government said in its initial media release that it would pay for the retraining of workers. The whole package is shameful. It falls well and truly short of the most basic expectations. Thank goodness it is in draft form, because the minister needs to go back and revisit this and make sure that she designs a package that does not fit within a budget. The former Premier said he would provide what was required. The government needs to provide what is required to these timber industry workers.

I also want to quickly move on, before my time is up, to page 91 of the same report, which refers to transport infrastructure. I want to put on the record for the Minister for Public and Active Transport the need for basic services like a buffet car on the long-haul train services from Bairnsdale, and I am sure the member for Polwarth would agree for services on his side of the state as well. We have recently had passengers coming into my office saying, ‘We actually don’t want the old N class carriages replaced by VLocitys, because the N class carriages have a buffet. We don’t want them replaced if we’re going to have these new carriages without a buffet. We want to be able to buy a cup of tea and get a sandwich on the 3½-hour journey into Melbourne.’ I recently travelled on this train. I went on the morning service that had the buffet. It was well frequented. It was appreciated by passengers on the train. Many of them were using it. It was a service that was available 40 years ago, and we should be restoring those basic services on our long-haul carriages.

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

#### *Report on the 2023–24 Budget Estimates*

**Sarah CONNOLLY** (Laverton) (10:21): It gives me a great deal of pleasure to rise to speak on the Public Accounts and Estimates Committee report into the budget estimates for the 2023–24 budget, which I had the privilege of tabling in Parliament just very, very recently. This is one of the most important functions of PAEC, to conduct these committee hearings, and it was actually the first one that I participated in since being appointed to the committee and as committee chair.

It was a really intensive public inquiry over the almost three weeks that we conducted these hearings, with the opportunity to question every government minister, deputy secretary, both the Speaker and the President of the Parliament and Court Services Victoria. I do want to give my wholehearted thanks to everyone who appeared before the committee. Sometimes these hearings and appearing before

committees are not the easiest things to do, but I do want to thank on behalf of the committee everyone who did appear.

I will not beat around the bush. I think we all know here that budget estimates is always a rather politically charged event, much like question time in this place but without much of the usual theatrics that go on here. The estimates hearing is a chance for committee members from across the political spectrum to go ahead and engage government ministers in intimate questioning about their portfolios and, really importantly, the way in which their departments spend the money that is allocated to them. It is an absolutely important accountability measure.

The budget we were examining was definitely unlike any other budget that I have seen passed in this place and I dare say unlike other budgets passed in this place in the previous term of government before I was elected. We know that this year there was a significant set of economic challenges that impacted it. The report also highlights the particular complexity of the task this budget has had to complete, with the federal government's infrastructure investment program review creating a number of unknown expenditure levels for some of our shared infrastructure projects. I know this has been of significant interest to me, as there are a number of projects in my electorate of Laverton which were affected by this review, not least of all the Melbourne Airport rail project. As the review is reaching its conclusion, I know our government shares my keen interest in seeing what the outcomes and the recommendations of this review will be when eventually it is released publicly in due course. The final report made 129 findings with a total of 82 recommendations for improvement, including around enhancement of performance reporting, reviewing substantial spending and savings initiatives, more detailed spending allocations and program evaluations.

I would like to thank my fellow committee members for their hard work during this inquiry and preparation of the report. That includes the member for Box Hill here, who has just very sadly resigned from the committee to go on to greener pastures, and I wish him all the best. Like the rest of my fellow committee members in this place, I feel it would be remiss if I did not acknowledge in particular the member for Gippsland South. I am going to say it for the second time and have it recorded in *Hansard* that in fact this was the member for Gippsland South's eighth or potentially ninth budget estimates hearing. We thank him for his contribution. I will also acknowledge the contribution of other committee members who contributed to the budget estimates: the members for Point Cook, Yan Yean and Melbourne in this place, as well as the deputy chair Mr McGowan, Mr Galea and Mrs McArthur in the other place. I would also like to thank Caroline Williams and the rest of our wonderful, wonderful secretariat for their tireless support, not only in assisting us over the course of the estimates proceedings but, most importantly, in the preparation and the drafting of this report – we could not do it without you. As chair, of course I commend this report, and I look forward to future opportunities to speak on the great work that PAEC is doing in this place.

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

#### *Report on the 2023–24 Budget Estimates*

**Richard RIORDAN** (Polwarth) (10:26): I too rise to speak this morning on the 2023–24 budget estimates report. I am just starting to look through the document, and it is not a bad report. Having been a member there in the past, I would say the standard has continued to get better, so that is a good reflection on the committee. But I wish to talk this morning on page 96, 'Roads and Road Safety: key issues'. I have spoken many, many times in this place about the need for better roads and better road safety, and as the world returns to normal from COVID and particularly in the wonderful electorate of Polwarth with the iconic Great Ocean Road, we are the centre of travel and experience for so many visitors to Victoria and Australia more generally. Not only that, of course we are a hub of agricultural output and production, and our roads are full of big B-doubles and heavy transports. Good roads, safe roads and well-maintained roads are vital to western Victoria and Polwarth in particular. It distressed me somewhat reading this year's report, because it is not often we get publications coming out of this Parliament that actually really support what the community thinks and feels on the street. So often government will glaze over problems

and the Parliament will not really point to the issues, but this report this year really does highlight for all Victorians and the people of Polwarth what some of the issues are.

I refer specifically to finding 56 of the report, and it says, in part, it is also unclear what proportion of funding for the initiatives on road funding have actually been allocated to critical or desirable projects. That really makes it clear to country Victorians that we are not spending the money on a clear set of priorities. One of the biggest complaints I get through my office from people is that they understand they cannot fix every road all at once, but they want to know when our roads are going to get fixed. This report makes it clear, when you are reading the documents, that VicRoads, the Department of Transport and Planning and the government of the day are not being clear and transparent with their priorities and how they are going to allocate that funding. Way too often, and particularly for regional Victorians when they come to Melbourne, we are seeing a lot of money spent on tunnels, we are seeing a lot of money spent on rail overpasses and underpasses, but we are not seeing the money spent on basics – in fact, so much so that one of the recommendations talks about how little the funding is being allocated.

For example, in table 6.2 in the document it has three example key measures. These are tactile line markings, which are the audible line markings we have on the side of the road, road safety barriers and other initiatives. In the lead-up to the election the government managed to roll out a few things last year. Just to give you an example, in the budget this year instead of 103 kilometres of extra line markings, they are only budgeting for 3. Can you imagine in the state of Victoria, with the amount of road we have got, they are only budgeting for 3 kilometres of road treated with tactile road marking?

In terms of barriers and extra road safety measures 220 kilometres worth is down to 23 kilometres worth of safety barrier, and then for road safety initiatives and other projects almost half the amount of projects are allocated. It is simply not good enough, and the worst part is this budget confirms what most country and regional Victorians fear more than anything: that not only is there not enough funding this year, there is not enough funding next year. In fact the budget papers talk about a 10-year commitment, with most of that 10 years worth of funding being pushed out into well beyond 2026–27. How will we ever hold the government to account that they will in fact spend that money? In real terms the money that Victorian regional road users will see is much less this year.

It also confirms why the contractors who are responsible for keeping our western Victorian roads safe, in particular, with roadside mowing and cutting – their budget now has been cut to only one mow a year, and they are being asked to see if they can even avoid that by using sprays and other things. So the actual funding that is going into looking after the quality of our road surfaces, the environment around our roads, is just being slashed at the expense of road safety and country communities. Of course when you talk about things like mowing the grass on the sides of our roads, that is not only a road safety issue, it is a fire management issue as well for country Victorians. I encourage all Victorians to have a look at this report to find out where their funding is going.

### Scrutiny of Acts and Regulations Committee

#### *Annual Review 2021 and 2022: Statutory Rules and Legislative Instruments*

**Kathleen MATTHEWS-WARD** (Broadmeadows) (10:31): I rise to speak on the *Annual Review 2021 and 2022: Statutory Rules and Legislative Instruments* report by the regulation review subcommittee of the Scrutiny of Acts and Regulations Committee. I would like to thank the member for Greenvale for so ably leading the committee until recently, when he was elevated to the role of Parliamentary Secretary for Disability. I am so pleased he and the wonderful Minister for Disability are working hard to ensure all Victorians can pursue their potential and participate in society on an equal basis with others. I also congratulate the member for Narre Warren South for his appointment as the chair of SARC and congratulate him on the wonderful job he is doing.

I want to thank the dedicated and hardworking secretariat who support the committee, including Helen Mason, Katie Helme, Simon Dinsbergs, Sonya Caruana and Professor Jeremy Gans. As a member of

the Scrutiny of Acts and Regulations Committee I can attest to the diligence, sincerity and professionalism of the committee's wonderful secretariat and the incredible assistance they provide to ensure committee members are prepared and fully briefed so that we can do our jobs. The committee meets every sitting Monday morning, and although it is not always the most exciting way to start the day, the work of the committee is very important.

Today I particularly want to acknowledge the extra work done by the regulation review subcommittee, who have tabled this report, and I acknowledge the members for Southern Metropolitan, South-Eastern Metropolitan and Northern Metropolitan regions and the members for Narre Warren South and Tarneit for their contributions. The subcommittee does incredibly valuable work in examining subordinate legislation without focusing on the policy merits. It instead focuses on the content of the relevant legislation. It acts as an additional and necessary check on the executive's powers, which has long been seen as best practice in free and fair democracies, so much so that we have been asked to host an international conference next year.

It assesses the compatibility of statutory rules and legislative instruments with existing laws and regulations in the state. Under section 21 of the Subordinate Legislation Act 1994, the subcommittee scrutinises statutory rules to ensure that they are within the powers of the authorising act and are consistent with the general objectives of the authorising act. The subcommittee also ensures that the rule does not authorise any practices that may compromise personal privacy or privacy of health information. Neither statutory rules nor legislative instruments can have a retrospective effect, imposing a tax, fee, fine, imprisonment or any other penalty, unless clearly specified by the authorising act. They also cannot provide for the subdelegation of powers delegated by the authorised act. They work within strict confines to ensure that the Parliament is not burdened with administrative matters while ensuring that they do not contain any matter which should be brought before the Parliament.

The modern world is ever changing. In this context we need an effective body that has the expertise and the specialisation to assess the relevance and effectiveness of existing legislation and determine the need for relevant changes or additional instruments that contribute to the continuous adaptability of our systems. The subcommittee's work is of particular importance in ensuring that statutory rules do not infringe on the fundamental rights of any individual.

The report shows that a considerable amount of deliberation goes into protecting the rights of Victorian people as part of the subcommittee's work. The subcommittee's role is integral in safeguarding individual and collective rights such as freedom of speech, privacy and due process, ensuring that Victorians can live in a society that values and respects their rights and freedoms. From reading the report, these important roles are being discharged to the highest standards by the current membership of the subcommittee. They put an enormous amount of work into their roles. The subcommittee dealt with 181 statutory rules and 45 legislative instruments in the 2021 series, and 137 statutory rules and 44 legislative instruments in the 2022 series.

Most of these were exempt from providing regulatory impact statements. A regulatory impact statement is required to ensure that the most efficient forms of regulations are adopted, that the need for the regulations is justified and that there is an adequate level of consultation in the development of subordinate legislation. Sections 8 and 9 of the Subordinate Legislation Act 1994 do have provisions for exemption from preparing a regulatory impact statement. When an exemption for a regulatory impact statement applies, the exemption certificate is required to specify the section under which exemption was granted.

In my remaining time I want to reiterate that the work of the regulation review subcommittee is integral to the health of our democratic system. Through diligent scrutiny, the subcommittee serves as a protector of individual rights and guarantees transparency and accountability. This system of checks and balances ensures that laws are made to serve the best interests of the Victorian people.

*Business of the house***Notices of motion and orders of the day**

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (10:37): I move:

That the consideration of orders of the day, government business, 1, be postponed until later this day.

I also advise that the government does wish to proceed with notice of motion 2, government business, today and ask that it remain on the notice paper.

**Motion agreed to.**

*Bills***Transport Legislation Amendment Bill 2023***Statement of compatibility*

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (10:39): 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 2023.

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 2023 (the **Bill**).

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

**Overview of the Bill**

The Bill amends the *Bus Safety Act 2009* (**Bus Safety Act**), the *Commercial Passenger Vehicle Industry Act 2017* (**CPVI Act**), the *Marine (Domestic Commercial Vessel National Law Application) Act 2013*, the *Road Management Act 2004*, the *Road Safety Act 1986* (**Road Safety Act**), the *Sentencing Act 1991*, the *Transport Accident Act 1986*, the *Transport (Compliance and Miscellaneous) Act 1983* (**TCM Act**) and the *Transport Integration Act 2010* (**Transport Integration Act**).

The Bill also makes minor and technical amendments to other acts.

Relevantly to human rights, the purpose of the amendments to the Bus Safety Act is to provide for a bus driver accreditation scheme for drivers of commercial bus services that is aligned with the accreditation scheme for drivers providing commercial passenger vehicle services under the CPVI Act.

The relevant purpose of the amendments to the CPVI Act is to amend the provisions in relation to review of administrative decisions and in relation to information sharing arrangements.

The relevant purposes of the amendments to the Road Safety Act are to extend the time for which someone is subject to a zero blood or breath alcohol concentration requirement following the removal of an alcohol interlock condition, to expand the powers of police officers and protective services officers with respect to persons who are incapable of having proper control of a vehicle and to provide for requirements relating to vehicle sharing schemes.

The relevant purpose of the amendments to the TCM Act is to amend the Act in relation to use and disclosure of public transport movement information.

The relevant purpose of the amendments to the Transport Integration Act is to make changes consequential to the establishment of Safe Transport Victoria (STV).

**Human rights issues**

The human rights protected by the Charter that are relevant to the Bill are the right to freedom of movement in section 12, the right to privacy in section 13(a), the right to not be deprived of property other than in accordance with law in section 20, the right to a fair hearing in section 24(1), the rights in criminal proceedings in section 25, the right not to be tried or punished more than once in section 26 and the protection against retrospective criminal laws in section 27.

**Freedom of movement (s 12)**

Section 12 of the Charter relevantly provides that every person lawfully within Victoria has the right to move freely within Victoria. The right extends, generally, to movement without impediment throughout the State, and a right of access to places and services used by members of the public, subject to compliance with regulations legitimately made in the public interest. The right is directed at restrictions that fall short of physical detention (restrictions amounting to physical detention fall within the right to liberty, protected under section 21 of the Charter) and may include freedom from physical barriers and procedural impediments. The right may also extend to protection of access to, or use of, facilities necessary to enjoy freedom of movement (such as vehicles).

The Bill limits the freedom of movement by operation of several provisions which amend the Road Safety Act.

Clause 44 of the Bill provides that a person will be subject to a zero blood or breath alcohol concentration (BAC) requirement for 3 years following the removal of an alcohol interlock condition. Clause 46 of the Bill expands existing police powers which currently allow an officer to take reasonable steps to prevent an incapable person from driving a motor vehicle to incorporate not just the motor vehicle that the person was driving or about to drive, but any other vehicle (whether motorised or not). Finally, clause 47 of the Bill prohibits the use of electric scooters on freeways and provides the power for police to remove these scooters from freeways. These provisions may operate to limit a person's right to freedom of movement by imposing limitations on when and where a person may freely travel in their vehicle.

However, in my view, any such limitation will be reasonable and demonstrably justified having regard to the factors in section 7(2) of the Charter. Each of the new provisions are directed at the protection of public safety by mitigating the risk of a person operating a vehicle in a dangerous manner, including in a way that may result in serious injury and/or death. The extension of the requirement of a person to maintain a zero BAC while driving also sends a clear regulatory signal that they must continue to separate drinking from driving when their alcohol interlock condition is removed. The minor expansion of police powers to allow officers to prohibit a person from using not just the motor vehicle that the person was driving or about to drive, but any other vehicle (whether motorised or not), remains subject to the existing and appropriate safeguards in section 62 of the Road Safety Act including that the officer needs to hold the opinion on 'reasonable grounds' that the person is incapable of having proper control of the vehicle and that the detention of any keys or vehicle is not to be for any longer than is necessary having regard to the interests of the driver or the public. Accordingly, I consider these provisions represent a reasonable and proportionate response to the legitimate purpose of regulating drivers in the interests of public safety on the roads. Further, under section 38 of the Charter, the powers in preventing an incapable person from using a vehicle or removing an electric scooter from a freeway must be exercised by police or protective service officers in a manner that is compatible with human rights. For these reasons, I consider that these provisions are compatible with the right to freedom of movement in the Charter.

**Right to privacy (s 13)**

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

Clause 6 of the Bill amends the Bus Safety Act to require a person to provide certain personal information as part of their application for accreditation as a driver. Clauses 21 and 22 amends the CPVI Act to expand the power of the regulator to share sensitive information, defined as information obtained in exercise of functions and that is, or is stated to be, confidential or commercially sensitive in nature, with other agencies under information sharing arrangements. Clause 75 inserts new section 115U into the Transport Integration Act to allow STV to disclose and publish information collected in the exercise of its functions where it is considered necessary for the safe operation of bus or marine transport. Clause 63 amends the TCM Act to allow public transport movement information, defined as information or data relating to the movement of an individual into, out of or within a carriage or ticketed area and which includes myki data and CCTV footage and live feeds, to be used and disclosed in particular ways. The new provision (section 221) relevantly allows for the information to be used and disclosed by a relevant entity in connection with the Act or regulations, including for a legal proceeding, for a prescribed purpose or in accordance with a direction of the Minister. The new provision also allows for disclosure to certain certified people.

While not all information required under these clauses will be of a private nature, or be information concerning a natural person, as opposed to information concerning a corporation to which the Charter does not apply, the power afforded to an entity to collect, use and share information or documents may engage the right to privacy. However, to the extent that these provisions do require disclosure of personal information, this will occur in lawful and not arbitrary circumstances.

The requirement for a prospective driver to provide certain personal information to STV under the Bus Safety Act is clearly linked to the legitimate aim of properly assessing the application to ensure a prospective driver meets the relevant legislative requirements and is a fit and proper person to be accredited as a driver. The aim is important as matters of driver suitability are critical to safeguarding the health and safety of the public. The requirements will apply to prospective drivers who are voluntarily seeking to work in a regulated industry where special duties and responsibilities attach.

Amendments to the CPVI Act which expand the power of the regulator to share sensitive information with other agencies is particularly aimed at allowing the regulator to share data with the State Revenue Office to ensure that commercial passenger vehicle owners and operators are complying with their levy obligations under the Duties Act 2000. This data is highly unlikely to be private information concerning natural persons to which the Charter will apply. In any event, the provisions allow for the sharing of information in the specific circumstances outlined in the sections and the expansion serves a legitimate purpose, being to facilitate the effective administration of the CPVI Act and related legislation and to assist in compliance monitoring and enforcement activities where appropriate.

Amendments to the Transport Integration Act allows information to be disclosed and published (in a de-identified form). The provisions are circumscribed in their scope and only allow for the disclosure and publication of information where STV considers it necessary to do so for the safe operation of bus and marine transport. This serves the legitimate purpose of assisting STV to effectively administer the Transport Integration Act and other related legislation and to fulfil one of its key objectives in seeking the highest possible bus and marine safety standards.

Amendments to the TCM Act allows public transport movement information, including myki data and CCTV footage and live feeds to be used and disclosed in particular ways. The provisions are circumscribed in their scope and only allow for the use and sharing of information in the specific circumstances outlined in the sections, including for the legitimate purpose of administering the TCM Act and for a legal proceeding. The power to make further regulations or directions for the use and sharing of this information is reserved for where the need to use or share this information cannot be wholly anticipated or may need to be done in urgent circumstances. In any event, these circumstances will be specified in future regulations and in directions which are required by the TCM Act to be published unless it is inappropriate to do so. As such, the circumstances in which public transport information may be used and disclosed will be clear on the public record in all but exceptional circumstances.

I therefore consider that any interference with the right to privacy resulting from these provisions will be neither unlawful nor arbitrary.

### ***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.

The Bill engages the right to property by operation of several provisions which amend the Road Safety Act. These are the same provisions identified above in relation to the right to freedom of movement being clauses 44, 46 and 47 of the Bill. These provisions engage the right to property as each imposes conditions on where and how a person may use their vehicle, which may affect elements that comprise the bundle of proprietary rights, such as the right to enjoyment of their property.

However, in my view, to the extent that these provisions constitute a deprivation of a proprietary right (such as enjoyment of property) this Bill does not act to limit the right to property as any interference with this right is done according to legislation which clearly specifies the scope and circumstances of the allowable conditions which can be imposed on the use of a person's vehicle, and does so for legitimate purposes. As outlined above, section 62 of the Road Safety Act lists the criteria for officers to exercise their powers to prevent a person from using a vehicle. Further, section 68A of the Road Safety Act, as amended by clause 47, provides a clear prohibition on the use of electric scooters on freeways without reasonable excuse and where not otherwise authorised. Clause 44 also creates an express statement that people who have been subject to an alcohol interlock condition will be subject to a further 3 year zero BAC requirement after the alcohol interlock condition is removed. The interlock condition remains in place for a specific, defined time period which I am satisfied is no longer than is necessary to ensure that the person continues to separate drinking and driving after the interlock is removed from their vehicle. For these reasons, I consider that these provisions are compatible with the right to freedom of property in the Charter.



**Right to a fair hearing (s 24)**

Section 24(1) of the Charter relevantly provides that 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 concept of a ‘civil proceeding’ is not limited to judicial decision makers, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. While recognising the broad scope of section 24(1), the term ‘proceeding’ and ‘party’ suggest that section 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. As the administrative decisions at issue here do not involve the conduct of proceedings with parties, there is a question as to whether the right to a fair hearing is engaged.

In any event, if a broad reading of section 24(1) was adopted and it was understood that the fair hearing right was engaged by this Bill, this right would nonetheless not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision and 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. The entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

*Review rights of administrative decisions*

The new provisions inserted into the Bus Safety Act (clauses 3–11 of the Bill) which provide for a bus driver accreditation scheme for drivers of commercial bus services may engage the right to a fair hearing. Decisions made by the newly established STV in relation to disciplinary action against drivers are made pursuant to a show cause process whereby the driver is notified of the proposed disciplinary action, the grounds of this proposed action are specified and the driver is provided with the opportunity to make written submissions in response (new section 55Y). STV is required to provide reasons for any decision in relation to disciplinary action or accreditation and notify the driver or prospective driver of their review rights (pursuant to new sections 55P, 55Q, 55T, 55V and 55ZA). Except for a decision made to refuse accreditation on the grounds set out in new section 55O(2) or to cancel a driver’s accreditation pursuant to new section 55ZB, these decisions are subject to internal review (new section 58A). Finally, any decision made in relation to existing accreditations or taking disciplinary action towards drivers by STV (including the two decisions mentioned above which are not subject to internal review) will be subject to external review by the Victorian Civil and Administrative Tribunal (new Division 4 of Part 6). This affords drivers a hearing before an independent and impartial tribunal and satisfies the requirements in section 24(1) of the Charter.

Clause 18 of the Bill amends the CPVI Act to remove the right of review in relation to a decision by STV or an authorised officer to direct a person to provide information, documents and related items. As outlined above, there is a significant question as to whether this power involves the conduct of proceedings, as these are powers of investigation or monitoring, rather than decisions that determine existing rights or interests. In any event, the nature of this power indicates that it is justifiable to limit review rights. These requests may be made by the regulator for compliance and investigative purposes. The requests apply to people who have chosen to assume roles in relation to the operation of commercial passenger vehicles and to which special regulatory and legal responsibilities and duties attach. Further, these are documents which are required under the CPVI Act to be kept by the person or are within their control and relate to relevant matters, and to be produced to the regulator - and are generally not, in the context of comparative regulatory regimes, subject to review. As such, the legitimate purpose of checking compliance with regulatory requirements and investigating possible breaches of the law justifies any limitation on fair hearing rights which may result from removing the right of review of this decision. Additionally, providing for review in relation to directions to produce documents would prejudice the efficient and prompt monitoring of compliance with the scheme, which ultimately serves to safeguard public safety.

As such, I conclude that the fair hearing rights in section 24(1) of the Charter are not limited by the provisions amending the Bus Safety Act or the CPVI Act.

*Certain officers are immune from liability when exercising powers under the Act*

The Bill inserts new section 115P into the Transport Integration Act, which establishes that the Chief Executive or an employee of STV are not subject to personal liability for their acts, decisions and omissions conducted in good faith under that or other Acts.

The fair hearing right is relevant to new section 115P as the right has been held to encompass a right of access to the courts to have one’s civil claims submitted to a judge for determination. Similarly, insofar as a cause of action may be considered ‘property’ within the meaning of section 20 of the Charter, new section 115P may also engage this right. Nevertheless, the new section 115P(2) provides that where actions or omissions of the relevant person give rise to a civil claim, liability is transferred to STV. Accordingly, the exclusion from personal liability under the provision will not interfere with the right to a fair hearing or constitute a deprivation of property, because parties seeking redress are instead able to bring a claim against STV. The provision also serves a necessary purpose by ensuring that the Chief Executive and employees of STV are

able to exercise their duties effectively without the threat of significant personal repercussions and overall interference that responding to court claims has. Additionally, the Chief Executive and employees will still remain personally liable for any conduct not performed in good faith. Accordingly, this provision does not limit the rights to a fair hearing or property under the Charter.

#### **Right to be presumed innocent (s 25(1))**

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 is relevant where a statutory provision allows for the imposition of criminal liability without the need for the prosecution to prove fault.

The Bill inserts a number of strict liability offences in relation to driver accreditation into the Bus Safety Act (clause 6), an offence imposing an obligation to obtain authorisation to operate vehicle sharing schemes into the Road Safety Act (clause 55) and offences in relation to the unauthorised use or disclosure of public transport movement information into the TCM Act (clause 63). These offences do not require proof of fault, being that the person or entity did so 'knowingly or recklessly'.

The inclusion of these strict liability offences in the Bill is relevant to the right to be presumed innocent under s 25(1) of the Charter.

To the extent that this imposition limits the presumption of innocence, I consider that this limitation can be reasonably justified pursuant to the factors in section 7(2) of the Charter. Strict liability offences will generally be compatible with the presumption of innocence where they are reasonable, necessary and proportionate in pursuit of a legitimate objective. The strict liability offence in the TCM Act is aimed at deterring the unlawful or arbitrary interference with a person's privacy by requiring that public transport movement information, which includes myki data and CCTV footage, is only used and disclosed for specified purposes. This assists to enhance compliance with regulatory requirements and to ensure that people's privacy is only limited to the extent authorised and legitimately justified.

The strict liability offences in the Bus Safety Act and Road Safety Act are aimed at deterring actions which may endanger public safety including drivers operating vehicles without proper accreditation or in contravention of particular conditions and the operation of vehicle sharing schemes without regulatory oversight where proper safety controls may not be in place. This assists to enhance compliance with regulatory requirements and ultimately to protect the public on the roads. It is reasonable that the offences do not require proof of fault given significant harm to property and to people that can arise regardless of whether a person or entity acted intentionally or recklessly. Further the offences are reasonable in that they do not exclude the common law defence of honest and reasonable mistake of fact, and they do not attract penalties of imprisonment.

For these reasons, the limitation to section 25(1) of the Charter is reasonable and justifiable within the meaning of section 7(2) of the Charter.

#### ***Right not to be tried or punished more than once***

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However the principle only applies in respect of criminal offences - it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

Penalties and sanctions imposed by professional disciplinary bodies do not usually constitute a form of 'punishment' for the purposes of this right as they are not considered to be punitive.

The new accreditation scheme inserted into the Bus Safety Act (clauses 3–11 of the Bill) which affords STV the ability to refuse accreditation or to undertake disciplinary action against a driver does not engage this right. This is because the purpose of each of these sanctions, for example the requirement that accreditation is refused where the driver does not hold a licence or has been convicted of particular serious offences, is imposed to protect the public from potential harm.

Similarly, the extension of the requirement of a person to maintain a zero BAC while driving following the removal of an alcohol interlock condition (clause 44) which acts to send a clear regulatory signal for the person to separate drinking from driving also acts to protect the person and the public from the risk of potential harm.

As these sanctions are for protective rather than punitive purposes they do not engage the right against double punishment set out in section 26 of the Charter.

#### ***Retrospective criminal laws***

Section 27(2) of the Charter provides that a penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.

Clause 57 of the Bill expressly provides that the imposition of a requirement that a person has zero BAC while driving for a period of 3 years following the removal of any alcohol interlock conditions imposed under current sections 31KA, 31KB or 50AAA of the Road Safety Act will apply where the condition was imposed on the basis of at least two offences and the latest of those offences was committed on or after the commencement of the relevant provisions. Clause 57 further provides that the imposition of a requirement that a person has zero BAC while driving for a period of 3 years applies where a person would have had an alcohol interlock condition imposed if not for an exemption granted under section 50AAD and the condition would have been imposed on the basis of at least two offences and the latest of those offences was committed on or after the commencement of the relevant provisions. The imposition of a zero BAC condition is in effect a regulatory condition to mitigate a person's risk of driving impaired, and as such, constitutes a measure to protect the community. Accordingly, in my view it is unlikely to constitute a 'penalty' within the meaning of this right, and as such, does not engage this right.

#### **Conclusion**

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

**Hon Melissa Horne MP**

**Minister for Roads and Road Safety**

#### *Second reading*

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (10:39): 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**

The main purpose of this Bill is to continue the Government's strong commitment to road safety and the delivery of the Road Safety Strategy, through enabling the conduct of a world leading research trial into medicinal cannabis and driving. While this is a road safety challenge, it is also an issue of human rights – we currently have a situation where Victorians are forced to choose between taking prescribed medicinal cannabis to treat medical conditions and being able to drive. The safety of all road users is our highest priority however, this Government recognises that many people prescribed medicinal cannabis have a genuine driving need. This Government is committed to further research to better understand the road safety risk profile associated with those taking medicinal cannabis, to support the Government establishing an evidence-based policy position on medicinal cannabis and safe driving. This Bill will create a mechanism to declare that specified provisions of the Road Safety Act 1986 do not apply for the purposes of the trial.

The Bill is also intended to further improve safety by protecting amenity and accessibility in public spaces in relation to e-scooter and bicycle (including e-bicycle) share schemes. Whilst e-scooters in Victoria have many benefits in terms of transport and mobility, there can be issues with shared scheme e-scooters or bicycles being left on footpaths or in other public places in a way that blocks access, introduces tripping hazards, or otherwise creates an impact on the use or amenity of public spaces. The Bill will give local government greater control over e-scooter and bicycle (including e-bicycle) share schemes within their local government areas.

The Bill will also support the implementation of other reforms in the transport portfolio by improving governance and better support the functioning of sector transport agencies by amending the Transport Integration Act 2010 to reflect Transport Restructuring Orders that establish Safe Transport Victoria as a sector transport agency and reconstitute the V/Line Corporation from a statutory corporation with a board to a single member corporation.

The Bill will also provide consistency across transport legislation by aligning bus driver accreditation under the Bus Safety Act 2009 with accreditation of drivers of commercial passenger vehicles under the Commercial Passenger Vehicle Industry Act 2017.

##### **Enabling research trials to provide an evidence-base for future road safety reforms**

Victoria is a leader in medical cannabis in Australia. In 2016, Victoria became the first state in Australia to approve the use of medicinal cannabis under prescription for therapeutic uses. We are now faced with a road safety and human rights challenge – where Victorians are forced to choose between taking prescription medicinal cannabis and having the freedom of being able to drive for work, education or family purposes. This is because it is not legal to drive while there is presence of tetrahydrocannabinol (THC) in the person's

system, not whether they are actually impaired at the time of driving the vehicle. Given THC can remain in a person's system for a number of days, Victorians using medicinal cannabis are effectively banned from driving long after they become unimpaired from using this prescribed medication.

To address this situation, it is necessary to conduct world leading research to expand our knowledge of the impairment medicinal cannabis causes on driving, while ensuring the safety of all road users. This will be an Australian first. The reforms in this Bill will allow the Minister for Roads and Road Safety, in consultation with other relevant Ministers, to designate a road safety research trial and declare that specified provisions of the Road Safety Act 1986, or rules or regulations made under that Act, either do not apply or apply in a varied form to trial participants for the purposes of the trial.

Research trials will not be limited to the use of medicinal cannabis. This amendment will allow for the declaration of trials for a range of road safety initiatives. This provides flexibility in testing the efficiency and efficacy of a range of other technologies and approaches to further expand the evidence-base for future reforms and continue to deliver improvements in road safety outcomes.

#### **Greater power for local governments to manage e-scooter and bicycle share schemes**

The use of e-scooters provided under share schemes is proving to be popular in Victoria, with Melbournians, in particular, taking up the devices in high numbers. E-scooters, as well as bicycles and e-bikes, made available via share schemes are a useful and popular mode of transport for people wanting to travel short distances. They help ease congestion, they're an affordable mode of transport and provide first/last mile access to public transport.

To ensure the safety of e-scooter riders, pedestrians and other road users, the Victorian Government has enabled the use of e-scooters through trials throughout Victoria under certain conditions. E-scooter riders using these devices as part of the trial are required to follow road safety rules, including the wearing of helmets and restrictions on speed and where the e-scooters are able to be lawfully ridden.

Whilst there are many positives of e-scooters provided under share schemes, they can also present challenges for local governments. As these devices are provided for hire in public spaces and are not required to be returned to any particular location, there can be issues with e-scooters or bicycles being left on footpaths or in other public places in a way that blocks access, introduces tripping hazards, or otherwise creates an impact on the use or amenity of public spaces.

The reforms in this Bill will provide local governments with control over how e-scooter and bicycle share schemes operate in their municipalities. The reforms will effectively ban the provision of e-scooters and bicycles by share scheme operators in a local government area unless the operator has an agreement in place with the relevant council.

The obligation will be on the share scheme operator to ensure that the vehicles available in their scheme are only used in areas where they have an agreement with the relevant council. It will be an offence for a share scheme operator to make an e-scooter or bicycle available for hire in a given local government area without such an agreement.

Councils will also be able to set the conditions on how such schemes operate. The agreements between share scheme operators and councils will be required to specify the types of vehicles that can be made available for hire but can include a range of other matters including the period of time the scheme may operate, minimum service standards, and insurance requirements.

This reform strikes an appropriate balance between making the use of e-scooters and other vehicles available for use while maintaining Councils' ability to ensure the amenity, use and safety of public spaces.

#### **Other roads and road safety reforms**

In addition to the road safety reforms above, the Bill contains other minor amendments to legislation in the Roads and Road Safety portfolio to ensure their effective operation. These amendments include:

- Ensuring that the removal of an alcohol interlock licensing condition imposed after a drink-driving offence is accompanied by the imposition of a 'Zero BAC' requirement to continue to support these drivers in their efforts to separate drinking from driving;
- Amending relevant sections in the Transport Accident Act 1986 to clarify that people who are exempted from paying the transport accident charge as part of the process of registering their vehicles are still fully covered by the protections available under the Transport Accident Act 1986 relating to traffic accidents;
- Extending the ability of police and protective services officers to prevent incapable persons from driving the motor vehicle in which they were detected, to be able to prevent incapable persons from driving any motor vehicle for a specified time;

- Repealing provisions in the Road Management Act 2004 relating to the establishment and functions of the Infrastructure Reference Panel and replacing them with a requirement to consult with relevant road authorities, utilities and public transport providers; and
- Other minor and technical amendments to the Road Safety Act 1986.

#### **Clarifying the governance of sector transport agencies**

Sector transport agencies are public bodies established under the *Transport Integration Act 2010* to perform specified functions in Victoria's transport network.

Part 4B of the Transport Integration Act enables the making of Transport Restructuring Orders (tros). Tros are Orders in Council that can be used to create new sector transport agencies, alter the constitution and membership of existing sector transport agencies, and modify the application of provisions in transport legislation. However, tros cannot be used to abolish an existing sector transport agency.

Tros provide a flexible mechanism for responding to changing priorities and circumstances and can be used to deliver better integrated and connected transport services for Victorians.

On 14 June 2022, a TRO made by the Governor in Council established Safe Transport Victoria (ST Vic) as a new sector transport agency, with responsibility for managing compliance, accreditation and registration for commercial passenger vehicles, buses, and the maritime sector. The TRO transferred to ST Vic all of the duties, functions and powers previously held by the Director, Transport Safety and the Commercial Passenger Vehicle Commission (CPVC).

On 29 June 2021, a TRO was used to convert the V/Line Corporation from a corporation with a board to a single member corporation. This was to bring V/Line more directly into the centre of Victoria's public transport system, aligning and integrating V/Line with transport planning, Big Build project delivery, and decision making. Aside from necessary amendments to reflect this new constitution, the V/Line Corporation was otherwise continued as the same entity.

As a flexible mechanism, a TRO is able to be made more quickly than would otherwise be possible if legislative amendments were required to achieve the same result. However, tros are not intended to remain in force indefinitely. The amendments in this Bill will give full legal effect to the objectives of the above tros, delivering transparency and certainty and eliminating any legal risk of challenges to authority on technical grounds.

These amendments will also formally abolish the CPVC and the Director, Transport Safety.

#### **More transparency in the sharing of data from the public transport network**

The Bill contains two reforms to improve the sharing of information arising from the operation of the public transport system.

The Bill will amend the *Transport (Compliance and Miscellaneous) Act 1983* to improve transparency around the disclosure and use of information relating to the movement of people across the public transport network, including closed circuit television (CCTV) footage and data collected from the Myki ticketing system. Presently, the sharing of such information is only permitted through ministerial directions. The reforms in this Bill will replace this ministerial direction process with standard circumstances in which such information can be divulged and a power to make regulations to allow for any additional standard circumstances in future. The ministerial direction power will be retained for any novel or urgent circumstances, but it is expected that the standard circumstances set out in the Act and regulations will cover most situations.

This Bill will also amend the *Commercial Passenger Vehicle Industry Act 2017* to make it clear that information sharing agreements under that Act explicitly enable Safe Transport Victoria to share commercially sensitive trip data with the State Revenue Office to support the SRO with its compliance and enforcement functions in relation to the commercial passenger vehicle service levy.

#### **Improve alignment between bus driver and commercial passenger vehicle accreditations**

In 2017, the Victorian Government introduced a series of reforms to the commercial passenger vehicle industry, including those in the Commercial Passenger Vehicle Industry Act 2017. These reforms created a separate, modernised scheme for commercial passenger vehicle (CPV) drivers but left the existing bus driver accreditation scheme unchanged.

This Bill introduces a modernised, best practice bus driver accreditation scheme to the Bus Safety Act 2009 and removes the previous scheme from the Transport (Compliance and Miscellaneous) Act 1983. As well as introducing best practice bus driver accreditation, the reform in this Bill will also result in administrative efficiencies as both bus driver and CPV driver accreditations are overseen by the same regulator, Safe Transport Victoria.

Other amendments to the Bus Safety Act 2009 will broaden Safe Transport Victoria's ability to grant exemptions from some accreditation requirements where the regulator is satisfied that the person is already complying with the requirement.

The Bill also makes a range of technical amendments to improve the operation of the TIA, the Transport (Compliance and Miscellaneous) Act, and the *Marine (Domestic Commercial Vessel National Law Application) Act 2013*.

#### **Conclusion**

This Bill represents another step in the Victorian Government's continued commitment to improving transport safety and improving the lives of Victorians.

We need to continue to take action to develop the evidence-base for future road safety initiatives and to ensure that road and road safety legislation represents best practice, keeping the balance right, and ensuring that Victorians are safe on our roads.

We also need to maintain clear governance arrangements across the transport portfolio and to ensure that relevant legislation is clear and fit for purpose.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (10:39): I move:

That the debate be adjourned.

#### **Motion agreed to and debate adjourned.**

**Melissa HORNE** (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (10:39): I move:

That the debate be adjourned for 13 days.

**James NEWBURY** (Brighton) (10:39): Can you believe – I cannot believe, and I am sure that Victorians cannot believe – that the government is attempting to ram another bill through this place. I hear the government members shouting across the chamber that they have heard this before. They have heard this before; that is right. They have heard this before because the government keeps trying to ram bills through this place. Let me tell you an interesting statistic: this chamber of Parliament in this term has passed 26 bills, and before today – it is obviously one more now – we have had this debate on seven items. A quarter of the bills, the government has tried to ram through this place – a quarter. It has not happened once. It has not happened twice. A quarter of the bills the government has put to this place they have not wanted the community to see. They have not wanted the community to be given the time that they deserve to see them.

It is not too much to ask for this government to consider the Westminster tradition of allowing a Parliament to consider a bill for two weeks before it is rammed through the Parliament – before the government uses its majority numbers to ram it through the Parliament. To think that we are now at the point where for one quarter of the bills we have had this debate and called out the fact that the government keeps trying to hoodwink the Victorian community, and the community now are speaking out about it. We saw it only two weeks ago with the introduction of two new pernicious bills, through the State Taxation Acts and Other Acts Amendment Bill 2023, which will be dealt with, I presume, tomorrow by the government. It was not just the coalition who called that out; in that circumstance industry called out the fact that they had been surprised by two new taxes with no notice. In fact if reports are correct, not even the Premier was aware, but I digress.

It is a quarter of the bills. I will say that again: 26 bills have been passed, I have been advised by the good assistants who help us in this place, this term in this Parliament's lower house, and we have had this debate seven times before today. Now it is eight times. So for a quarter of the bills the government has come in and said, 'You know what, we know there's been an 80-year tradition not just in Australia but around the world in terms of laying a bill on the table for two weeks so that the community and affected stakeholders can see it and read it.' The Transport Legislation Amendment Bill 2023 could be a set of good measures. It might well be. Who would know? The hardworking attendants, who I

say do an incredible job in this place, have just handed me a copy of the bill – I believe my colleagues might have been handed a copy too – and I see it is 170 pages. They have not even seen it yet. I am handing it down to my colleagues. It is 170 pages of new laws – 170 new pages. It is only reasonable that a government say to the community, ‘Here’s what we’re proposing to do. You can have an opportunity to read it. Let us know what you think, because you know better than we know.’

What we do know is that when governments try to push things through, they get it wrong. And haven’t we seen that with the High Court today striking down the electric vehicle tax. The High Court has intervened on this government and said you got it wrong. How embarrassing. How outrageously embarrassing that the High Court has been forced to intervene and slam down this government for what they proposed to do. That is why all we ask for is that the government provide what they propose to do to the community to consider. It is not too much to ask for. That is why the coalition will be opposing again another instance of the government trying to ram through another set of measures before the community have rightly had time to see it.

**Nina TAYLOR** (Albert Park) (10:44): Yet again we are seeing strong embellishment from the opposition – ‘rammed through’, ‘hoodwinked’. I thought these bills were coming through the house for people to debate, but maybe I was wrong. Maybe there is something wrong with the live stream. I thought the community could actually see debates in Parliament, but apparently the opposition are not sure about this. We could check with the attendants. We could check with Hansard and broadcasting to make sure it is all happening if you are not sure about that. I would have thought there is absolutely nothing preventing the community from seeing us debate bills in this Parliament, but maybe I was wrong. Maybe we should get some clarification on that and inform the opposition of this. If you do wish to embellish, we are going to take it up – just putting that on the notice paper. Now, 13 days – you have not got time to read the bill? Better get started now. Crack on. I have confidence you can do it. Get into it or –

**James Newbury**: On a point of order, Deputy Speaker, the word ‘you’ is a reflection on your good self, and I would ask you to ask the member to refer to members by their correct titles.

**The DEPUTY SPEAKER**: I encourage all members to not use the word ‘you’. There is a little wriggle room in the concept, which I believe you used yourself, member for Brighton, but yes, it is a very good point.

**Nina TAYLOR**: Duly noted. I guess both sides should respect that particular rule. Anyway, duly noted – through you, Deputy Speaker, indeed. We have this bill, and the opposition are frightened that they cannot get through it in the next 13 days. They are not able to read the bill. That is just not enough time for anyone on that side to be able to acquit the amendments. I am very sorry for them, so maybe we can help them out. I am sure there are plenty of advisers who would be happy to chat to them about it. I am sure there are ways around this. I thought that if they had got to this Parliament, they would be equipped to be able to read through a bill, but if that is something they cannot do, well, I am sorry –

**James Newbury**: On a point of order, Deputy Speaker, this is a procedural motion. It is not an opportunity for members to reflect on each other, and I would ask you to bring the member back to the question.

**The DEPUTY SPEAKER**: There is no point of order. There was no reflection on a member, and it is a matter for debate.

**Nina TAYLOR**: I was simply referring to the issue raised about being able to transact the bill over the next couple of weeks, so that is 13 days. I would like to think that all members in this chamber would be perfectly capable of that. It is part of the job to be able to read a bill in due course in preparation for presenting to Parliament, but if the opposition are not capable of that particular task, well, I am sorry, but that is part of the role.

**James Newbury:** On a point of order, Deputy Speaker, I take that as a personal reflection. I would ask you to ask the member to withdraw.

**The DEPUTY SPEAKER:** There was no reflection on an individual member. There is no point of order.

**Nina TAYLOR:** I am simply taking up the issue of the time frame within which to transact a bill. I am not reflecting on any individual member. I am just suggesting that there are certain requirements of members of Parliament, and part of those requirements is transacting bills in this house.

I was pleased, though, that the opposition were referring to our tremendous reform program and the bills that we have been able to transact openly in front of each other with everyone having the opportunity to debate and rebut in this house with a live stream to the community. I just want to make it absolutely clear: no-one wants to hide any bill. We are very proud of the reforms. We are loud and proud of the reforms that we transact in this Parliament, so on the contrary to what has been suggested by the opposition, no-one is trying to ram anything through. No-one is trying to hide anything from the community. On the contrary, we stand by the reforms that we put forward in this chamber, and we are very glad if you want to announce them to the community as well – all the better. We embrace this because that is what democracy is all about.

I proffer that there is gross exaggeration being put forward – embellishment, exaggeration – by suggesting we are hoodwinking the community. You could, conversely, say that that was casting aspersions on us if you were going to debate that issue. I will not, but I am just putting it out there that certain points were put against the government; hence it is within our remit to be able to rebut those propositions. It is only fair and reasonable.

**Danny O'BRIEN** (Gippsland South) (10:49): I am not pleased to rise and speak on this motion again, because we are, frankly, getting a bit sick of it on this side, and I am sure those opposite are too. But there is a very simple solution to this: have some respect for this chamber, have some respect for the people of Victoria and have some respect for the stakeholders involved with this piece of legislation. And do not be surprised, as each of them over on the other side seem to be, every time we speak against these 13-day resolutions. Why do you think we do it? We do not argue for the sake of arguing. We know very well the modus operandi of this government: if they move to 13 days and we stop objecting to it, then what happens? Then they will just start to introduce bills on the Thursday and move for 12 days. And they will start to say, 'Let's just do –

**James Newbury** interjected.

**Danny O'BRIEN:** We have had that, member for Brighton. We have had bills rushed through with one or two days notice that we did not even get to see. That is the reason that we make what would seem to the average member of the public to be a frivolous objection – what does one day matter. Well, one day does matter when it becomes two days and then three days and then four days. It is again a reflection of the lack of respect that the government has for the traditions of this Parliament, for the forms of this Parliament, for the Westminster system and for the people who would be interested in this bill.

I am interested in the comments of the member for Albert Park. This comes from every speaker on the government side when this debate comes up – 'Don't you have time to read it? Can't you read that fast?' How many members of the government backbench up there are actually reading every bill that they speak on? Have you actually read every bill? I want honest answers, because we know how it works in government – you do not read the bill. You might get a briefing at caucus before the bill is introduced, if you are lucky. I suspect you do not even get that – 'they' do not even get that, sorry, Deputy Speaker. 'When it comes to debating it, here are some Premier's private office talking points, here are the ministerial talking points – go your hardest.' We know. We listen to what they say. It is basically the same every time. You get told, 'Here's the bill. This is what we're doing. Get up and speak in favour of it.' So to suggest to the opposition 'Oh, well, you haven't got time to read it because



you can't read fast enough' or 'You don't really understand what's going on' – have a bit of respect for the people of Victoria who are also not in the caucus briefings, who are also not getting the talking points and being told what to say. They need to know what this is. Now, this is – what was it, member for Brighton – 171 pages, this legislation. It has at least a five-page second-reading speech alone. I did listen to the minister introducing it and first reading it yesterday. It amends multiple pieces of legislation – one, two, three, four, five, six pieces of legislation and other acts on the end of it, so more than six other pieces of legislation. I can wager you, Deputy Speaker, that not one single person on the government benches, probably even including the minister, will read the full 171 pages of this bill as the shadow minister will have to do, as the stakeholders will have to do and as members in the other place will probably have to do if they want to understand this bill. But no, they say, 'No, no, just get on with it. What are you worried about? Trust us. We've got plenty of time.'

I might add, too, that there is no particular rush with this legislation. This is an issue that was dealt with by the Parliament earlier this year through a private members bill in the other place. Both the government and the opposition opposed changes to legalising cannabis for drivers, and this may well be good legislation. I certainly had an open mind at the time, but 171 pages for a very serious matter like road safety is being rushed through and they are saying trust us, we have got it all right. As the member for Brighton said, this government constantly – in fact the bill that we will be debating in a moment contains a number of patch-ups, a number of amendments, to things that were missed or fixed or were not done correctly the first time. Most likely there will be something in this too, and to not give the community the full traditional time period to actually go through a 171-page bill just again shows the lack of respect that the government has for the Parliament, for this chamber, for the people of Victoria and for the stakeholders who will be interested in this. The government should have more respect for the community and have more respect for this Parliament, and they should be on notice that if the government continues to do this, the opposition will continue to oppose it, as we do today.

**Anthony CIANFLONE** (Pascoe Vale) (10:54): It is an absolute pleasure to rise and speak on this government business procedural motion, and to follow on from the member for Albert Park with her very eloquent and fantastic contribution around the need to progress with this bill. In doing so let us just set the facts on the table here very straight from the outset. We are the Victorian Labor government that won the election in November 2022. We have a mandate to deliver on what we promised the Victorian people at the election, and inherent in that is our commitment – and all the commitments we have delivered since 2014 and 2018 – now, thereafter, from 2022. One of those landmark reforms, which a member earlier spoke about – in opposition to, actually – was in relation to medicinal cannabis, a landmark reform that we introduced here in this state, which we should be so proud of and which people have been calling for for so long. This is not a new debate, this is not a new issue, this is not something that has just come up, as you allege, in a 13-day period. This is something that the community has been calling for for a very, very long time. If you are telling me –

**The DEPUTY SPEAKER:** Order! Through the Chair.

**Anthony CIANFLONE:** Deputy Speaker, if the opposition is claiming that this is news to them, that we as a state government are advocating in relation to these issues, then you had better stop reading the *Herald Sun*. You had better start actually reading factual information –

**Danny O'Brien:** On a point of order, Deputy Speaker, I ask you to bring the member back to debating the question at hand and remind him that the government actually opposed this type of legislation at the start of the year –

**The DEPUTY SPEAKER:** Order! Points of order are not opportunities for debate, member for Gippsland South. The member will come back to the procedural motion, but I also counsel him to not reflect on the Chair by using the word 'you'.

**Anthony CIANFLONE:** Thank you, Deputy Speaker. Look, the point that I was trying to make simply was that generally, in relation to this debate and in relation to this issue, it is not a new issue. It

is not a new debate. It is something we have actually been working on for some time, and this builds on previous reforms around medicinal health policy, which people in the community have been calling for for a long time. We delivered on that commitment.

Let us look at the facts, not the hyperbole and false narrative being peddled by those opposite. Look at the facts. I refer the opposition to the media release that was put out earlier this week in relation to this bill, which again was forewarning, foreshadowing that this bill was coming to the Parliament, so it is technically more than 14 days that this has been on Parliament's agenda. Since we introduced those medicinal cannabis reforms we have seen an increase of more than 700 per cent in the number of patients prescribed medicinal cannabis across Victoria. All we are trying to do with this bill is reflect the fact that that 700 per cent increase in patient numbers that are accessing medicinal cannabis also drive on the roads. They are also commuters. Following on from that reform there has been ongoing advocacy from the community, including in my community. I have been approached by many residents in my community who access medicinal cannabis – across Pascoe Vale, Coburg and Brunswick West – and have been calling for some sort of provision in the legislation to be made to accommodate their medicinal needs as part of their commute. That is what this bill is seeking to do.

It is actually even more generous than that, in terms of an opposition perspective. It is a trial. We are talking about a trial, so when the opposition turn around and start talking about 'We need to consult. We need to go and talk to more people. We need to –

**Cindy McLeish:** On a point of order, Deputy Speaker, this is a very narrow procedural debate. It seems that the member on his feet has now started to debate the bill and seems to know a lot more about it than most others.

**The DEPUTY SPEAKER:** Thank you. The member was just making it relevant to the adjournment, but, yes, I counsel all members to stick to the procedural motion of the question of the adjournment.

**Anthony CIANFLONE:** Thank you, Deputy Speaker. In my humble opinion the only thing narrow is the thinking of the opposition, not so much this reform here. But it is a trial we are talking about, and they are opposing – they are actually wanting to prevent the government – a bill that will introduce a trial which will give ample time –

**James Newbury:** On a point of order, Deputy Speaker, with respect I know the member is new; he does not understand clearly what is happening. There is a –

**The DEPUTY SPEAKER:** The point of order is?

**James Newbury:** On relevance, there is a question before the Chair, and the member is debating another matter, which he is mistaken about as well.

**The DEPUTY SPEAKER:** The member for Pascoe Vale had started to debate the bill. He must debate the adjournment.

**Anthony CIANFLONE:** The opposition say 13 days is not enough. In 13 days JFK solved the Cuban missile crisis. That is all.

**Cindy McLEISH (Eildon) (10:59):** I too join this very narrow procedural debate, and again it is not much fun to have to be up here again continuing to prosecute the same arguments because the government continues to treat this house with such disrespect. We just had the member for Pascoe Vale begin his contribution by saying, 'We won the election. Basically we can do whatever we want'. Well, that is not the case. There are customs and forms of this house that need to be respected. I can say that this is absolutely what has not happened in this case again.

Now, two sitting weeks in a row we have had the same minister request 13 days. Last sitting week it was for the Gambling Legislation Amendment Bill 2023, and today it is for the Transport Legislation Amendment Bill 2023. So I am trying to join the dots here. I am not sure if it is the minister who is the

one who is disorganised so as not to be able to bring these on to allow the customary 14 days adjournment of debate or whether it is the Leader of the House or the government as a totality being in a bit of a shambles and in disarray, because we know, we expect and for 90-odd years – since 1932 – it has been that pretty well we have had that two-week period of adjournment. The government now thinks that at its whim it can change it from two weeks down to 13 days. We have had six days. We had a one-day period of adjournment for the State Taxation Acts and Other Acts Amendment Bill 2023, which was the most outrageous and unexpected adjournment period from the point where it was not something that had been agreed with previously or required absolute urgency.

In those instances where it is urgent, where the opposition have been briefed and have agreed to it, that is fine, because we usually will understand where there are those specific areas and reasons. Usually that has been related to local government and we have been very agreeable. But we have been landed with a bill still hot off the press – a huge bill, quite thick. It is an inch thick, 170 pages plus the rest – plus the bit beforehand. We have got the explanatory memorandum, which is another 80 pages. We have got 170 pages of the bill, so there is a lot to go through, but again I need to remind the government benches that it is not just us that have to go through the bill. As the government, the members who speak on the bills do not go through all of the clauses. They are given –

*Members interjecting.*

**Cindy McLEISH:** We have been in government, and you get your speaking notes. We know how it works. But when we have got to go through it, and when you have got a bill that is as thick as this –

**Danny O'Brien** interjected.

**Cindy McLEISH:** I momentarily lost my train of thought there. This is a considerable tome. It is quite weighty, and the stakeholders need to go through this. And given that I have just been listening to some people raise the topic of the bill about medicinal marijuana, I think that there will be a lot of community input and a lot of people who want to have a look at it and understand and realise why it is important or perhaps where it is flawed, and we need the support to do that from those community stakeholders.

I think I have mentioned before that the stakeholders are not always able to come back in the period of time required for us to make our initial decision on whether we are going to support a bill or oppose a bill. That requires some work from our part as well, and we need to get that third-party feedback because we want to make sure that we are representative of the community and not just saying 'We've got the solution for you', which is what this government tends to do quite a lot. In fact then they have got to come back a couple of times because the solution that they have proposed is not the right one or is not quite right. They have had to come back and tweak things, and we know the more that it needs tweaking, the more they have got things wrong. We like to have that extra day to make sure that the stakeholders that are involved in this can do their due diligence. So it is not just us that you are treating with disrespect and the chamber that you have been treating with disrespect but the stakeholders. I am sure that the minister will be disappointed to think that her stakeholders may have contrary views to her or may say to us that they have not even been listened to. We want to make sure that we have that period of time; hence a 14-day adjournment is what is required.

**Assembly divided on motion:**

*Ayes (50):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor,

Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (30):* Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Motion agreed to and debate adjourned until Tuesday 31 October.**

### **Early Childhood Legislation Amendment (Premises Approval in Principle) Bill 2023**

#### *Statement of compatibility*

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (11:12): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Early Childhood Legislation Amendment (Premises Approval in Principle) Bill 2023.

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 Early Childhood Legislation Amendment (Premises Approval in Principle) Bill 2023 (the **Bill**).

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

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

The purpose of the Bill is to amend the Education and Care Services National Law (**National Law**) set out in the Schedule to the *Education and Care Services National Law Act 2010* (**National Law Act**), to establish an 'approval in principle' process in participating jurisdictions for proposed education and care service premises located in multi-storey buildings and to make approval in principle a precondition of service approval in certain participating jurisdictions. The Bill also amends the **National Law Act** to declare that the approval in principle process set out in the National Law applies in Victoria and that the Minister may declare, by order, that an approval in principle is a precondition of service approval in certain cases.

The Bill also amends the *Children's Services Act 1996* (**CS Act**) to establish a corresponding approval in principle process for proposed children's services premises located in multi-storey buildings and to make certain offences under the CS Act infringement offences.

#### **Human rights issues**

The human right protected by the Charter that is relevant to the Bill is the right to a fair hearing in section 24(1) of the Charter.

#### ***Right to a fair hearing***

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 concept of a 'civil proceeding' is not limited to judicial decision makers, but may encompass the decision-making procedures of many types of administrative decision-makers with the power to determine private rights and interests. While recognising the broad scope of section 24(1), the term 'proceeding' and 'party' suggest that section 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. In my view, the administrative decisions at issue here do not involve the conduct of proceedings with parties. Further, it is understood that unless a decision determines existing rights, the fair hearing right is unlikely to apply. In the context of this Bill, decisions determining existing rights would be limited to the cancellation of an existing approval in principle.

If a very broad reading of section 24(1) was adopted and it was understood that the fair hearing right was engaged by this Bill, this right would nevertheless not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision and 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. The entire decision-making process, including the availability of reviews and appeals, must be examined in order to determine whether the right is limited.

***Approval in principle for certain service premises located in multi-storey buildings***

The new Part 4 of the National Law and Part 3A of the CS Act provide the Regulatory Authority with the power to grant or refuse an application for approval in principle of a proposed education and care service premises or a children's service premises (section 110 of the National Law and section 100E of the CS Act). The Regulatory Authority must refuse to grant approval in principle where it is not satisfied that the proposed premises and the location of those premises will be suitable for the operation of an education and care service or a children's service and will meet the approval in principle criteria. The Regulatory Authority must also refuse to grant approval in principle unless it is satisfied that the proposed premises will have direct egress to an assembly area to allow the safe evacuation of all children (section 111 of the National Law and section 100F of the CS Act). Part 4 of the National Law and Part 3A of the CS Act also provides the Regulatory Authority the power to amend (sections 115 and 116 of the National Law and sections 100J and 100K of the CS Act), transfer (sections 118 and 119 of the National Law and sections 100M and 100N of the CS Act), cancel (section 120 of the National Law and section 100O of the CS Act), extend (section 124 of the National Law and section 100S of the CS Act) or reinstate (section 125 of the National Law and section 100T of the CS Act) the approval in principle held by an approved provider.

If, on a broad understanding of section 24(1), a decision to refuse an application for approval in principle or to cancel, amend, transfer, extend or reinstate an approval in principle engages section 24(1), this right is, in my view, not limited. This is so because all decisions made by the Regulatory Authority in relation to approvals in principle are reviewable. Specifically, section 190 of the National Law and section 132 of the CS Act provide for internal review of a decision to refuse to grant, refuse to amend, amend, transfer an approval in principle under section 119 of the National Law or section 100N of the CS Act, cancel, refuse to extend, or refuse to reinstate an approval in principle. In each case the person receives notification of the initial adverse decision and where the Regulatory Authority makes a decision to refuse to grant, amend or refuse to amend, transfer under section 119 of the National Law or section 100N of the CS Act, cancel, refuse to extend, or refuse to reinstate an approval in principle, the person receives notification of, and reasons for, the adverse decision. Importantly, decisions to cancel an approval in principle can only be made following a show cause process (section 121 and 122 of the National Law and sections 100P and 100Q of the CS Act).

Finally, all decisions made by the Regulatory Authority on internal review under section 191 of the National Law and section 132 of the CS Act are subject to external review by the relevant court or tribunal (sections 192(a) and 193 of the National Law and sections 134(a) and section 135 of the CS Act) and thereby affords approval in principle holders or applicants a hearing before an independent and impartial court or tribunal and satisfies the requirements in section 24(1) of the Charter.

***Application of service approval where no approval in principle has been obtained***

The effect of the approval in principle on a subsequent application for service approval is dependent on the application of section 49A in the relevant jurisdiction. Section 49A applies to a Part 4 jurisdiction if the Part 4 jurisdiction has specifically declared by law, or an instrument made under that law, that section 49A applies to that jurisdiction. Section 49A will not have immediate application in Victoria but may be declared applicable in Victoria through a Ministerial Order, made in consultation with the Minister responsible for administering the *Building Act 1993* and published in the Government Gazette.

Where a jurisdiction has not declared section 49A applicable in that jurisdiction, a failure to obtain approval in principle will not in itself affect the outcome of an application for service approval other than risking that the building and premises design fails to meet the physical environment requirements for service approval. However, where a jurisdiction declares section 49A applicable in that jurisdiction, approval in principle is a mandatory precondition for service approval (for centre-based services in Part 4 buildings), requiring that the applicant holds a current approval in principle at the time of the service approval application (exemptions are set out in sections 49A(3) and (4)). Where the applicant does not hold approval in principle at the time of the service approval application, or the premises are not constructed in accordance with the approval in principle, the Regulatory Authority must, under section 49A(2) of the National Law, refuse to grant a service approval.

A refusal to grant service approval where approval in principle is a mandatory precondition for service approval does not in my view engage the fair hearing right in section 24(1) of the Charter. Where a legislative provision mandates that a decision-maker must refuse an application where certain pre-conditions have not been satisfied, the decision-maker does not engage in a decision-making exercise when refusing the application and the fair hearing right is therefore not ordinarily engaged. In the event that the refusal to grant service approval under section 49A is capable of review (jurisdictional error or otherwise) sections 190(a) and 191(a) of the National Law provides a person who is the subject of a reviewable decision, the right to internal review. A decision made by the Regulatory Authority on internal review can on application be reviewed by the relevant court or tribunal (sections 192(a) and 193 of the National Law) and thereby satisfies the fair hearing requirements in section 24(1) of the Charter.

***Infringement offences under the CS Act***

The new section 178A of the CS Act makes section 112 (offence to fail to display prescribed information), section 113 (offence to fail to notify certain circumstances to Regulatory Authority) and section 116 (compliance directions) of the CS Act infringement offences within the meaning of the *Infringements Act 2006 (Infringements Act)*. It also creates a prescription power to allow for offences against the Children's Services Regulations 2020 (**CS Regulations**) to be prescribed as infringeable offences (section 178A(1)(b)). This means that infringement offences under sections 112, 113 and 116 of the CS Act, as well as prescribed offences under the CS Regulations, will be managed in accordance with the prescribed processes in the Infringements Act, which provides the option to pay a fixed penalty or request an internal review of the decision to serve the infringement notice for the contravention of the relevant provision or prescribed offence. Alternatively, the person has a right to request that the matter be referred to the Magistrates' Court of Victoria at any time before the outstanding amount of the infringement penalty is registered with Fines Victoria (section 16 of the Infringements Act). Accordingly, a person served with an infringement notice for the contravention of an infringement offence under the CS Act has an opportunity to a fair hearing in each instance that an infringement is received. Given these safeguards, I consider that the infringement provisions in the Bill are compatible with the right to a fair hearing in section 24(1) of the Charter Act.

**Conclusion**

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

**The Hon. Ben Carroll MP**  
**Minister for Education**

*Second reading*

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (11:12):  
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 Allan Labor Government is committed to ensuring quality early childhood education and care, which plays a vital role in supporting the learning and development of Australian children in their early years and helps to lay the foundation for better health, education and employment outcomes later in life. In its last term, the Government enacted the *Early Childhood Legislation Amendment Act 2022* to implement most of the findings and recommendations of the 2019 National Quality Framework (NQF) Review (2019 NQF Review), which was approved by all states and territories and the Commonwealth through the Education Ministers Meeting.

**Key features of the Bill**

This Bill seeks to implement an outstanding recommendation of the 2019 NQF Review and enhance the regulatory system for early childhood education in Victoria and nationally by:

- (a) amending the Education and Care Services National Law (National Law) to establish a scheme that allows developers, builders or education and care service providers to obtain an 'approval in principle' from the Regulatory Authority in relation to a premises for a centre-based service proposed to be built or renovated in a multi-storey building (the premises approval in principle scheme), and provide that a participating jurisdiction may declare that the premises approval in principle scheme applies in that jurisdiction as either a voluntary or mandatory application process;
- (b) amending the *Education and Care Services National Law Act 2010* (National Law Act) to:
  - (i) declare that the premises approval in principle scheme applies in Victoria as a voluntary application process; and
  - (ii) provide a mechanism for Victoria to declare, by way of Ministerial Order and after consultation with the Minister with responsibility for administering the *Building Act 1993*, that the premises approval in principle scheme applies in Victoria as a mandatory statutory precondition to applying for and being granted a service approval;
- (c) amending the *Children's Services Act 1996* (CS Act) to:
  - (i) establishing a mirror premises approval in principle scheme for Victorian children's services that will operate as a voluntary application process; and

- (ii) establishing the ability for the Regulatory Authority to issue infringement notices for certain existing offences in the CS Act and Children's Services Regulations 2020 (CS Regulations), in alignment with the approach to infringements under the National Law.

#### **Amendments arising from the NQF Review to establish a premises approval in principle scheme**

The NQF operates nationally and regulates education and care services that are provided to children on a regular basis, including preschools (kindergartens), long day care services, family day care services and outside school hours care services. The NQF consists of the National Law and the Education and Care Services National Regulations (including the National Quality Standard).

Since its commencement in 2012, the NQF has been reviewed every 5 years to ensure it is current, fit for purpose and implemented through best practice regulation.

The 2019 NQF Review identified various system-wide improvements to the NQF. A specific area of focus was the challenges associated with services located in multi-storey buildings, particularly in relation to the safety and wellbeing of children attending those services.

In addition to the recommendations to improve safety measures related to services located in multi-storey buildings, the 2019 NQF Review also identified an emerging issue in Victoria and the ACT in relation to newly built or renovated early childhood service premises in multi-storey buildings which are completed consistently with local building law and planning law requirements, but do not comply with the NQF requirements relating to the physical design and environment of education and care service premises. In these circumstances, applicants for a service approval to operate an education and care service in newly built or renovated premises face the risk that their application will be refused unless costly post-construction rectification works are undertaken to make the service premises compliant with the NQF.

The 2019 NQF Review recommended establishing a premises approval in principle scheme for newly built or renovated service premises in multi-storey buildings in Victoria and the ACT to address this issue.

The Bill makes changes to the National Law to give effect to the 2019 NQF Review recommendation by providing for the Regulatory Authority to grant 'approval in principle' in relation to a centre-based education and care service premises proposed to be located in a multi-storey building. The Bill provides that a participating jurisdiction may declare that the premises approval in principle scheme applies in that jurisdiction as a voluntary process or, alternatively, declare that premises approval in principle is a mandatory statutory precondition to obtaining service approval (for a centre-based service in a multi-storey building).

The Bill applies the premises approval in principle scheme in Victoria as a voluntary application process, with the option to make the scheme mandatory in the future.

#### **Amendments to the *Children's Services Act 1996***

The CS Act applies to children's services in Victoria that were not brought into the scope of the NQF when it was established in 2012 (mostly occasional care and limited hours services). Since 2020, Victoria has aligned the CS Act with the NQF to ensure that the two schemes are administered consistently.

To maintain alignment between the CS Act and the National Law, the Bill will make corresponding amendments to the CS Act to establish a voluntary premises approval in principle scheme for newly built or renovated children's service premises proposed to be located in a multi-storey building. This will ensure that all proponents of centre-based early childhood services in Victoria (including both education and care services and children's services) are able to realise the benefit of the premises approval in principle scheme.

While the NQF provides for certain offences to be infringeable, the corresponding offences in the CS Act are not infringeable. This means that the same conduct could be an infringeable offence in some early childhood service settings but not others, depending on which regulatory scheme applies. Maintaining alignment between the NQF and the CS Act and CS Regulations is necessary to enable equal treatment of similar conduct by approved providers under both the regulatory schemes. Therefore, the Bill will further align the CS Act with the National Law by making certain existing offences under the CS Act and CS Regulations infringeable.

I commend the Bill to the House.

**Jess WILSON** (Kew) (11:12): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 1 November.**

**Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023***Statement of compatibility*

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (11:15): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023.

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023 (the Bill).

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

**Overview**

The Bill amends the **Circular Economy (Waste Reduction and Recycling) Act 2021** (the Circular Economy Act) and the **Environment Protection Act 2017** (the Environment Protection Act).

The amendments to the Circular Economy Act –

- a. provide for matters relating to the container deposit scheme, waste to energy scheme and the recovery of regulatory costs associated with those schemes; and
- b. enable regulations to prescribe variable fees for determining an application or accepting a submission under that Act or the regulations, for example, based on the time taken to determine an application; and
- c. make other minor and technical amendments to that Act.

The amendments to the Environment Protection Act –

- a. allow the Environment Protection Authority to retain financial assurances in specified circumstances to protect the State from having to bear clean up costs; and
- b. ensure that liquidators do not become personally liable for clean up costs incurred by the Environment Protection Authority when a polluting company becomes insolvent; and
- c. make other miscellaneous amendments to improve the operation of that Act.

**Human Rights Issues**

The following human rights protected by the Charter are relevant for the Bill: the right to privacy, property rights, the right to a fair hearing, rights in criminal proceedings and the right to liberty and security of person.

For the following reasons, I am satisfied that the Bill is compatible with the Charter and, if any rights are limited, those limitations are reasonable and demonstrably justified having regard to the factors in section 7(2) of the Charter.

***Right to privacy***

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed and will not be arbitrary provided it is reasonable in the circumstances and just and appropriate to the end sought.

***Litter enforcement officer***

Clause 35(2) of the Bill engages, but does not limit, this right. It amends the definition of *litter enforcement officer* in section 3(1) of the Environment Protection Act to additionally include persons appointed under Part 3 of the **Game Management Authority Act 2014** to be litter enforcement officers. The litter enforcement officers can request a person to provide their name and address, issue notices, require further information and have powers of entry and inspection in relation to non-residential premises, which are circumstances that are precise, reasonable and appropriately circumscribed to the right to privacy.

The new class of litter enforcement officer does not have any greater powers than existing litter enforcement officers. The powers of litter enforcement officers are subject to the existing safeguards within the Environment Protection Act that apply to protect the right to privacy, including parameters in relation to when and how the powers can be exercised.



The amendment will support the objectives for litter management under the Environment Protection Act. As authorised officers carrying out functions under the **Game Management Authority Act 2014** regularly encounter illegal deposits of litter such as during events, hunting seasons and protests, empowering those officers to take action as litter enforcement officers, including by issuing infringement offences, is expected to deter littering.

Therefore, the right to privacy is engaged in circumstances that are precise, reasonable and appropriately circumscribed, and the right is not limited.

#### *Property rights*

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

Amendments in clauses 25, 27 and 38 and Division 1 of Part 3 of the Bill may engage this right.

#### *Periodic licence fee*

The amendments in clauses 25 and 27 of the Bill amend licence conditions to require the holder of a licence under the Waste to Energy Scheme established under the Circular Economy Act to pay a periodic licence fee. The new licence conditions would apply to any existing licence holders and be triggered by the making of regulations to prescribe the relevant fee. While it is possible for a natural person to hold a licence, licence holders are more likely to be corporate entities due to the nature of the operations that are licensed. Any limitation on a licence holder's property rights would be in accordance with the law, as it would be in accordance with regulations made under the Circular Economy Act and would be for the legitimate purpose of recovering regulatory costs associated with the scheme from persons who are licensed under the scheme. Therefore, clauses 25 and 27 of the Bill do not limit property rights under the Charter.

#### *Vehicle inspection notices*

Clause 38 of the Bill inserts new sections 269A and 269B into the Environment Protection Act. New section 269A empowers the Environment Protection Authority (the Authority) to serve a vehicle inspection notice on a person who is the registered owner of, or is apparently in lawful possession of a relevant vehicle, requiring the person to make the vehicle available for measurement, inspection and testing to determine whether –

- (a) the person has contravened a provision of the Act or the regulations in relation to the relevant vehicle; or
- (b) there is a risk of harm to human health or the environment from pollution or waste in relation to the relevant vehicle.

Relevant vehicle is defined to mean a motor vehicle or other vehicle used to transport reportable priority waste. Failure to comply with a vehicle inspection notice is an offence under new section 269B.

The issuing of a vehicle inspection notice may deprive a person of their property rights in the vehicle that is the subject of the notice, as the notice requires the vehicle to be presented for inspection at a specified time and location. The deprivation of the property is temporary and is subject to safeguards and parameters set out in the Environment Protection Act, including requirements in relation to the notice that must be provided and the ability for a person who is served with a notice to request an alternative time, place or period of inspection. Any deprivation of property is also for the legitimate purpose of enforcing other requirements in the Environment Protection Act or regulations and identifying vehicles that pose a risk of harm to human health or the environment. Therefore, any deprivation of property would be in accordance with the law and would not limit property rights under the Charter.

#### *Refusal to release a financial assurance*

Division 1 of Part 3 of the Bill makes amendments to the Environment Protection Act, to enable the Authority to refuse to release a financial assurance, if having regard to specified considerations, the Authority is satisfied it is necessary to retain the assurance as security for the cost of remediation or clean up where there is a significant risk these costs may otherwise be borne by the State or the Authority.

This engages property rights under the Charter in limited circumstances where a natural person has provided a financial assurance that is retained in circumstances that previously would not have resulted in the financial assurance being retained.

Under the Environment Protection Act, the Authority can require persons undertaking certain activities to provide a financial assurance as security for the costs of remediation or clean up in connection with the particular activity. Currently, section 231 of the Environment Protection Act provides that a financial assurance must be released by the Authority to the person who provided it in specified circumstances,

including where a person no longer holds a permission, or where a notice or Order no longer applies to that person.

New sections 231C to 231F provide that, the Authority may refuse to release a financial assurance where:

- (a) the reason a person no longer holds a permission, is that a liquidator has disclaimed the person's interest in the permission, where the person is insolvent, or where the permission has been transferred, sold, revoked, surrendered or expired;
- (b) the reason a site management order, or environmental action notice no longer applies to a person is, that a liquidator has disclaimed the person's interest in land or premises to which the notice relates, where the person is insolvent, the land or premises to which the order or notice relates has been sold, or where an occupier of land sells, transfers or abandons their interest in the land;
- (c) the reasons for which an environmentally hazardous Order was issued remain.

To refuse to release the financial assurance in these circumstances, the Authority must either be entitled under existing section 227 to make a claim on the assurance due to costs already incurred, or likely to be incurred, for clean up activities, or when the Authority is satisfied, having regard to the considerations set out in new section 231G, that it is necessary to retain the assurance as security for clean-up costs, where there is a significant risk these costs may be borne by the State or the Authority.

The considerations set out in new section 231G include the likelihood that clean up or remediation will be required, and if so, the nature and extent and cost of that clean up, the likelihood of a party other than the State or the Authority bearing those costs, the extent of the impact of the contamination, pollution or waste on human health or the environment, whether the full extent of contamination may not yet be known, and whether the person providing the financial assurance has previously failed to comply with the requirements of the Environment Protection Act or instruments made under the Act.

The Bill also provides for the following:

- (a) timing and notification requirements for decisions to retain financial assurances;
- (b) where the Authority has refused to release a financial assurance, that decision must be reviewed and remade within 5 years or other agreed period, or earlier if the Authority is notified of a significant change in circumstances;
- (c) for each further review, the Authority must consider causation and remoteness of any detected pollution, unless there has been no material change in circumstances.
- (d) that a person may apply at any time for the financial assurance to be released under existing section 232 (noting that an application after the Authority has refused to release the financial assurance will be subject to the same considerations undertaken by the Authority in making that refusal decision); and
- (e) that each decision to retain a financial assurance is reviewable by the Victorian Civil and Administrative Tribunal.

Accordingly, the power to retain a financial assurance is confined, subject to a number of protective parameters, and is justified having regard to the legitimate and important purpose of protecting the State, the Authority and the public from bearing the costs of clean-up or remediation caused by the person who gave the financial assurance.

### ***Right to a fair hearing***

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.

### ***Validation of existing agreements***

New sections 191B and 191C inserted by clause 22 of the Bill may engage this right. The new sections validate existing agreements or purported agreements relating to the container deposit scheme between the State and the Scheme Coordinator and between the State and Network Operators. The legislative validation retrospectively applies amendments in the Bill aimed at providing clear legislative authority for some of the matters included in the agreements and validates any act or thing done or omitted to be done in reliance on the agreements. This validation in and of itself does not limit human rights. The validation ensures the lawfulness of the agreements freely entered into, to avoid and remove any doubt, confirming the agreement between the parties. The validation is specific as it is confined to the Scheme Coordinator Agreement and the Network Operator Agreements and is confined to a specific period of time. To the extent that the validation provisions retrospectively determine the rights of a party that initiates civil proceedings in respect of the agreements, the right to a fair hearing may be engaged. However, all existing agreements to be validated are

between the State and corporate entities, therefore there is no limitation on Charter rights. Further, the amendments are reasonably required to provide certainty to all parties involved in the container deposit scheme and are not expected to have any adverse effect on any party as they are intended to give effect to the terms of agreements to which they have freely agreed.

#### *Rights in criminal proceedings*

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.

Section 25(2) of the Charter provides minimum guarantees to which a person charged with a criminal offence is entitled. Relevantly for the Bill, this includes a person not being compelled to testify against themselves or confess guilt.

Clauses 37, 38 and 45 of the Bill engage these Charter rights.

#### *Offence relating to vehicle inspection*

Clause 37 of the Bill amends section 268 of the Environment Protection Act to provide that it is not a reasonable excuse for a natural person to refuse or fail to make a vehicle available for inspection under new section 269A if making the vehicle available for inspection would tend to incriminate the person. The amendment therefore limits the protection against self-incrimination.

The limitation is similar to the existing limitation in section 268(2) of the Environment Protection Act for requirements to produce documents. These limitations on the protection against self-incrimination are required for the purpose of enabling authorised officers to monitor compliance with the Environment Protection Act and the regulations, and to mitigate risks of harm to the environment and human health by the issuing of remedial notices under the Act following an inspection. In relation to the requirement for vehicles to be made available for inspection, the Environment Protection Act sets out a framework for how and when vehicles can be required to be made available for inspection.

Any limitation on this right is directly related to its purpose, which is to enable the Authority to monitor compliance with the Act or regulations, and address risks to human health or the environment.

There are no less restrictive means reasonably available to achieve the purpose of enabling authorised officers to have access to vehicles to undertake these inspections. The existing inspection powers in the Environment Protection Act have not been effective in enabling the Authority to undertake inspections as needed.

For the above reasons, I consider that to the extent that the amendment to section 268 imposes a limitation on the right against self-incrimination, that limitation is reasonable and justified under section 7(2) of the Charter.

Clause 38 of the Bill inserts new section 269B into the Environment Protection Act, which makes it an offence for a person to fail to present a vehicle for inspection in accordance with a vehicle inspection notice issued under the Act unless the person has a reasonable excuse. As the Environment Protection Act does not specify a procedure for hearing and determining proceedings in relation to the offence, a summary hearing in the Magistrates' Court would apply in accordance with section 52 of the **Interpretation of Legislation Act 1984**. Section 72(1) of the **Criminal Procedure Act 2009** applies to summary hearings of offences and requires an accused person to present or point to evidence that suggests a reasonable possibility of the existence of facts that would establish a reasonable excuse for the offence. Therefore, the offence created by the Bill may be viewed as placing an evidential burden on an accused person. However, in doing so, the Bill does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution who must prove the absence of a reasonable excuse beyond reasonable doubt. Case law has held that an evidential onus imposed on establishing an excuse or exception does not limit the Charter's right to a presumption of innocence, as such an evidentiary onus falls short of imposing any burden of persuasion on an accused.

#### *Liability of officers of bodies corporate*

Clause 45 of the Bill amends section 349 of the Environment Protection Act, which provides for liability of officers of bodies corporate. Section 349 deems officers of a body corporate to be liable if the body corporate commits an offence by contravening specified provisions of the Act and the officer failed to exercise due diligence to prevent the commission of the offence by the body corporate. The amendment removes section 290(1) from the list of specified provisions in section 349 as liability for officers of bodies corporate for offences under section 290(1) are covered in existing section 350 of the Environment Protection Act. This aspect of the amendment does not affect any Charter rights. The amendment also adds section 290(3) to the list of specified provisions in section 349. This aspect of the amendment may engage Charter rights in criminal proceedings as it operates to deem that a natural person has committed an offence against section 290(3) of the Environment Protection Act based on the actions of the body corporate. Section 290(3) makes it an offence for a person issued with an environmental action notice to fail to comply with reporting requirements

specified in the notice. The prosecution is still required to prove the main elements of the offence committed by the body corporate and that the officer failed to exercise due diligence to prevent the commission of that offence. It is reasonable and appropriate for officers of a body corporate to be held liable in these circumstances, as officers of bodies corporate accept duties when they undertake such a position, including a duty to ensure that the body corporate does not commit offences. Accordingly, I am satisfied that the amendment made by the Bill is compatible with the rights under the Charter.

#### ***Right to liberty and security of person***

Section 21(1) of the Charter provides that every person has the right to liberty and security.

#### ***Vehicle inspection notices***

Clause 38 of the Bill may engage this right as it inserts a new offence into the Environment Protection Act for failure to comply with a vehicle inspection notice, which has penalties of up to 60 penalty units in the case of a natural person. The offence is required to deter non compliance with the requirements in the Environment Protection Act for vehicles to be made available for inspection to ensure the vehicles comply with requirements in the Act and regulations and identify risks to human health and the environment. The usual procedure requirements will apply to this new offence and the level of the penalty is consistent with other similar offences that already exist in the Environment Protection Act, for example, in relation to information gathering notices under section 255 of the Act. The new offence is therefore compatible with the criminal process rights set out in the Charter.

#### **Conclusion**

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

**The Hon. Steve Dimopoulos MP**  
**Minister for Environment**

#### *Second reading*

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (11:15): I move:

That this bill be now read a second time.

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

#### **Introduction**

Today, I introduce a Bill that amends the *Circular Economy (Waste Reduction and Recycling) Act 2021* (Circular Economy Act) and the *Environment Protection Act 2017*.

The Victorian Government is committed to legislating a circular economy across the state, which will generate employment opportunities, help achieve climate change goals, and provide the Victorian community with a reliable recycling system. The waste and recycling system plays a crucial role in our cities' and regions' efficient functioning and liveability.

Since the launch of the Victorian Government's circular economy plan, *Recycling Victoria: A new economy* in February 2020, the state's waste and recycling sector has entered a period of dynamic and positive change.

The Circular Economy Act gave effect to important components of the circular economy plan, including the establishment of Victoria's Container Deposit Scheme or CDS Vic. The Act also established the foundational powers and functions of the Head, Recycling Victoria (RV), a dedicated business unit within the Department of Energy, Environment and Climate Action.

Subsequently, the *Environment Legislation Amendment (Circular Economy and Other Matters) Act 2022* was passed. This Act amended the Circular Economy Act to provide further key policy elements. It also established Victoria's waste to energy scheme, which will introduce an annual cap on waste that can be processed in thermal waste to energy facilities in Victoria, and an associated licensing scheme. Recycling Victoria has since commenced the first stage of this licensing scheme, for existing waste to energy projects.

Significant progress has since been made towards delivering on the commitments in *Recycling Victoria: A new economy*, supported by the frameworks established in the Circular Economy Act. Some issues have been identified during the implementation of CDS Vic and the Waste to Energy scheme that need to be resolved to fully realise the benefits of these schemes to the community and the State. The Bill introduces amendments that address these issues to clarify and streamline the operation of the Circular Economy Act.

In particular, the Bill supports efficient operation of the Victorian Government's flagship circular economy program, CDS Vic, which will commence on 1 November 2023. CDS Vic will allow Victorians to return their used drink cans, bottles and cartons for a 10-cent refund at various locations including shopping centres,

collection depots, and over the counter refund points. CDS Vic will reduce Victoria's litter by up to half, create new economic opportunities, generate 645 jobs and turn drink containers into new recycled products.

Specifically, the Bill will amend the Circular Economy Act to:

- clarify the cost recovery mechanism for CDS Vic to ensure the scheme regulator, RV, is able to recover all of its oversight and regulatory costs from the beverage industry,
- minimise operational risks for CDS Vic to support the scheme and to ensure it operates efficiently, as intended,
- provide for a mechanism to recover the costs of RV in administering the Waste to Energy scheme by enabling new periodic licence fees to be set,
- establish a Recycling Victoria Fund with Special Purpose Operating Accounts to support RV to recover costs and fund its operations under CDS Vic and the Waste to Energy scheme in a transparent and accountable way, and
- enable regulations to set variable fees for determining applications made or submissions received under that Act.

The Bill will also amend the Environment Protection Act to enhance its operation to better effect the intent of that Act. The *Environment Protection Amendment Act 2018* took effect on 1 July 2021, repealing the *Environment Protection Act 1970*, amending the *Environment Protection Act 2017* and introducing the new environment protection framework. The *Environment Legislation Amendment Act 2022* included some amendments to the *Environment Protection Act 2017* to ensure that it operates as intended following the commencement of the new framework. The Bill contains further amendments for this purpose.

The parts of the Bill that amend the Circular Economy Act will come into operation on the day after the Act receives Royal Assent. The amendments to the Environment Protection Act will come into effect on dates to be proclaimed, and at the latest by 1 October 2024.

### **Summary of the Bill**

#### **Cost recovery for CDS Vic**

The Bill clarifies the mechanism to recover the costs of RV to enable it to regulate CDS Vic in full. The Circular Economy Act does not provide for RV to charge fees to cover the costs of acquitting all its statutory and contractual responsibilities to regulate and administer the scheme. The Bill will provide for a new cost recovery fee to be paid by the Scheme Coordinator to RV to manage the contractual framework and otherwise oversee the operation of CDS Vic. The concept of a cost recovery fee has been freely agreed between the Scheme Coordinator and the State in the Scheme Coordinator Agreement. This existing arrangement will be formalised and supported through the amendments contained in the Bill.

Under this new mechanism, the cost recovery fee will be passed through to first suppliers of beverages in containers approved as suitable eligible containers, through scheme contributions first suppliers are required to pay to the Scheme Coordinator.

The Bill will also remove the power to prescribe a fee for container applications to ensure these costs can be validly recovered through the cost recovery fee.

The cost recovery mechanism will ensure that the beverage industry will bear the scheme costs entirely, in line with the principle of 'extended producer responsibility'. This means that first suppliers of beverages in the CDS will bear the entire costs for managing beverage containers across their lifecycle.

#### **Minimising operational risks for CDS Vic**

I would like to proceed to discuss some other important changes that are being made to support the implementation of CDS Vic. The Bill contains several amendments to mitigate operational risks that have become apparent during the implementation of the scheme and need to be addressed to ensure that CDS Vic operates as intended.

Firstly, the Bill clarifies that the Scheme Coordinator or Network Operator Agreement may contain matters that are not specifically listed in the Circular Economy Act, as long as they are consistent with the Act. This provides flexibility for those agreements to include other matters, as agreed between the State and a prospective Scheme Coordinator or Network Operator.

It is worth noting that the existing agreements with the current Scheme Coordinator and Network Operators have already been drafted with other matters included by agreement of the parties; the Bill provides clear legislative authority for that approach.

The Bill also provides for these amendments to be applied retrospectively to agreements with the existing Scheme Coordinator and Network Operators that were signed and executed in March 2023, to ensure that the agreements can be given effect as intended by the parties at the time they were signed.

Secondly, the Bill allows concurrent contracts between the State and both an incumbent and a successor Scheme Coordinator. Under the Circular Economy Act, there may be only one Scheme Coordinator at any time. This amendment will allow a successor Scheme Coordinator to begin its mobilisation activities while the incumbent delivers the Scheme Coordinator function to the end of its contracted term.

Thirdly, the Bill amends the definition of a 'material recovery facility' (MRF) in section 3 to include any facility prescribed by regulations. This amendment provides for participation in CDS Vic by certain recyclers, including bottle-crushing service operators, that do not fall within the existing definition of a MRF but for whom there is strong policy merit for inclusion in the scheme. This will allow prescribed facilities to receive refunds for containers collected and sorted through their facilities.

The Bill also contains some minor amendments and clarifications for CDS Vic that correct terminology, enable the State to step in to perform the Scheme Coordinator's obligations under the Scheme Coordinator Agreement, such as in the case of performance failure, clarify supply arrangements for containers and allow notification processes and approval of eligible containers to operate more efficiently.

#### **Cost recovery for Waste to Energy scheme**

The Bill amends the Circular Economy Act to allow for periodic, recurring fees to be charged to waste to energy licence holders. The frequency and quantum of the fees will be set through subsequent regulations. Under the current framework, RV can charge one-off licence application and amendment fees, but no recurring fees that would cover the ongoing costs of the regulator's monitoring, compliance and enforcement activities for the waste to energy scheme. Without an ongoing fee, the Victorian Government would need to fund these regulatory functions on an ongoing basis.

Creating an ongoing fee is consistent with the Victorian Government's Pricing for Value principles, which support cost recovery for the provision of regulatory services to the extent that cost recovery supports efficiency, equity and fiscal sustainability.

#### **Recycling Victoria Fund**

To ensure RV can recover costs and fund its operations promptly and efficiently, the Bill establishes a Recycling Victoria Fund, which will include Special Purpose Operating Accounts for CDS Vic and the waste to energy scheme. Without these amendments, any fees paid to RV through CDS Vic and waste to energy scheme must go to the State's consolidated revenue and RV would need to seek funding through annual State budget processes to recover its CDS and waste to energy related costs.

A dedicated account for CDS Vic will provide a transparent and accountable mechanism to demonstrate that funds collected from scheme participants are only used to recover the State's costs in administering and overseeing the scheme.

This is important for extended producer responsibility schemes, such as CDS Vic, which is intended to function as a closed financial loop. The beverage industry participants funding the scheme will expect the industry contributions to be directed solely to the scheme. Creating a dedicated account for this purpose will assure the industry that the funds are being managed and used in line with their expectations.

Similarly, a dedicated waste to energy account will enable RV to recover costs promptly and transparently show that fees recovered are directed and limited to the costs of administering the scheme. The account will hold funds from fees to be paid by licence holders in the Circular Economy Act, such as fees for processing licence applications and periodic fees.

#### **Enabling variable fees to be set**

The Bill includes amendments to enable regulations to set variable fees for determining applications made or submissions received under the Circular Economy Act. Variable fees may be set based on, for example, the amount of time taken to determine an application.

The amendments are based on similar powers in the Environment Protection Act.

#### **Amendments to the Environment Protection Act**

In addition to the Circular Economy reforms above, the Bill will introduce the following amendments to the Environment Protection Act to ensure the Act operates as intended.

The Bill amends the Act to provide that the Environment Protection Authority (EPA) is not required to automatically release a financial assurance when property or a permission is no longer held, or a notice or order no longer applies to the person who provided the assurance, following a liquidator's disclaimer or other event, if environmental and financial risks still exist. This power is appropriately tempered and will protect

the EPA, the State and Victorian taxpayers from bearing clean-up costs where remediation is still needed. The Bill will also amend the Act to clarify that liquidators cannot be held personally liable for site clean-up costs incurred by the EPA in relation to appointments relating to contaminated land.

The Bill will ensure that recipients of remedial notices can recover costs from polluters in all circumstances for which a notice can be issued. At present, a person issued with an environmental action notice, or site management order by the EPA cannot recover any costs from a person who caused the pollution except in the case of contaminated land. This does not support the ‘polluter pays’ principle specified in the Environment Protection Act.

The Bill will amend the Act to ensure the EPA can delegate its powers or functions conferred under other Acts. The Act currently does not provide for delegation of powers or functions conferred on the EPA under any Act, in contrast to the now repealed *Environment Protection Act 1970*. The need for the EPA Board to approve each time a power or function is exercised under other Acts is inefficient and inconsistent with the EPA’s governance model, where the Board only oversees decision-making.

The Bill will ensure that Game Management Authority (GMA) appointed authorised officers are litter enforcement officers under the Environment Protection Act and can take action to address any littering they encounter. GMA authorised officers regularly encounter litter but cannot take action without authorisation under the Environment Protection Act as litter enforcement officers.

The Bill will ensure that Protective Services Officers, who are members of the Victoria Police and already have powers under the Environment Protection Act as litter enforcement officers, also have the power to submit reports on noisy vehicles. This will significantly bolster the reporting of noisy vehicles to the EPA by regulatory authorities, thereby reducing the adverse impact of noisy vehicles on the community.

The Bill will ensure that the EPA can issue a notice in writing requiring a person to present a vehicle for inspection at a specified time and place, which will enhance the EPA’s capacity for effective regulation. The proposed amendment will include safeguards to ensure compliance with the new requirement is not unreasonable or onerous.

The Bill will empower the EPA to charge interest for late payment of fees under the Environment Protection Act. Currently, the EPA does not have the power to charge interest for late payment of fees such as annual fees for operating licences. This results in little incentive for licence holders to pay annual fees on time. As a result, the State is financially disadvantaged where licence holders are late in paying fees.

Finally, the Bill will make minor amendments to address unintended drafting errors, including consequential amendments following the making of the *Environment Legislation Amendment Act 2022*.

### **Conclusion**

The introduction of CDS Vic on 1 November marks a key milestone in the government’s commitment to major transformational reform of the waste and recycling sector, built on community and industry consultation over many years.

The successful implementation of these reforms will not only support CDS Vic but also enhance the capabilities of RV as it works alongside stakeholders and the community to transition Victoria towards a circular economy.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (11:15): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday 1 November.**

## **Gambling Legislation Amendment Bill 2023**

### *Second reading*

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

That this bill be now read a second time.

**Martin CAMERON** (Morwell) (11:16): I stand here today to speak on the Gambling Legislation Amendment Bill 2023, and first I would like to thank the member for Gippsland South for providing

the report to us and explaining it to us so well. I do note that we do not oppose the bill, but the member for Gippsland South has put forward an amendment, which has been circulated. This bill implements the first lot of gaming industry reforms announced by the Labor government in July 2023, namely the introduction of mandatory closure periods for gaming machine areas other than at the Crown Casino between 4 am and 10 am. It also amends the provisions relating to the appointment of a manager of the casino should the licence of the operator be cancelled, suspended or surrendered; corrects some anomalies on dates for the introduction of the new payment of winnings provisions; and provides a new power for the minister to ban betting on certain activities outside of Victoria.

The government announced on 16 July a series of gaming reforms, including mandatory closure periods between 4 am and 10 am; statewide mandatory precommitment and carded play, which is already legislated in the casino; a reduction in load-up limits on gaming machines from \$1000 to \$100; and reduced spin rates on gaming machines. It is fair to say that these reforms came a little bit out of the blue. Notwithstanding consistent and ongoing campaigning from anti-gambling groups, there was little additional public pressure on government and no obvious catalyst for such a dramatic change. Industry was taken by surprise, particularly the pubs and clubs who would have only just begun a 20-year licence and sale period in 2022, so not too long ago, raising genuine sovereign risk questions. However, given public concern over problem gambling, industry public response was somewhat muted. I do note that everywhere across Victoria our problem gambling is a concern. I know they have just released rates and percentages. At the moment I think all percentages of gambling across most municipalities are up, especially in the Latrobe Valley. Our rates have also risen, so we do realise there is an issue with problem gambling. Mandatory carded play and other reforms are more significant and are belatedly now the subject of an engagement program by the government.

Legislative reforms on these matters are not expected until 2024 at the earliest. Reforms to casino legislation continue in response to the royal commission and address the prospect either genuine or otherwise of Crown losing its licence and a manager being appointed until the new licence is issued. No concerns have been raised about the changes to the casino managing downtime and expanded prohibition on betting contingencies outside Victoria. These are all uncontroversial and were relayed in the royal commission, where Crown were found to be doing things not to the best of their ability. So these are good things that have come out of the royal commission.

The pubs and clubs sector, though, are probably not happy with the broader reforms and believe it is unfair that the new mandatory closure periods will be applied to pubs and clubs but not the casino. The casino is allowed to continue to trade on that 24/7 rotation. We propose an amendment, which the member for Gippsland South has done, to create an exemption to the closing rules in the inner city for those venues that compete with Crown. There is an argument that shiftworkers and others with irregular patterns of work and leisure are disadvantaged by the new 6-hour enforced closure. At the extreme end there is also an argument about restraint of trade and personal liberty to do what you want to do with your own money.

As I said before, for someone like me that does not gamble a lot, and probably for most in here, to have a period where you cannot gamble between 4 am and 10 am in venues is a good thing. But in my former role as a plumber I used to work in these venues early in the mornings – doing plumbing, not actually putting money in the machines – and there was that group of people, whether they were the bakers that were coming off cooking bread and stuff for us or shiftworkers going through, that did meet and have a beer and put some money through the poker machines. That was their daily role. Whereas we end up at the end of the day being able to go for a beer and, if we want to, have a bit of a gamble in these establishments at 5 o'clock and afterwards, well, 5 and 6 o'clock in the morning was the end of their workday, and they were doing the same thing. So we can see the reasons there that maybe some of these pubs and clubs are a little bit concerned. But as I said, with our problem gambling, I think it is a good idea that we do have some downtime, and 4 am to 10 am seems to be consistent right across the board.



The government has no mandate for the reforms, having made no such commitments at the last election. This, coupled with lack of consultation and the sovereign risk issue of government changing the electronic gaming machine rules only a year after entering into a 20-year arrangement with the pubs and clubs, should be used to cause debate that we can stand up and talk about.

Mandatory closing hours – going to some of the clauses, clause 26 is in two paragraphs and implements the mandatory 4 am to 10 am closure period for gambling machine areas via a new division in the Gambling Regulation Act 2003. Venues are still able to be open, but these other particular services will be closed in those time slots. Despite the government spruiking its strongest casino laws in the world in the second-reading speech, this closure period does not apply to Crown Casino. In the bill briefing the government indicated this is due to the casino's status as a destination in itself, a tourism attraction and part of Melbourne's international appeal. This is very hard to argue with – I know in times when we come down from the country we all gravitate towards Crown Casino – despite the apparent unfairness applied to smaller venues, especially those that do operate in close proximity to Crown Casino. The government argues this change is needed because it has seen evidence of neighbouring venues staggering their opening times while adhering to 20-hour maximum venue operating times to facilitate 24/7 gambling by punters in certain locations, most particularly the outer suburbs.

Clauses 16 to 25 largely repeal existing provisions in gambling legislation. A new part 2A is being inserted into the principal act to clarify powers of the manager who would be appointed in the event the casino licence is cancelled, surrendered or suspended. These provisions largely replicate provisions in the existing act, with some modifications to better protect both the manager and the state's interests, including in the event of administration or liquidation of the operator. That just ensures that Crown Casino can continue to operate. It does also speak about other facts. If there are cleaning staff that are working at Crown Casino but also at their hotel sites, it will not affect them as such, and they can keep going. The second area relates to the timing of new cashless gaming requirements and seeks to limit money-laundering opportunities by capping payouts of winnings in cash.

In the short time that it appears I have left – it does not seem like I have been speaking that long, but that is fine – as I said, we all realise that there are people that do gamble a lot and it does harm them, it does harm their families and it does harm the community, but our pubs and clubs are also of benefit to our community, supporting our sporting fraternities, supporting our services and creating jobs for our communities. As I said, we are not opposing the bill.

**Juliana ADDISON** (Wendouree) (11:26): I thank the last speaker for taking his full 10 minutes; it is much appreciated. I too am very pleased to speak in support of the Gambling Legislation Amendment Bill 2023, following on from many excellent contributions from this side of the house, particularly the member for Eureka, who shared her lived experience of gambling harm and the impact that it had on her family. It is for families like hers and so many others that we are introducing these changes. The Gambling Legislation Amendment Bill 2023 will deliver a wide range of gambling harm reforms and will improve the implementation of recommendations of the Royal Commission into the Casino Operator and Licence. I thank the Minister for Casino, Gaming and Liquor Regulation, as well as her office and the department, for their work on these reforms and for bringing this bill to the house.

I want to put it on the record: I appreciate that gambling is enjoyed by many Victorians and it does not cause them harm. I enjoy a bet or two at the Ballarat Cup, and I like to join in the punters club at the Ballarat & District Trotting Club's racing events. However, this is not the case for all gamblers across my community and across our state. Word of the day: ludomania. Ludomania is repetitive gambling behaviour despite harm and negative consequences. Interestingly, 'ludo' comes from the Latin for 'to play', so 'ludomania' means 'play mania'.

Australian Institute of Health and Welfare statistics reveal that in 2022, 46 per cent of Australians aged 18 and over who gambled would be classified as at risk or already experiencing gambling harm. The data shows that men who gambled were at a greater risk, at 53 per cent, compared to women at 38 per cent. Many people have talked about statistics, and I think it is important to keep going back to them,

because Australia's average gambling losses are the highest of any country in the world, with losses of \$1276 per person. Between 2011 and 2019 Australia's problem gambling rates more than doubled, from 0.6 per cent of the adult population to 1.23 per cent.

Gambling harm is an issue of concern in my community. In the last financial year more than \$64.3 million was lost on gaming machines in Ballarat. It is a lot for a city with a population of approximately 120,000 people. More than \$42 million of that figure was lost at venues in my electorate of Wendouree – \$42 million – and the impacts of problem gambling are well known to many across my electorate. These losses are not just financial. Gambling harm leads to relationship breakdown, to mental health issues and to a decline in general health and wellbeing. It impacts on friendships, it impacts on trust, it impacts on so many different aspects of people's lives.

I want to acknowledge and recognise the work of the Victorian Responsible Gambling Foundation, Ballarat Community Health, CAFS – which stands for Child & Family Services Ballarat – the City of Ballarat, the Ballarat East Neighbourhood House and the many other organisations that address gambling harm in my community. Just yesterday the Ballarat gambling harm prevention taskforce held an event at the town hall and this year's focus was how to have a conversation with someone whose gambling is becoming a concern. I think we all agree that this is an important conversation to have, so I hope that event was successful. I was sorry that I was unable to attend.

For many Victorians gambling is not a benign activity, and so we need to ensure that protections are afforded to all of those who gamble. Far too often we see stories in the news of upstanding citizens' lives destroyed by gambling addiction, such as the high-profile case of the former Melbourne High School business manager who pleaded guilty to embezzling more than \$430,000 over 10 years from the school. She was sentenced to two years jail with a minimum of 14 months in prison. On 254 occasions between 2012 and 2021 she transferred school funds into her personal bank account. The reason for the theft was to fuel her gambling problem. Frances Walshe's lawyer explained that her gambling habit had got out of hand extraordinarily quickly and that playing those machines provided some of the only solace that she enjoyed. It is hard to believe. I am a former teacher, and we all know the business managers, who work so hard in our schools. They are in a respected position, a position of trust. Just think that Frances Walshe, who was in that position of trust, is now in prison because of her addiction to poker machines.

In supporting this bill I think of people in my community who have suffered from the harms of problem gambling and the devastating effects it continues to have. Sadly, the impacts of gambling harm are intergenerational and widespread, and this needs to be addressed. I would like to share the experiences of a constituent I met during pre-poll at the 2022 campaign. Over the two weeks I came to know a man who was at the shopping centre first thing every morning. I would watch as he would walk around the centre car park and outside the building looking for discarded cigarette butts that he could smoke. It was clear by looking at him that life had been tough on him, and he was a broken man. Each morning I would greet him and ask him how he was going. As the days went on I asked him about his life, and he explained to me that his life had been destroyed by gambling. He shared with me that as a child growing up his father was a problem gambler on the horses. This took a monumental toll on him, as his father's losses led to violence and economic hardship for the family. However, after his rough start to life, things were looking brighter. He married, bought a house and had his own family. Sadly, the harmful impacts of gambling would once again haunt him after his wife became addicted to gaming machines. This had a devastating impact on him. Money for the family and for the household bills would be gambled away, and then she would become aggressive and violent, demanding access to more money to gamble. The impacts of her gambling addiction led to the loss of their house and the breakdown of their marriage, leaving him with nothing. He now lives in public housing and, very sadly, has very little to live for. For the people like this man and his family and so many others, I am supporting the reforms to reduce gambling harm.

That is what this government is doing. A comprehensive package of gambling reforms was announced in July that will better protect all Victorians who gamble and which particularly focuses on improving

protections for those who experience harm. The reform agenda includes introducing mandatory closing times for gaming machines in areas outside a casino, reducing load limits from \$1000 to \$100 and increasing spin rates to slow the rate of play. I have got to get my head around that. We are increasing spin rates, but it will actually slow down the rate of play on new gaming machines, which consequently reduces the speed at which money can be lost and, very significantly, the speed at which money can be laundered. As well we have statewide mandatory precommitment and carded play, which will be an important safeguard for gaming machine users, preventing them from spending and, very importantly, losing outside of their limits.

The Gambling Legislation Amendment Bill 2023 is a step towards the delivery of vital gambling harm reforms. They will further improve the implementation of recommendations from the Royal Commission into the Casino Operator and Licence. Importantly, the proposed amendments to the Gambling Regulation Act 2003 – this is what is proposed – introduce the mandatory closing period that many people have talked about, from 4 am until 10 am, during which gaming machines outside of those in the casino cannot be played. My former office was next to the George Hotel in Ballarat. It was amazing to see how early people would get there each morning to play the pokies, so I think that this closing period from 4 am to 10 am is going to have some positive impacts. This is an improvement on the current requirements, which mandate a daily 4-hour break but not at a specific time. What is important as well is that this 6-hour shutdown will provide an important break in play. At the beginning I talked about ludomania – play mania. If we are able to disrupt play with this 6-hour shutdown, which means that you cannot shop around and find another venue that will host you, we will be trying to reduce that mania and trying to say that your gambling is a problem and you need to have a break.

I have run out of time, so I will just quickly explain that I support this bill for the many important reforms that it is delivering, including the closing times, ensuring that offences can apply if prohibited betting products are offered from interstate – in order to further protect Victorians from gambling harm – and strengthening the role of the statutory manager. I commend this important bill, the Gambling Legislation Amendment Bill, to the house.

**Tim READ** (Brunswick) (11:36): The Greens will support the government's Gambling Legislation Amendment Bill 2023. Most of the provisions in the bill legislate the remaining recommendations of the Royal Commission into the Casino Operator and Licence. We commend the minister on finalising this work. Mind you, legislating all the recommendations was imperative in this case given that the royal commission found:

Within a very short time, the Commission discovered that for many years Crown Melbourne had engaged in conduct that is, in a word, disgraceful. This is a convenient shorthand for describing conduct that was variously illegal, dishonest, unethical and exploitative.

We know that there is an important deadline coming up. The royal commission found that Crown was not fit to hold a casino licence and granted a specific two-year period in which an external special manager has overseen all aspects of the casino's operations and ensured all rules and regulations are complied with. That two-year period ends in January 2024. The special manager will report to the regulator, the Victorian Gambling and Casino Control Commission, and the regulator will then decide whether it is clearly satisfied that Crown Melbourne has returned to suitability. If the regulator is not clearly satisfied, Crown's licence will be cancelled. We will be watching with interest in the lead-up to that deadline.

This leads me to a related aspect of the bill, which is to provide powers to the special manager to be able to wind down operations and disburse assets, including assets owned by Crown's parent company. It is good to see these additional powers in the bill should the licence be cancelled. Also in this bill there is a provision allowing the minister to set the date for commencing the provision whereby the casino cannot pay out more than \$1000 in winnings in cash to an individual without confirming their identity. This has taken longer than expected, but we are advised by the minister's office that this has been to allow time for the rollout of mandatory carded, or cashless, gambling across the whole casino, which will allow tracking of an individual's wins or losses across the whole venue and across

different gambling mechanisms such as poker machines and table games. This will enable implementation of the royal commission's recommendations. It is slower than stakeholders have called for – at least, stakeholders other than Crown – but at least it is being implemented.

The bill includes a very welcome step that will reduce the harm done to those who gamble. The Greens have long advocated for longer and uniform mandatory closure times for venues that have poker machines – that is, venues outside of the casino. We all know these venues are primarily pubs and clubs in our neighbourhoods and regions, and they are the site of so much gambling harm in our state. The Greens policy is that mandatory closing hours should be from midnight to 10 am. We see in the bill that the government proposes only a standard 4 am to 10 am closure time. Under standing orders, I wish to advise the house of amendments to this bill and request that they be circulated.

#### **Amendments circulated under standing orders.**

**Tim READ:** These amendments amend the bill so that mandatory closing hours start at midnight, not 4 am. While we acknowledge a standard closing time will stop venues in close proximity from staggering their opening hours, which has been a significant problem, there is persuasive evidence that substantial harm occurs on poker machines between midnight and 4 am. Only in July this year, during public hearings for the inquiry into the Victorian Auditor-General's reports no. 99 *Follow up of Regulating Gambling and Liquor* of 2019 and no. 213 *Reducing the Harm Caused by Gambling* of 2021, we saw expert witnesses provide clear evidence that harms increase during later hours. Professor Samantha Thomas is a specialist in determinants of public health in the school of health and social development at Deakin University, and her evidence on opening hours is worth reading into the record:

As far as I am aware, there are 485 venues in Victoria ... 107 of them are open at 4 am and 361 of them are open at 2 am. Now, the most recent evidence that comes out of New South Wales shows that between midnight and 2 am we start to see the harm increase, and then at about 2 am we start to see it increase significantly again. So there does not seem to be a compelling reason for a 4 am close when we know that the harm is starting to amplify much earlier than that.

The gambling industry continues to cause significant avoidable harm to individuals and families in our community. Based on sound evidence the Greens amendment would allow 10 hours where people and communities are protected from the saturation level of poker machines that exists across our state. This would be a notable step in mitigating harm against individuals and communities by poker machines.

In conclusion, while we commend the minister and government for these reforms, we know they represent only small steps in the right direction, and there is much more that needs to be done. We look forward to working with the minister to develop comprehensive reforms based on a public health harm reduction framework, and the Greens will continue to advocate for further changes to protect our community from the predatory gambling industry.

**Ella GEORGE (Lara) (11:42):** Today I rise in support of the Gambling Legislation Amendment Bill 2023, especially this week, as we are recognising Gambling Harm Awareness Week. I think we are all aware of the harm that gambling causes within our communities and the ripple effect it has not just on the gambler but their loved ones as well. Problem gambling has a huge impact on families and communities, and that is why this bill is so important. That is exactly why the Allan Labor government has introduced this bill – to reduce the harm that gambling has on individuals, their families and communities.

We have heard from many members about the impacts that problem gambling has on the community, and Geelong is not immune to the harm caused by gambling. In the Geelong region, September figures showed that more than \$11.6 million was lost on pokies during July compared to \$10.7 million in June. In fact \$135 million was lost on pokie machines during the last financial year, and across Victoria we saw losses hit over \$3 billion. That is just on pokie machines, and as we all know, there are many other forms of gambling. Earlier this year the Andrews Labor government announced the most significant package of gambling reforms in Australia, and now the Allan Labor government continues this important work, with the Gambling Legislation Amendment Bill 2023 delivering the first of these

reforms. Before I get onto the details of the bill, I would like to thank the Minister for Casino, Gaming and Liquor Regulation for her work in this space. She should be proud of her hard work in leading these nation-leading reforms. I would also like to thank and commend all of the brave individuals who have stepped forward to speak about their own experiences of problem gambling. This legislation was developed with people who have lived experiences, and I offer my deepest thanks and gratitude for all those involved in shaping these important reforms.

The intention of this bill is to amend the Casino Control Act 1991, the Casino (Management Agreement) Act 1993 and the Gambling Regulation Act 2003. This will deliver gambling harm reform and improve the implementation of recommendations from the Royal Commission into the Casino Operator and Licence. These amendments will go a long way towards reducing the harm caused by problem gambling. They will enforce mandatory closure periods for all gaming machine areas in venues except for the casino between 4 am and 10 am every day. They will reduce the cap on load-up limits – how much money a person can lose on poker machines at any one time – from \$1000 to \$100, and they will also extend the minister’s powers to ban harmful betting on activities that take place outside of Victoria such as on sports played by minors, providing more control over betting that is not in the public interest. And they will slow the spin rate of new poker machines to 3 seconds a game. Those reforms will help uphold our reputation as the state with the strongest gambling harm protections in the nation.

One of the key changes that will come from this amendment bill is the requirement for all gaming machine areas, except those in Crown Casino, to be forced to shut from 4 am to 10 am each day. This forced break is an important step in our plan for gambling harm prevention. In some areas across Victoria we have venues that are closed at different times, effectively allowing for 24-hour, seven-day-a-week gambling. In the electorate of Lara there are nine venues that operate pokies machines. They are all within a 20-minute drive of each other, the closest of these being 650 metres from each other, which is less than a 10-minute walk. By car this would only be a 1- or 2-minute trip. These nine venues have very different operating hours. As I mentioned, in some areas there is access to poker machines 24 hours of the day, and we have heard firsthand from people who suffer from gambling addiction and who believe that staggered hours only increase gambling harms. If we are serious about gambling harm minimisation, it is essential that we look at mandatory closure periods that apply to all venues.

These reforms will see load-up limits – how much money an individual can put into a gaming machine at any time – capped at \$100. This is currently capped at \$1000. These reforms will also see the extension of mandatory precommitment to all gaming machines. YourPlay is the Victorian government’s precommitment scheme, which empowers players to make more informed decisions about their machine play. The scheme allows people to set limits on time or money spent and keep track of their own gaming machine play. The South Australian Centre for Economic Studies produced an evaluation report on YourPlay, Victoria’s voluntary precommitment scheme. The report shows that players who use YourPlay have experienced harm protection benefits, so this is an important reform. In addition to these measures, we will introduce regulatory change that will see all new poker machines spin at a rate of 3 seconds a game. This will slow down the pace of the game and limit the amount of money that can be lost.

This bill also goes to reduce the risks to children when it comes to harmful betting. The bill will extend the minister’s power to ban harmful betting on activities that take place outside of Victoria such as sports played by minors, providing more control over betting that is not in the public interest and is out of step with community expectations. It is really shocking to hear that you can place bets on sports being played by children. Earlier in the year we heard that major betting companies were taking bets on international cricket matches where most players were under 18. Personally I think it should be obvious that children should be off-limits when it comes to making profits for gambling companies.

This bill will ensure that betting practices that are not in line with community expectations cannot be offered to Victorians. Not only is it important to address instances of betting on under-age sport – because I think we can all agree that children’s sport should not be a place for big wagering companies

to make a buck – but it is important to take these steps to reduce normalisation of gambling for kids. Research published in March this year by the Australian Gambling Research Centre at the Australian Institute of Family Studies details that 53 per cent of Australians believe that betting advertising normalises gambling among children. With statistics like this, taking action now on under-age betting markets is even more important.

The electorate of Lara is home to an incredible community. It is a resilient community, but sadly some suburbs face higher levels of disadvantage than other parts of our state. In 2016 the Australian Gambling Research Centre completed an Australian-first study which showed that gamblers in poorer suburbs are losing more than three times the money to poker machines compared to gamblers in more advantaged areas. As I mentioned earlier, there are nine pokies venues in the Lara electorate, and there are another 17 venues across the 60 suburbs that make up the Geelong region. That is 26 venues in total. The Victorian Responsible Gambling Foundation reports that on average \$285,338 is spent on pokies per day in the Geelong region. That is over \$100 million spent on pokies per year. Given the large number of venues that have pokies that are located in the northern suburbs of Geelong, it is safe to say that the losses in these suburbs in my community must be considerable.

Geelong-based organisation Meli provides support to problem gamblers and their families and runs education and awareness programs about problem gambling. They find that contact is often made with them at crisis stage, when clients may be facing financial stress, unable to pay for basic necessities like food or petrol or be behind on rent or bills. At this point, their clients are often experiencing depression and poor mental health. There may be significant relationship conflict or breakdowns, and family violence may be an issue. It is incredibly sad to hear that it is at this point when people are seeking help. Another trend that Meli are seeing in their clients is an increase in parents and guardians seeking help on behalf of their younger sons who are engaging in problem gambling. They report that one in three young people think that betting on sports apps is normal behaviour. To me, that is another reason why these reforms to minimise gambling harm are so important.

Many of my colleagues have shared their own stories of encountering people in their electorates who have experienced problem gambling, and I would like to briefly share one too. In the lead-up to the state election, I knocked on the door of a gentleman's house, and I started a conversation with him to introduce myself and to see how he was going. He told me that things were going pretty well with nothing really to complain about or bring to my attention. He was about to close the door and he said, 'Actually, there is just one thing. Can you do something about the poker machines in my street? They are so close – it is just too easy.' This gentleman lived a 5-minute walk away from a pokies venue, and while these reforms do not address this issue of a pokies venue being so close to his home, I think this is just one of the many stories from our communities that speaks to the importance of reforms that minimise gambling harm.

These reforms are needed. They are needed right across the state, and they are needed in the communities that I represent. I think most of us understand the effects of gambling are costing our community far too much – and it is not just about the money. People lose their relationships, their employment, their health and their wellbeing. These changes will go a long way in reducing the harm that comes from problem gambling. That is why I am proud to support this bill and I commend it to the house.

**Paul EDBROOKE** (Frankston) (11:52): It is a delight to get up on my feet today and speak about this bill. Of course, we have heard from many speakers across both sides of the chamber that have shared their personal stories in regard to this bill. Certainly in Frankston we have that commonality too. I have spoken in this house before of my thoughts on gambling and problem gambling. Of course, as per members before me, I do believe that there is time and patience, and I guess an activity for families and friends to go out and take a punt, but there is the subject of problem gambling, which is not a benign issue in a community such as Frankston.

I have touched before on the Frankston Dolphins. It is an interesting tale of a VFL footy club that lost its VFL licence. We ran a pretty hard-won campaign to make sure they could get their licence back after two years, and everybody is behind the VFL Dolphins. We have not had a great run over the past couple of months, but that is all right – next season will be great. The biggest issue for the Frankston Dolphins, though, was pokies. Here is another, I guess, commercial side to what is being painted as a very personal problem and indeed is a very personal problem for many members of my community. Like many stakeholders in small communities, pokies are put out there as a means to make money. What effectively happened, in very broad terms, to the Frankston footy club was that the person in charge of the funds was not doing a good job – there is that – and they decided to invest in pokies and bought the licences at a very high cost. Nobody in the world thinks that pokies are not there to make money. Their algorithms are absolutely designed for people to put money in and to give people incentives. It is very Pavlovian. But they make money – that is their point. Nobody at the Frankston footy club thought they would lose money on the pokies.

What happened was the licence costs went down, and they found that their pokies were worth pretty much zero on the market and they would not even be able to get rid of them. It was a time of great stress for the club. Not many people actually understood what was going on. At the time we were able to write off that debt – the state government did. It was a \$500,000 debt in the end to get that club to get rid of pokies. In the end it was not a hard ask to make sure everyone at that club agreed that we would get rid of those pokies and we would not bring pokies back to a sporting club in Frankston. Lesson learned. We have now got a football club that has gone on to bigger and better things. We have got the floodlights there. We have got AFLW games on weekends. It is amazing. It is a family place again, but it is, I guess, an example of a more commercial-side issue to this problem.

Like many who have got up and spoken on this bill, I am very cognisant of the effects of gambling in my community. In the local pub there are no clocks on the wall. It is dark. People walk in, or sometimes they come in with their frames, and they are unable to tell the time. They lose time. They have got people who continue to – ‘care’ for them might not be the right word – incentivise them to stay there with their actions: ‘Would you like a tea or coffee? Would you like a Coke?’ ‘Look, we’ve got a free special here on meals.’ ‘How about a pot? It’s on the house.’ It is literally no different to how they deal with the high rollers in Vegas. Louis Theroux has got some very interesting docs; I love Louis. He has got one on gambling and how they treat the high rollers in Vegas, and it is exactly the same kind of experience, just on a different level – ‘Here, have a \$300 cigar’, ‘Here, we will upgrade your room’ – anything to keep those people there and keep them losing money to the house.

There is no way that we are ever going to convince someone with an addiction that they have an issue unless they accept it, whether that is in alcohol and other drug areas or whether that is in gambling. It was a very unique experience to go up to a place called Foundation House in New South Wales, a union-run residential rehab which deals with all sorts of addiction, including gambling. I would put a plug in here for what we want down here, working with many unions, called the Crossing, which would be a residential rehab with detox down here as well.

**A member** interjected.

**Paul EDBROOKE:** Hear, hear. But in dealing with some of these people I was invited into what I felt was a very private space. They had the 12 steps and all this kind of stuff. Seeing some of these people and how addiction had changed their lives, but on the flip side how they were able to get their lives back on track, was pretty amazing. It was a bit of an epiphany.

When we have legislation like this that comes through the house, what it is really doing is helping people who might have an addiction, might be predisposed to the addiction, from really falling down that kind of rabbit hole. When we have limits on spins, when we have time limits, which are in this bill, and when we have limits on the amount of cash you can get out – we have heard how these things have been done in other states and other nations – they do work. There is no doubt about that. What I am hoping with this bill is that we can get to a point where we have less people homeless in places

like Frankston, less people come into electorate offices saying 'I've been kicked out of home because my daughter got sick of me pilfering from my granddaughter's piggy bank to get change – I knew I'd pay her back later'. More power to people who can actually come through that. But they need help, and this is how we help them.

I would like to acknowledge a former member of the house, a man whom I have great respect for, who came out in I think it was the last Parliament and talked about his issues with gambling, and for one second everyone in this house just went silent. Here was a man owning up to something that he obviously had great guilt about, that he regretted, but he talked about the addiction. There were several people in this house that maybe had not gambled before, maybe had not come from a culture of gambling, and it was a bit of a surprise for some people to see that it does not matter what wage you are on, it does not matter where you live. Much like family violence or mental illness, addiction is something that gets us everywhere, and there would be people in this house, the statistics tell us, who have family members or who themselves will battle addiction, whether it be alcohol and other drugs or whether it be gambling.

But for now, this is a bill – like many progressive, commonsense bills that have been brought to this house by the former Andrews Labor government and now Allan Labor government – that just makes total sense to me. If there is one thing that is driving poverty and disadvantage in areas sometimes, it is gambling, and we have to have a look at those stats. We have heard some of the stats quoting billions of dollars coming out of local government areas in Victoria, which really is money down the drain. I am yet to hear one person in my electorate say 'I went to the pokies, and I have now got a billion-dollar house in Sorrento and I spend my time on the Amalfi Coast each year.' These people are battling.

To sum up, I will say that as a firey I was part of a punting club. It was crap. I put in a couple of hundred dollars, and it was just a bit of fun. We had an interest in a horse. I just did not get much out of it. I saw the fun. I saw the camaraderie in having a couple of beers and stuff like that, but that was actually more it for me. It was not so much about the horse. I can go to a horserace now or greyhounds or whatever when there is an event and never think about betting, but I know that there are people out there for whom it is so tough. Every time they walk past the pub they are having an internal battle about an issue that could make or break them – make or break their family. And like I said, we have seen that play itself out in this house with the story that we were told by a former member of this house, which I think brought almost everybody to tears. With that, this is a very important bill and I certainly commend it to the house.

**Emma VULIN** (Pakenham) (12:02): I rise to speak on the Gambling Legislation Amendment Bill 2023. This bill is about preventing gambling-related harm in the Victorian community. These reforms are necessary to protect my community and communities across our state. The bill also continues this government's work of implementing the recommendations from the Royal Commission into the Casino Operator and Licence. Through this bill, amendments will be made to the Casino Control Act 1991, the Casino (Management Agreement) Act 1993 and the Gambling Regulation Act 2003.

One of the methods of preventing gambling harm is ensuring those playing electronic gaming machines have a break in play. In improving the protections for Victorians, this bill will ensure that all electronic gaming venues outside the casino are closed between the hours of 4 am and 10 am. There will be no more staging of closing hours, providing people with a break in play. This means players then cannot be tempted to move on to another venue to continue gambling. Some other speakers on this bill may say 4 am to 10 am is not enough, but we must allow for the fact that shiftworkers also may want the opportunity to stop at a pub or a club on the way home for a short time on occasion.

In my electorate of Pakenham, the pubs and clubs are the only entertainment venues. The nightclubs and bars which open beyond midnight are further away. Most are in the city, a long, long way. It is reasonable that these venues remain open as entertainment and gathering spaces in the local community so people can gather and socialise closer to home. Some venues in my electorate currently do not stay open through to 4 am, but in my electorate currently players can move to different venues



from time to time to extend the amount of time they can play. I welcome this amendment, which will increase the downtime for electronic gaming machines across the electorate.

The Pakenham and Officer communities have lost \$30.3 million playing on electronic gaming machines across four venues in my electorate in the 2022–23 financial year. That is a lot of money, and that is only a proportion of the millions of dollars which goes into these machines. This is particularly concerning in a growing community like mine, where many of my constituents are not yet old enough to gamble. Making this change to the hours of operation, and others proposed under this bill right now, is very important for my young and growing electorate. An estimated 333,000 Victorians experience harm because of gambling each and every year, costing Victoria about \$7 billion annually and leading to significant financial distress, mental health concerns and relationship issues. It is therefore vital that electronic gambling has sensible controls to prevent harm. Gambling researchers say these measures will help. We must also ensure that pubs and clubs with electronic gaming machines continue their commitment to returning some of these losses to the local community through the local community grants program and sponsorships. The clubs are required to outline this contribution in their annual statements. I am aware that local community groups and sporting clubs in my electorate are assisted through this return.

Another thing that we are looking at is precommitment, and it is one way to reduce harm: those gambling deciding before they commence how much of their hard-earned dollars they are prepared to commit to their play. It is a sound harm minimisation option. This is why this government is moving towards statewide precommitment and carded play. This puts the power in the hands of the patrons and acts as an important safeguard to prevent people spending outside their limits. It also prevents money laundering.

This bill also paves the way for a reduction in load-up limits on gaming machines from \$1000 to \$100 and an increase in spin rates to slow the rate of play on new gaming machines, reducing the speed at which money can be lost or laundered. Significant slowing of new machines by more than 40 per cent to 3 seconds per game and a 900 per cent reduction in how much money can be put into machines at any one time are key parts of our comprehensive package of gambling reforms.

I have mentioned before in this place that as a young person more than 20 years ago I worked at the casino. As an employee at Melbourne's Crown Casino I obtained a fair wage and was treated well as an employee, despite the gruelling graveyard shifts. But I also saw the realities of gambling addiction. At the casino I saw many people again and again returning to the pokies and the tables. I even knew many of them by name. Despite the times of fun and entertainment at this location, there were also many who became addicted.

From December 2023 anyone who plays a gaming machine at the casino will be required to track their play using the precommitment system YourPlay. This breaks the thinking for the player, as they need to decide, when their commitment runs out, if they want to spend more. I think that is a really good initiative. This is a worthwhile harm minimisation strategy which will also assist to limit money laundering. The Royal Commission into the Casino Operator and Licence, led by Ray Finkelstein AO KC, found that there were significant failures by the casino and the operator to address money laundering and other financial crimes. As part of addressing the 33 recommendations of the commission, amendments were passed last year restricting the payment of cash winnings to a maximum of \$1000 in 24 hours. This bill amends the Casino Control Act 1991 to allow the payment of winnings provision to commence following the introduction of mandatory carded play on all games at the casino, including table games. This will give the casino time to implement the technology to track cash access to the whole gaming floor. It is world-first technology and needed to be developed for this purpose. This bill also ensures the casino's ongoing operation as an entertainment venue. It ensures that the casino can keep operating if the current or future casino licence is cancelled, suspended or surrendered.

I also want to talk about sports wagering. Every weekend and every weekday, for that matter, community sport is being played in and around my electorate – footy, cricket, netball, soccer, rugby, baseball, softball, swimming, floorball and athletics, to name a few – and this is actually a good opportunity to give a shout-out to all the hardworking volunteers that provide so much to our local sporting clubs and provide so much to our community. Local sport is being played by minors and amateurs playing to excel, keep fit or just have fun and be part of the community. Revelations earlier this year that wagering was occurring from outside the state on local community sporting matches in Victoria were alarming. Most of the wagering service providers that provide the option to bet on these events inside Victoria are licensed outside of the state.

This is not something that is in the interests of junior and amateur sport. This is clearly out of step with community expectations. No-one wants a sporting event their child is participating in to have bets placed on it. Children should not be a source of profit for gambling companies. With amateur sport, likewise – no-one wants a local footy premiership potentially influenced by betting outcomes. This is a serious integrity risk. This bill will extend contingency offences to interstate gaming providers, and what this means is that it will allow the minister to respond to betting contingencies that are not in the public interest even if they are offered outside our state. This change will ensure betting practices that are not in line with our community expectations cannot be offered to Victorians by giving the minister the power to respond to emerging inappropriate practices in the wagering industry.

In conclusion, this government is committed to addressing gambling harm – something that I am really proud of. I am really proud to be part of a government that is addressing this. We will continue to work with harm-reduction stakeholders, people with lived experiences and industry to implement our reforms. We know that the community overwhelmingly supports these measures, and I commend this bill to the house.

**Jordan CRUGNALE** (Bass) (12:11): I too rise to speak on the Gambling Legislation Amendment Bill 2023, which seeks to deliver the most significant package of gambling reforms in our country to improve the implementation of recommendations from the Royal Commission into the Casino Operator and Licence. These reforms will improve the protection afforded to all Victorians that gamble, with a specific focus on helping those who experience harm. These reforms are sensible, proportionate and necessary to prevent and reduce harm from gambling in our community.

Many of us know that the harm is not exclusive to just the individual; the harm extends to their families, friends and loved ones. As has been stated in the chamber already, around 330,000 Victorians experience harm because of gambling each year. Putting aside the emotional toll, it costs Victoria an estimated \$7 billion each and every year, which leads to of course significant financial distress, relationship issues and mental ill health, just to name a few. We have heard from an array of speakers in this chamber, and those on this side are delving into lived experience, local impacts in their respective communities and how it shatters and breaks, controls and takes over any rational and consequential thought, which just walks right on out. Mandatory closure, slow spin rates, clarifying win payments, managing downtime, mandatory carded play and precommitments, extending contingency offences to interstate gaming providers and strengthening casino management provisions are just a swathe of headers with detail that this bill speaks to and that this bill addresses, illustrating its reforms.

In the Cardinia council and also in Casey and Bass Coast, which are serviced in my electorate, approximately \$420,000 is spent on pokies per day. That is \$153,642,889 per year. Casey has the second-highest pokies expenditure in Victoria. In February this year the *Age* reported that Casey council recorded the second-highest losses in the state, as I just mentioned, and were pressing for tough reforms to help deal with problem gambling and money laundering. The article, which was written earlier this year, went on to say almost \$100 million had been lost in the municipality in the seven months before January 2023 alone. One of the administrators Noelene Duff said the council had signed a joint letter to the then Premier Daniel Andrews along with six other municipalities – Hume, Monash, Whittlesea, Darebin, Dandenong and Wyndham – urging the government to announce a suite of reforms. In those reforms it included the request for the introduction of mandatory cashless

precommitment cards. My electorate also takes in Cardinia shire, which in that same seven-month period lost just under \$21 million. I think, from my colleague the member for Pakenham, it was –

**Emma Vulin:** It was high.

**Jordan CRUGNALE:** Yes, it is high. So that was just over seven months, and Bass Coast was around \$11.6 million. When we look at the populations of these council areas, these losses are high and very disproportionate.

This bill will require mandatory precommitment limits and carded play for all electronic gaming machines in Victoria, putting the power back into the hands of patrons while also ensuring that money is tracked, stopping money laundering through our gaming venues. We also have regional caps in a lot of our municipalities, limits to accessing gambling in Victoria. It is one of a number of harm minimisation strategies initiated by the Bracks government back in 1999 to address problem gambling, and Casey is one of eight partially capped regions in Victoria.

When we think about how gambling harm affects people, we have the individual – you have got your mental health issues, including stress, depression, anxiety and suicide, job loss, financial hardship, loss of social supports and community connections – and as I mentioned earlier, there is that ripple effect as well. With family and friends there is neglect, domestic violence, relationship breakdown, stigma and social isolation. Then it also goes into workplaces, clubs and groups, with absenteeism, job loss, poor performance, and then to the community, with reduced resources available, increased reliance on welfare supports and community disempowerment. Then it goes that step further as a societal issue as well, with less employment created by spending in the gaming industry and what have you. There is also a correlation between problem gambling and smoking, risky drinking, drug use, mental illness et cetera, so by reducing problem gambling in some of the suites that I mentioned earlier, it is very likely to improve community health generally.

As many were also discussing in the chamber here, when we look at the mandatory closure period from 4 am to 10 am, we know a lot of the gaming venues stagger the times that they are closed so that people can move around in their immediate areas to have that 24-hour access. With respect to the member for Brunswick as well, this is not a small change, as approximately 400 venues, or 85 per cent of all operating venues, have nominated opening hours within the 4 am to 10 am window.

The other thing I want to talk about and that my learned colleague the member for Pakenham delved into as well is around extending contingency offences to interstate gaming providers and how it is that we are able to put bets on kids that are playing sport under 18 – players as young as 15 years of age – which is really out of step with community expectations. I mean, the fact that we can bet on election results is kind of crazy, and who will be the next Pope, but children should not be a source of profit for gambling companies. Likewise, we also know that bets are being offered on low-tier amateur sport, which is not only harmful but also presents a serious integrity risk, and most of these wagering service providers are licensed outside of Victoria, with many of these events also occurring outside of Victoria. This legislative change will ensure betting practices that are not in line with community expectations cannot be offered to Victorians. Also clarifying the payment of winning provisions, amendments passed last year restrict the payment of cash winnings to a maximum of \$1000 in a 24-hour period.

It is Gambling Harm Awareness Week. I know when I was on council many years ago, we had a cap in the Bass Coast shire. I think in my first year as councillor I was trying to get those caps brought down, but it was a very difficult process and it never actually happened. My council was one of the first signatories to the alliance as well, so we were very active in our local community to reduce gambling harm. It is Gambling Harm Awareness Week, so I just want to say that if there is anyone or someone you know that is struggling, reach out and talk to someone – anyone. Support is there. You are so much more than your addiction. In the words of Tim Freedman and the Whitlams, who talked about the impact of pokies – they had a bit of a famous song; I do not know if it has been spoken about in the chamber yet –

**Emma Vulin:** Sing it.

**Jordan CRUGNALE:** No, I am not going to sing it. I would need a prop, and we are not allowed props. It goes:

And I wish I, wish I knew the right words  
To make you feel better, walk out of this place  
And defeat them in your secret battle  
Show them you can be your own man again

We owe it to our community, to our children, to do better. This bill does not take away people's rights or choices or people's ability to have a bit of fun. It does, however, introduce sensible, responsible reform which will assist those who struggle with problem gambling to have more support and gentle boundaries in tackling what could be the greatest struggle of their lives. I commend the bill to the house.

**Lauren KATHAGE** (Yan Yean) (12:21): I rise to speak on the Gambling Legislation Amendment Bill 2023. This bill before us is the first step in what is a significant program of gambling reform that the Allan government will be introducing in our state. Gambling, in a way, some parts of gambling, is something that is new to our state, especially in terms of the pokies, which we are talking about today. I learned recently from my mother that my grandmother was one of the ones who would hop on a bus and go and have a flutter, so there you go. Today in pubs and clubs in every suburb or every area of our state we see poker machines, and we know that they have become a very normalised part of our culture. Recently I had dinner at a local venue with my daughter and she saw a room with flashing lights. She asked me about what was going on in there. I found it quite hard to find the words to explain to a six-year-old, but she really had the words because what she said to me was: 'It doesn't look like they are having fun in there.' She hit the nail on the head with that one.

But people are in those rooms, and they are spending a lot of money. We know that in the City of Whittlesea, which takes up most of my electorate, \$98 million was spent on pokies last year. In my electorate, at the largest gaming venue, the local community lost \$13.5 million – in one venue alone in my area. I can understand the attraction of restaurants with playgrounds inside them – by God, I am at the stage of life where that is my favourite type of restaurant – but the pokies, in my humble opinion, are not fun. In fact for a lot of people in Victoria they cause harm. We know that 330,000 Victorians experience harm from gambling, but it is not just the people who gamble – it is the people connected to them that experience harm as well. Statistics tell us that that is another 300,000 and some say up to a million altogether in Victoria that experience harm from gambling each year.

But what do we mean when we talk about gambling harm? There are different ways that we can be harmed by gambling. We talk about the difference between people who gamble and people who do not. We know that of the people who experience problem gambling, 39 per cent of them are in a state of high distress compared to 5 per cent of Victoria's general population. That is a pretty clear sign that something is not going right there. Relationship harm is another type of harm caused by gambling. We heard yesterday from the member for Eureka, whose husband did not experience a eureka moment but had a sad moment in front of an ATM in the middle of the night. It broke my heart to hear the experience of her family with gambling.

It can be worse than that. For women who present at emergency departments as a result of family violence where their husband is a problem gambler – and I will come back to that phrase 'problem gambler' – the majority of them are there following their partner's gambling loss. The majority of women in emergency departments experiencing family violence with a partner who gambles are there following a partner's loss. This is how it impacts on people.

It also creates health harms, and we know that one-fifth of gambling harm in Victoria is health related; this can include stress, reduced sleep, depression and anxiety disorders. People with a gambling addiction are more likely to be diagnosed with depression – 41 per cent compared to moderate risk

gamblers at 24 per cent – and we do not necessarily know which is the chicken and which is the egg. I am sure it is very complex, but it shows us that there is real harm occurring.

Financial harm also results from gambling. We can have reduced spending on recreational activities – that is a lower level of harm – but when it starts to be children’s sports uniforms or indeed food, we know that the harm is severe. People accumulate debt. They sell items in their homes. Unfortunately sometimes it leads to criminal activity. The criminal activity can be finance related, such as stealing and fraud, but it can also relate to child neglect. We have all heard stories of children left in cars while their parents were inside.

In terms of that criminal activity, we heard from the Australian Vietnamese Women’s Association in our recent gambling inquiry that they felt that all the Vietnamese–Australian women in jail were there because of gambling – because they had accumulated gambling debts that they had to pay off through criminal activity related to drugs and prostitution. They were heartbroken by that, and they are a great organisation that is doing great work to support women who have experienced that harm.

I mistakenly used the phrase ‘problem gambler’ before, and I want to take it back, because this is what we do, unfortunately. We locate the problem in the individual rather than in the product. That is why a public health approach to gambling is really important. We know that gambling is associated – as we heard from the member for Bass – with high levels of drinking and chain-smoking. It is because it is an addictive process, and a public health approach to gambling recognises that limiting exposure to harmful substances is the correct approach when you are dealing with something like this. By talking about ‘problem gamblers’ we are taking the problem and pointing the blame at the person who is exposed to the harmful product. I am glad to say that the Victorian Gambling and Casino Control Commission in Victoria has very strongly stated recently and unequivocally that gambling causes harm and that gambling operators have a duty of care to people to prevent harm from occurring. I absolutely support that public health approach to gambling. The reform that we are talking about today is one way to reduce the impact of a harmful product on people – by reducing the hours, standardising closing hours from 4 am to 10 am at every Victorian pub and club to reduce that risk.

Some of the other measures that we have committed to include increasing the minimum spin rate to 3 seconds, up from 2.1. We are talking about split seconds. However, I recently had the opportunity to observe people on pokies. I saw a woman on her lunch break. She was wearing her uniform, sitting at a pokie machine with a fistful of \$50 notes and tap, tap, tap, tap, tap, tap – just pressing a button over and over and over again and not looking at the screen, not seeing what the result of each tap was or considering whether she wanted to put in more and not looking like she was having fun. But on her lunch break there she was: tap, tap, tap, tap, tap, tap, tap. If we can reduce the rate at which machines take money from people, we can also limit and reduce the harm from what is a harmful product.

I am so proud that this government is taking real steps to introduce reform to reduce gambling harm in Victoria. I thank the Minister for Casino, Gaming and Liquor Regulation for her efforts and her strong advocacy in this space, and I commend the bill to the house.

**Paul HAMER** (Box Hill) (12:31): I too rise to speak on the Gambling Legislation Amendment Bill 2023. I also want to start by thanking the Minister for Casino, Gaming and Liquor Regulation for bringing this important amendment to the house. I want to thank all of the speakers who have made a contribution today and just reflect on some of the really powerful speeches that have been made, including the immediate previous speaker, the member for Yan Yean. When the member for Yan Yean was talking about the lighting up of the poker machines and how it provides that sort of attraction, and talking about her own child’s experience, it also made me reflect that in many of these venues there is a playground that is designed as a safe space for children while parents go and gamble, which is never a safe place for the adults. It is something that we need to be mindful of – creating environments that become attractive family places where children might be left for many hours because there are not the other signals and signs that you can monitor time by.

I also want to reflect on and pay tribute to the member for Eureka, who has many times spoken in this place about her own personal experience and brush with gambling addiction, how hard that is to break and what an impact that has on the entire family. Also, the member for Frankston referred to a contribution that was made in the last term of Parliament by a former member. As he correctly said, that was a very powerful and moving contribution on that day. I remember I was in the chamber listening to him and it did make me reflect on some of the people that I knew – who perhaps did not necessarily have an addiction – and just going and reaching out to them and making sure that there was help available to them if they needed assistance. I really admire the courage of that member to come out and lay bare all of the issues that he had faced up to that time. All of these experiences really demonstrate how important this bill is that we are debating today.

The bill does seek to minimise gambling-related harm by imposing mandatory closure periods on gaming venues outside of the casino and strengthening the statutory management provisions to ensure the continuation of operations in the event that the casino licence is cancelled as well as clarifying administrative issues around the payment of winnings and providing a framework for addressing technical failures in the precommitment system. In Victoria more than \$66 billion has been lost through poker machines over the last 30 years, and the addictive nature of electronic gaming machines is attributed to their design, which includes features such as fast-paced gameplay, frequent rewards and the element of chance. As we have heard repeatedly, gambling addiction can have serious social and financial consequences for individuals and their families, and this is why this bill is so important.

One of the main initiatives in these reforms is the introduction of a mandatory precommitment system, and it allows gamblers to set limits on their gambling expenditure before they start playing. It will help patrons assess how much they are willing to lose before they start playing, and the intention is that this measure will be in place for the casino's electronic gaming machines before the end of the year. This measure will empower individuals to make informed decisions about their gambling habits and mitigate the risks associated with excessive gambling.

I will probably make a couple of references to this in my contribution, as did the member for Yan Yean. We were both on the Public Accounts and Estimates Committee (PAEC) for its inquiry into the Victorian Auditor-General's reports number 99 and number 213 in relation to gambling harm, and as part of that inquiry we did visit a gaming venue. It is quite unusual for me to be visiting a gaming venue – I am not really a gambler at all – but it did strike me that in a lot of these venues the signs of where you can get help are often not that visible. Particularly around the machines, if you have been playing for a long time, you are not really exposed to it. The venues are compliant with the legislation – they do have those signs there – but you almost need to seek out those signs to be able to have that message transferred to you. I think it is important that those other regulatory actions are taken that require an individual to make those initial precommitments.

Another really important element of the legislation, which has been talked about at length through the contributions, is the requirement of pubs and clubs to shut down their gaming machines between 4 am and 10 am. This has come in response to venues where hours have been extended or overlapped so that gamblers with addiction might move from one venue to another, and having a standard set of hours across the state will certainly help limit that. I cannot see any good that is coming of having a gaming venue open at 4 and 5 in the morning, and just putting in that break and stopping that repetitive behaviour will help individuals with excessive gambling and give them that time out where they are able to reflect.

We are also very aware as a government of the addictive features and traits of the machines. As the member for Yan Yean was saying, it is the lights, the noise and the repetitive action that can bring you in and suck you in. That is why under this bill we will be requiring all new gaming machines to have a minimum spin rate of 3 seconds per game, which will lower the pace of the gaming and restrict the amount that can be lost. All of the requirements that are put in this bill do focus on preventing gambling harm and ensuring that people are receiving the correct gambling support that they need. There are

additional measures, such as the limitation of individual transactions and total daily transactions on ATMs within gaming venues, and all of them are within the context of trying to minimise harm.

In the last minute or so that I have remaining, I just also wanted to quickly return to the PAEC inquiry that I referred to earlier. There were a number of public hearings which took place in which specifically those attending the hearing were asked about the proposed changes to the legislation, which had been flagged by the minister about a month earlier, and there was very broad agreement in terms of these being important, critical measures that would help address some of the worst issues of gambling harm. We also were able to have a fantastic hearing with the youth round table, and they also supported it. I fully commend the bill to the house.

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:41): I move:

That the debate be now adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

### *Motions*

#### **Parenting support services**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (12:41): I move:

That this house recognises the government's support for Victorians starting or growing their families and in the critical early years of their children's lives by:

- (1) delivering public IVF;
- (2) establishing Victoria's first public egg and sperm bank; and
- (3) expanding Victoria's early parenting centre network.

The Allan Labor government is doing what matters. We are working hard so that prospective families have every opportunity to be happy, healthy and supported during a period of enormous change in their lives. We are helping more Victorians to realise their dreams of becoming parents through our nation-leading public IVF program, and we are ensuring that all new parents get the support they need in that very busy, sometimes challenging, always joyful transition to parenthood. Labor is making Victoria a safer, fairer and more affordable place to start and raise a family.

I will begin by discussing our government's nation-leading public IVF reforms. Fertility care services like IVF are truly life changing. These services provide couples with fertility challenges, including single parents, LGBTIQ+ families and those with illness impacting fertility, with the opportunity to start or grow their family. But too often and for too many these services have not been within financial reach. While people requiring fertility treatments such as IVF are eligible for Medicare rebates, they can still be left thousands of dollars out of pocket. There are many reasons why someone may choose not to start a family, but their bank balance should not be one of them. That is why we are investing \$120 million to deliver public IVF services right across our state.

Once fully operational, public fertility services will support up to 5000 people every year and provide up to 3375 treatment cycles, enabling more Victorians to realise their dream of having a family and saving families up to \$10,000. These public fertility services will provide care to Victorians who currently have limited access to fertility services through private providers. Public fertility services were launched on 13 October 2022, and I am so proud that last week marked the one-year anniversary of public IVF in Victoria. I am also delighted to let the house know that our first public IVF baby is due any day now. The Royal Women's Hospital and Monash Health have been delivering services out of hubs in Parkville and Clayton for over a year now, and over 1100 patients have commenced their treatment journey, with many more expected to undergo treatment cycles in the coming months.

Of course, being a government that governs for the whole of Victoria, we are improving access to fertility care through a network of satellite sites rolling out right across our state. Partner health service sites in Mildura, Epping and Bendigo have already opened their doors. The Premier visited the Bendigo site only last week to see it in action. Only a few months ago I had the great pleasure of visiting the new public IVF services in Mildura to meet with staff and one of their very first patients, Rebeka. Rebeka already has a child, which she was able to conceive through the miracle of IVF. But let me tell you this: Rebeka travelled thousands of miles, spent thousands of dollars and missed a lot of work in her journey to start her family. Florence is now three years old, and Rebeka is hoping that Florence will be joined by a brother or sister. The difference this time is that Rebeka can get the treatment and the care that she needs so much closer to home through our public service in Mildura. Further sites at Warrnambool, Geelong, Sunshine, Shepparton, Heidelberg and Ballarat are anticipated to be open by the end of 2023. Patients across Victoria also have the option to access consultations via virtual care, and local services are used where possible – for example, local diagnostics to minimise the need for patient travel.

As I have said, we are also improving access to donor egg and sperm through our public egg and sperm bank. The egg and sperm bank is an extension of the public fertility services that are based at the Royal Women's Hospital and was launched on 2 July this year. Featuring state-of-the-art lab facilities and staffed with highly qualified fertility experts, the bank is the first of its kind in Australia. Demand for donated eggs, sperm and embryos has grown steadily over the past decade due to the number of people seeking access to assisted reproductive treatment. Opening the bank was designed to help support increased access to eggs, sperm and embryos and to save families money, making sure that IVF and access to egg and sperm banks is not just for those who can afford it but for the people that this government represents in this place – those who are sometimes doing it tough and who are not able to access the services that are more readily available to those with more money.

I have said before that children – babies in particular – are the original disruptors. Every new parent anticipates the arrival of their child with so much joy and looks forward to that experience. Every new parent expects to be sleep deprived, but it is not until it has happened to you that you really understand the very real impacts of that sleep deprivation. We know that the time of the arrival of a new baby into a family can be very challenging. It can be challenging for relationships. It can be challenging for other children. Sleep deprivation is only one of the challenges that new parents may face. Making sure that babies are feeding well is yet another challenge that many families experience. Making sure that there is time and space for attachment and bonding is very, very important for that child's health and wellbeing into the future.

We want to ensure that the life-changing care and support that is delivered via our early parenting centres is made more broadly available right across the state. An early parenting centre is designed to feel like a home away from home. They support families with children up to the age of four, obviously giving those parents the care and support they need to be the parents that they want to be. Recognising that families come in all shapes and sizes, one of the things that I am really proud of is that our new early parenting centres deliver flexible care to enable families to receive the care however that family is made up. It might be a same-sex family, it might be an extended family or it might just be a mum on her own and maybe she wants her mum in to spend some time. There are so many ways in which families are made up these days, and our early parenting centres are there to support everyone.

As I said, it is not just sleeping and settling but feeding, play, care, bonding, attachment – all of these things – that are supported through our early parenting centres. A \$148 million investment is upgrading two of our existing centres. We are building eight new centres in Geelong, Ballarat, Bendigo, Shepparton, Casey, Hastings, Whittlesea and Wyndham, and indeed going into the last election we made a further \$18.9 million investment in the 2023–24 budget to deliver two more early parenting centres: an Aboriginal-led community controlled early parenting centre in Frankston and a new centre in Northcote. Let me tell you a little bit about Wyndham.

**A member** interjected.



**Mary-Anne THOMAS:** Yes. I first went to the Wyndham site some 12 months ago with the Treasurer to turn the first sod. Imagine then my joy at going back only a year later with the Premier, our new Minister for Children, the member for Point Cook, the member for Tarneit and the member for Laverton – all in here – to see this centre ready to take its very first families. Our government does what it says it is going to do. We get on, we deliver and we make sure that we are serving the needs of our community. The people of Wyndham are very, very happy. More than 130 babies are being born in Wyndham every week. I will let that just sit with you for a moment to think about what that means. This early parenting centre is going to be very well used and is very much welcomed by all of those on this side of the house. I will talk a little bit further about our early parenting centres. I do want to say thank you to the interim CEO at Tweddle, Umit Agis, and the director of nursing, Clare Pridham, for taking us through their incredible facilities. It really was an eye-opener for all of us who were there to see the facilities, to see the model of care and to see how this is going to really be a game changer for the families of Wyndham.

Having spoken about our early parenting centres I now want to take a moment, if I may, to acknowledge that it is Pregnancy and Infant Loss Awareness Month. I want to acknowledge my friend the member for Laverton for sharing her personal story and experience. Today she was joined by the member for Bellarine, who told us her story as well. Can I just say what a difference it makes having women in this place – more women than this Parliament has ever seen – getting up on their feet to share stories that too often have been hidden. As the member for Bellarine noted, we need to acknowledge the loss that mums and dads experience. I pick up on her point: we need to use the baby's name; we need to acknowledge that loss of a child. Again, I thank the member for Laverton for her leadership in this area in making sure that as a Parliament we take into account and really understand the impact that the loss of a pregnancy or a stillborn baby has. We know that one in four pregnancies ends in miscarriage each year and approximately 3000 babies die from causes such as stillbirth and SIDS.

As I said, it is Pregnancy and Infant Loss Awareness Month, and I want to let everyone know that there will be a joint-party gathering in this place tomorrow, to which all members are invited, to learn more about the very important work that the Pink Elephants organisation is doing to make sure that we provide the care, love and support that grieving families need at this time. In doing so can I talk briefly also about the bereavement and support services that our health services deliver. Public birthing services across Victoria provide bereavement care and ensure referral pathways are available for those mums and families that need them at a time that should have been one of the happiest but for some families will be one of the saddest experiences of their lives. Maternity services and in particular services like the Royal Women's, which deliver more complex care or support people at greater risk, provide onsite access to a range of services. Our government has funded cuddle cots across five public hospital locations: the Royal Children's, Box Hill Hospital, Northern Hospital, Sunshine and Northeast Health in Wangaratta. The cuddle cots system means that parents can spend time with their baby who has passed away and family members can travel and say their goodbyes without the baby having to enter a mortuary. We also support the Perinatal Anxiety & Depression Australia, or PANDA, network, who provide their support to parents during pregnancy and the first year of parenthood, as well as Red Nose Australia, who provide targeted support for families who lose a child to SIDS.

I am conscious that I told the member for Lowan that I was only going to use 10 minutes, and I will take up the opportunity to do that. I think that would probably be welcomed. The work that we are doing to support families in realising their dream of having a baby is very special to me in so many ways. As a mother myself – and I join so many other mothers in this place – I know that great joy, but I also know the challenges along the way. We all know regardless of our own status, through our constituents, that there are many families out there that are struggling – and a newborn baby can be really difficult to manage and support. That is why our government is committed to wrapping around those families. We know that if we can get a family off to the right start, if we can give the baby the best care that it needs and if we can support parents to be the best parents they can be – the parents they want to be – then this will make an incredible difference in the outcomes for that child over the course of their life. Those investments in those first 1000, 2000 days are absolutely critical to the health

and wellbeing of that child and that child's chances of living the life that they want to live and making a great contribution to our community more broadly.

This truly is investment. This is investment in the future of this state. It is investment in families. Our Labor government supports families, and we support families wherever they are from and however they are formed. We believe that every parent deserves all the support that they can get to be the best parent that they can be, and our commitment to families is reinforced by the funding that we put behind it. As they say, if you want to see what a government's priorities are, follow the money. And our government invests in babies, in mums and dads, in families and in children through their childhood, from birth right through to the end of their education and then as adults.

I commend this motion to the house. I know that there are many people across the house that want to speak on this, including those that want to share their life-changing experiences through support that they have received either via IVF, through their maternal and child health service or at early parenting centres. This is a really important motion, and it is important that this house spends time on it to recognise that if we deliver for families, then we are delivering for our state.

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

**Business interrupted under sessional orders.**

**The SPEAKER:** I acknowledge in the gallery the Consul General of Türkiye, Doğan Işık.

*Questions without notice and ministers statements*

**Government performance**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:02): My question is to the Premier. Today the Auditor-General handed down a report on the joint venture in relation to bridge monitoring. VAGO found that the government torched over \$20 million without any due diligence, independent evidence or oversight of spending. The minister responsible for this debacle was the Premier as Minister for Transport Infrastructure. What benefit did Victoria obtain from the more than \$20 million wasted on this project?

**Danny Pearson:** On a point of order, Speaker, I think the question should be directed to me as the Minister for Transport Infrastructure. The Leader of the Opposition knows full well that he cannot ask questions of ministers about their former portfolios.

**James Newbury:** On the point of order, Speaker, the question related to government business. The Premier is responsible for all government business, and I would put to you that the question is entirely in order.

**The SPEAKER:** The question is in order.

**Jacinta ALLAN** (Bendigo East – Premier) (14:03): I thank the Leader of the Opposition for his question, and the government does acknowledge the Auditor-General has handed the report to the Parliament today. We thank the Auditor-General for their work. I note that there are no recommendations that are made in the report to either the government –

*Members interjecting.*

**The SPEAKER:** Order! If members want to hear the answer, I ask them to come to order.

**Jacinta ALLAN:** There were, as I said, no recommendations made to the department or to the government, so on that basis I wanted that to be very clear in case the Leader of the Opposition had missed that part of the report. In relation to the findings that relate to the Department of Transport and Planning I am advised that the department has acknowledged the findings of that report. It is also important to note that, as I understand, the report –

**John Pesutto:** On a point of order, Speaker, I ask that you bring the Premier back to the question, which is: what benefit did Victoria get from this \$20 million of wasted money?

**The SPEAKER:** Order! I ask members not to repeat the question in a point of order. The Premier was being relevant to the question that was asked.

**Jacinta ALLAN:** As I was about to say, when it did become clear, as I believe the Department of Transport and Planning has advised in the report, that the investment was not delivering as expected, the decision was made to discontinue the project, as is appropriate. In terms of how we work across the state to support our road network looking at technological –

*Members interjecting.*

**The SPEAKER:** Order! The member for Nepean can leave the chamber for 1 hour.

**Member for Nepean withdrew from chamber.**

**Jacinta ALLAN:** He can go and put the kettle on for the event down at Rye next week. He is getting ready for lunch.

**The SPEAKER:** Order! Premier, through the Chair.

**James Newbury:** On a point of order, Speaker, I would ask you to bring the Premier back to the question.

**The SPEAKER:** Order! I ask the Premier to come back to the question that was asked.

**Jacinta ALLAN:** In terms of how we maintain and operate the road network, it is appropriate to look at technological advances. In this instance, the decision was made to discontinue the project when this was not a project that was going to provide those opportunities.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:07): Industry figures and peak bodies raised serious concerns with the government about the joint venture. Why did the Premier, as minister responsible, ignore that expert advice?

**Jacinta ALLAN** (Bendigo East – Premier) (14:07): As I said in my previous answer, when it became clear that the project was not going to deliver as expected it was not continued with and that involved assessment as was undertaken from advice from the Department of Transport and Planning, as is appropriate as you work through these decisions.

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

**Jacinta ALLAN** (Bendigo East – Premier) (14:08): As we on this side of the house know, the critical issue facing Victorians right now is making sure that more Victorians have the opportunity to have the dignity of a roof over their head and that is why we are working very hard across government on our landmark housing statement, a package of initiatives to boost housing supply and affordability across the state. Now there might be some blockers and knockers who do not want us to build more homes, who do not want to see more Victorians have the dignity of a roof over their head, who are more interested in playing politics with the issue than making sure that we do everything we can to boost supply because we know when you build more homes, when you increase supply, it helps put downward pressure on the affordability pressures that we know that many people trying to get into the market are facing.

When you block every single initiative to boost supply, you are saying to Victorians, ‘We don’t care if you don’t have a place to sleep at night; we don’t care if you don’t have the dignity of a roof over your head’. We are taking a very different approach. That is why we have done the hard work to date on releasing the housing statement and we are now working in partnership with industry through our affordability partnership so that we can build more homes. Critical to that is making sure that we have the supply of workers. Just as we have announced we are going to have a pipeline of building more

homes, we are going to provide certainty for business, but also for young tradies to see that they can start. They can go and do a free TAFE course. They can go and undertake their apprenticeship and training and know that there is a career ahead of them. That is why the announcement this week with the federal Albanese Labor government, who also is a lover of TAFE — Labor loves TAFE; that is why we had to save TAFE and reinvest in TAFE — was that we have signed a new national skills agreement to continue to support this sector.

### Commonwealth Games

**Peter WALSH** (Murray Plains) (14:10): My question is to the Premier. Despite public statements the Premier and the government made to the Ballarat community, the select committee heard last week that at no stage would the Ballarat saleyards be used for permanent legacy housing following the Commonwealth Games. Why did the Premier mislead the Ballarat community?

**Jacinta ALLAN** (Bendigo East – Premier) (14:10): I am pleased to have the opportunity to talk about the former Ballarat saleyards site, because this is an example of how we need to look at every opportunity, whether it is surplus land or land that has been vacant for some time, and how we can look at how we can turn those vacant land sites into homes for more Victorians. This is precisely what we were looking at across a range of sites in association with how we were looking at best delivering the Commonwealth Games.

Now that decision has been taken because, as we have said a number of times in this house, when it became very clear that the \$6 billion to \$7 billion cost for a 12-day sporting event was all cost and no benefit, we had the opportunity to go straight to the reason why we agreed to host the games in the first place, and that was to invest particularly in more homes for regional Victorians. Part of the work was done during our investigative work to look at the four village sites around regional Victoria. A huge amount of planning work has already been undertaken – work that we can continue to carry forward, whether it is part of the billion-dollar Regional Housing Fund, which is already delivering in terms of investment for new homes across regional Victoria, or indeed the village sites as well. And in terms of Ballarat, what we were looking at –

*Members interjecting.*

**The SPEAKER:** Order! The house will come to order.

**Jacinta ALLAN:** He is twitchy. In terms of Ballarat, the Ballarat saleyards site has been vacant since about 2008 – I will get my friends in Ballarat to correct me – when the former Ballarat council made the decision to move the saleyards site from the centre of Ballarat to another site. That site has been vacant for a very, very long period of time, and over that period of time there have been many discussions in Ballarat about how that site can best be utilised to support growth and development in the Ballarat community. In that context, when we were looking for a site for a Commonwealth Games village, the Ballarat saleyards site was one that was being looked at. Considering the history of the Ballarat saleyards site as a former saleyard, there needed to be an investigation, as is appropriate, by the Environment Protection Authority in terms of the potential contamination of the site. As we were working through those issues –

*Members interjecting.*

**The SPEAKER:** Order! Member for Polwarth!

**Jacinta ALLAN:** As we were working through those issues of course we were looking at how we could best deliver the village for the games and the housing into the future. We now have the opportunity to go straight to the longer term option for that saleyards site in building more homes for the Ballarat community.

**Peter WALSH** (Murray Plains) (14:14): On what date did the Premier receive advice that the Ballarat saleyards would not be appropriate for permanent legacy housing?

**Jacinta ALLAN** (Bendigo East – Premier) (14:14): In terms of the work up until the point in time when the decision was made on 17 July to not proceed with the Commonwealth Games program, we were continuing to look at options for the Ballarat saleyards site that would deliver a temporary village for the duration of the games with a view to how we could best deliver long-term housing options on that site into the future, recognising that there needed to be a transition through temporary accommodation for the games but also making sure that things like the laying out of utilities and the road network on that site could support permanent housing into the future. That work, up until that point, had been continuing, and that is work that we can now continue to re-examine as part of considering how we build more homes for regional communities.

**Ministers statements: healthcare workforce**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:15): I rise today to update the house on the Allan Labor government’s commitment to making sure a job in health care continues to be a great choice for all Victorians. We have over 340,000 Victorians working in the healthcare sector right across our state. Since we came to office in 2014 we have grown this workforce by 40 per cent. There are 36 per cent more nurses and midwives and 66 per cent more doctors in our hospitals today than when we came to office, and the really great news is almost a quarter of those are working in rural and regional Victoria.

But we know it is still way too hard for Victorians to access the primary care that they need. It is still extremely difficult to access a bulk-billing GP, and one of the reasons is the previous Liberal–National federal government failed to train enough general practitioners. We are investing \$32 million to incentivise GP training. The package will deliver 30,000 top-up payments to 400 trainee GPs every year for the next two years so that they do not have to take a pay cut.

We are not stopping there. We will keep investing in our healthcare workforce. The house well knows that this government is making it free to study nursing and midwifery right across the state. On top of this, we have 7000 scholarships to ensure that our current nursing and midwifery workforce have the opportunity to upskill and grow their careers in Victoria’s fantastic, world-class public healthcare system. Only a Labor government will invest in health care, will back in our workforce and will deliver the care that – *(Time expired)*

**Electric vehicle tax**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:17): My question is to the Premier. Today the High Court told the government that its electric vehicle tax is unlawful. Industry and commentators worldwide criticised the government for its electric vehicle tax, with the Electric Vehicle Council describing it as the world’s worst electric vehicle tax policy. How much will the government have to refund, including interest, to Victorians who were unlawfully slugged this tax?

**Jacinta ALLAN** (Bendigo East – Premier) (14:18): I know the Treasurer was really looking forward to answering this, but that is okay, I do not mind answering it for the Leader of the Opposition. As the Leader of the Opposition has said in his question, there was a High Court decision that was only handed down a few hours ago. We are obviously disappointed with the outcome, but we will take the time to properly consider the judgement. The information the Leader of the Opposition is seeking does require some time for the Treasurer to seek some further advice, and we will wait for that further advice.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:18): How much will Victorian taxpayers have to pay for the government’s legal fees and the applicant’s costs and damages?

*Members interjecting.*

**The SPEAKER:** Order! The member for South Barwon can leave the chamber for 1 hour. Enjoy your coffee and cake.

**Member for South Barwon withdrew from chamber.**

**Jacinta ALLAN** (Bendigo East – Premier) (14:19): I thought the Leader of the Opposition might have realised from yesterday that asking about matters to do with the engagement of lawyers might be dangerous territory for the Leader of the Opposition.

**Cindy McLeish**: On a point of order, Speaker, we saw yesterday the Premier continuing to debate questions, and I ask you to bring her back directly to the question so that she does not get into unparliamentary debate during question time.

*Members interjecting.*

**The SPEAKER**: Order! I ask the Premier to come back to the question.

**Jacinta ALLAN**: I refer to my previous answer. We are getting some further advice, and the Treasurer will diligently collect that further advice. As I said, the decision was only handed down a few hours ago, and we will get further advice on the matter.

**Ministers statements: Ethical Clothing Australia**

**Natalie HUTCHINS** (Sydenham – Minister for Jobs and Industry, Minister for Treaty and First Peoples, Minister for Women) (14:20): I rise to update the house about Ethical Clothing Australia, the work that is being undertaken and a launch that happened last week where I got to meet leaders from fantastic businesses such as Perri Cutten, Bluegum, Humphrey Law and Farm to Hanger. Ethical Clothing Australia provides accreditation to textile, clothing and footwear manufacturers, ensuring workers are paid fairly and work in safe conditions – an extremely important program. So far there are 120 businesses accredited, and I encourage more businesses to sign up. In this year’s budget we doubled our support to Ethical Clothing Australia, making sure they had the resources to do their critical work. In addition this funding will support ethically accredited businesses to engage in government procurement processes. This is all about creating jobs – more local jobs from more local businesses doing the right things by their workers and their safety. This side of the house always puts local workers first through our Local Jobs First and our fair jobs code policies. We are attracting investment and boosting Victoria’s capacities and capabilities here in manufacturing. Our manufacturing sector is worth \$33 billion, consisting of 24,000 businesses providing over 260,000 jobs here in Victoria and providing \$29.9 billion per year in annual exports – 84 per cent of this industry works full-time right here in Victoria. Whilst this government remains in power, Victoria will remain Australia’s powerhouse of manufacturing, and we will keep supporting ethical manufacturing businesses to thrive.

**Public housing**

**Tim READ** (Brunswick) (14:22): My question is for the Premier. The government plans to demolish public housing towers, replacing them with mostly private and some social housing, starting with five towers in inner Melbourne in the next few years. With most of these homes planned to be privately owned, this is an effective privatisation of urban public housing land. With more than 125,000 people on the public housing waiting list, doesn’t this privatisation of public housing land mean that the government is effectively walking away from providing government-owned – (*Time expired*)

**The SPEAKER**: I believe there was part of a question before your time expired. I ask the Premier to respond to the question that was heard.

**Jacinta ALLAN** (Bendigo East – Premier) (14:23): We on this side of the house are incredibly proud of the significant investment we are making in housing to make sure, particularly for people who rely on public housing, who rely on the government to be both the provider of the home and to also support the maintenance of that home – we are incredibly proud of the investment we have made through the \$5.3 billion Big Housing Build, added to with the \$1 billion that we are investing in

regional communities. That is work, which we will continue, that will significantly increase the number of homes that we are building for people that the member for Brunswick referred to who are relying on the Victorian government as their housing provider. We are proud to be doing that, and we are proud to be taking that one step further, significantly further, with the biggest urban renewal opportunity to redevelop all of the 44 public housing tower sites over a number of years, because this will take a number of years.

And you know what this will do? This will increase again the number of homes that the Victorian government will be building for people who rely on Victorian government homes. That is exactly what we will be doing at these locations. We will be increasing the number of homes at each of these sites by 10 per cent. But we will also be going one step further and providing – because these sites are large and because these sites are close to jobs, schools, services and public transport they are exactly the sorts of sites that we should be looking at to increase the overall supply of homes for Victorians. That is exactly why we have taken this opportunity, clearly not supported by the Leader of the Opposition because he cannot help himself but interject constantly.

We had hoped that maybe someone like the member for Brunswick would know in his community of the challenges that a project like the Nightingale project has had to be able to build just the sorts of homes that we need in a community like Merri-bek – the challenge that they have had in being able to get that property developed because of the Merri-bek council. This is exactly why we have to push ahead. We have seen too on the Fitzroy gasworks site, which is also close to the member for Brunswick's site – and I was there recently – where we are not just building more homes on that site, the government had to step in and –

*Members interjecting.*

**The SPEAKER:** The member for Richmond can leave the chamber for half an hour. Other members will be removed as well without warning.

**Member for Richmond withdrew from chamber.**

**Jacinta ALLAN:** We will continue to do everything we can to build more homes for people who rely on the Victorian government as their housing provider but also to increase the supply opportunities for all Victorians, because this is such a critical issue.

**Tim READ (Brunswick) (14:26):** With a 10 per cent increase in social housing – that is 440 new social housing units over 28 years, which is an average increase of 15.7 social homes per year – it is hardly a big build. Why doesn't the government lift its ambition to match the scale of the crisis and build a significant number of additional public homes rather than the average 15.7 per year currently planned?

**Steve Dimopoulos** interjected.

**The SPEAKER:** The Minister for Environment is warned.

**Jacinta ALLAN (Bendigo East – Premier) (14:27):** Perhaps the member for Brunswick missed the references I made in the answer to his substantive question around the \$5.3 billion plus \$1 billion that we are investing right now in building more homes for more Victorians. Sadly, on too many occasions we have seen the Greens political party at local government level not support investments by Homes Victoria, by the government, to build more homes on key locations. We have to build more homes, and that is why we are making this significant investment. We would hope that the Greens would stop being about the fight and work with us on the fix, because that is what we need to do. Having these sorts of arguments and blocking supply does not support people in Brunswick, in Bendigo, in Brighton – oh, maybe Brighton, you know, with all due respect. We have got to make sure that we build more homes for all Victorians.

**Ministers statements: education funding**

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (14:28): Education is the single most important investment we can make in our future. Lifelong learning, beginning in early childhood and extending all the way to a person’s chosen profession, has to be the norm. Under the Allan Labor government, we are getting on with building the Education State in every corner of our state. On this side of the house we know that when you transform a school, you transform a community. We know growing equality of opportunity and growing –

**Richard Riordan** interjected.

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

**Member for Polwarth withdrew from chamber.**

**Ben CARROLL:** educational outcomes can mean the difference between someone having the life they choose and getting on and doing everything they want to make a great commitment in their life.

**John Pesutto:** Then why aren’t you helping, Ben? Why aren’t you helping?

**Ben CARROLL:** We are helping. I will take that interjection.

**The SPEAKER:** Leader of the Opposition, I ask you not to call members by their names but by their correct titles.

**Ben CARROLL:** Fifteen billion dollars – almost – invested in schools. We have built more schools in this state than any other state in Australia. We are above the national average for teacher recruitment. Five thousand teachers have been recruited in just the past two years. And guess what, we are at the top of the class for NAPLAN. Every time I visit a school I come back very motivated, just like when I was with the member for Melton last week at Binap Primary talking to the local principal and the community. I am very pleased to inform the house that of the 100 schools that we have committed to open by 2026, we will already have 75 open by next year. That is supporting some 20,000 jobs in construction and getting on and delivering it.

Let us talk about the other side for just 20 seconds: \$1 billion cut from the education budget, education maintenance allowance cut and student support officers cut – and they went even so low as to cut free fruit on Friday for our most vulnerable kids. They like to talk about education. They never deliver on it. They cut, they cut and they cut.

**Schools payroll tax**

**Jess WILSON** (Kew) (14:30): My question is to the Minister for Education. Analysis released today by the independent Parliamentary Budget Officer reveals that a further 18 Victorian non-government schools will be liable to pay millions of dollars in the Victorian government’s schools tax over the coming years. Why is the minister intent on increasing the cost of schooling for more Victorian families during a cost-of-living crisis?

*Members interjecting.*

**The SPEAKER:** Order! Leader of the Opposition, I would hope you would have some respect for the member for Kew and her question and want to hear the answer. Members on my right will also show the same respect.

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (14:31): I do have respect for the member for Kew. She is moving up in the world, and I wish her all the very best for her success in this chamber. I know she is moving up. They need more of them who also supported the Voice, and I think the member for Kew should be congratulated for that.



On to the substantive question, the member for Kew did say she asked the independent budget office to provide some important advice. I have had the pleasure of reading this advice, and I have got to say there are a lot of hypotheticals in it. But let us just leave that.

Let us be very clear: private school fees are a matter for private schools. Every Victorian government school pays this tax. What we have instituted and what the Treasurer has done has been targeted, proportionate and fair. There are 60 schools that are liable for the tax. Some 667 are not. We are getting on with doing what we promised, as I said just a moment ago: \$15 billion invested in every corner of this state in education. We are making sure that what we do transforms communities and transforms young people's lives.

To the other part of the question about the future, the budget office talks a lot about the future, and they themselves say setting school fees for private schools is a matter for the private schools. The member for Kew would be aware of that because they talk about hypotheticals and they talk about the limitations of their advice. So let us be very clear: the threshold has been set at \$15,000. It will remain in place until 1 January 2029, and it will be reviewed a year ahead of that for the 2029 school year. That is what we are doing. It is proportionate, it is fair and it is responsible.

**Jess WILSON (Kew)** (14:33): Will the minister now recognise the unfair impact of the government's schools tax on Victorian families and immediately reverse the decision to tax non-government schools?

*Members interjecting.*

**The SPEAKER:** Order! Member for Kew, you have asked your question. The Minister for Education to answer the question that was asked, without support from those at the table.

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (14:34): What we are doing is we are making sure every child in this state, from the day they are born to the day they retire, for the first five years of their life get everything they need to go on and have a brilliant career whether they are in a Catholic school, a state school or an independent school. We are making sure the exemptions that we put in place flow to those schools that genuinely need it, and we are making sure that no matter what your background, no matter what your postcode, you get the education you deserve and you want. We know the vast majority of non-government schools have retained their payroll tax exemption. As I said at the very beginning though, private school fees are a matter for private schools.

### **Ministers statements: Spring Racing Carnival**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:34): I rise to update the house that we are racing in the 2023 Victorian Spring Racing Carnival, a carnival that brings people to our state, that brings people together, that promotes economic activity and is a great day out. This Saturday is the historic Caulfield Cup; the following week is Australia's best race at the valley, the Cox Plate; and then the carnival moves to headquarters at Flemington for four magnificent days of racing for the Melbourne Cup Carnival. The cup carnival is the largest major event in Victoria. It is bigger than the Australian Open tennis with the \$422 million contribution that it makes, but it is also not all about Melbourne.

It is the culmination of 55 country cups that are run across our state across the year. Let us give a shout-out to those 128 racing clubs across our state, mostly volunteer, and the racing events and courses that they run – 650 community events that use racing club facilities. I will be with the member for Ripon on Saturday to see the best of country racing at the Avoca Cup with 5000 of our best friends. We will be at the Seymour Cup on Sunday and next week at the Geelong Cup with the member for Geelong, the member for Lara and the member for Bellarine. I was at the Warrnambool carnival in May, and in a couple of weeks I will be with the member for Cranbourne at the Cranbourne Cup.

The Allan government has been investing \$72 million in infrastructure funding and animal welfare through the Victorian Racing Industry Fund, and do not forget that in the Southern Hemisphere the biggest place for horse training is out there in Cranny. Do not forget also that our industry generates some \$4.7 billion in economic activity and 35,000 full-time equivalent jobs, 9000 of those in country Victoria. I can tell you one tip, Speaker: we may not all back a winner, and some do not back the racing industry at all, but the Allan Labor government backs racing jobs in Victoria.

### *Rulings from the Chair*

#### **Constituency questions**

**The SPEAKER** (14:37): I have reviewed the constituency questions from yesterday. The member for Hastings asked two questions. While there was a close connection between those questions, they effectively asked the minister to provide two separate answers. I therefore rule the question out of order. The member for Melbourne asked a question which, although it was worded as a question, in substance sought an action from the minister, and I therefore rule the question out of order. As always, members are invited to ask the Clerk or me for a review of their constituency questions prior to bringing them to the house.

#### *Constituency questions*

##### **Murray Plains electorate**

**Peter WALSH** (Murray Plains) (14:38): (360) My constituency question is to the Minister for Public and Active Transport, and it concerns constituents in Kerang district who have been seeking information as to when they will be able to buy V/Line tickets again in Kerang. I wrote to a previous minister for transport about this issue and had no response, so I would ask the minister if she can provide some information and advice to the residents of Kerang about when they will be able to buy V/Line tickets again in Kerang.

##### **Lara electorate**

**Ella GEORGE** (Lara) (14:38): (361) My question is to the Minister for Housing. Last month the Allan Labor government released *Victoria's Housing Statement*, setting a bold target to build 800,000 homes across Victoria in the next decade. In my electorate I am hearing that housing affordability is the main concern of many residents. In fact we are seeing this across the country as it is becoming harder and harder to find an affordable home. This statement is putting forward an ambitious plan to tackle this problem by increasing supply across the state. This is an issue of utmost importance to many across my electorate, so I ask the minister: how will the housing statement and the Allan Labor government's investment in housing benefit people living in the Lara electorate?

##### **Polwarth electorate**

**Richard RIORDAN** (Polwarth) (14:39): (362) My question this afternoon is for the Minister for Environment, and I ask the minister: when will he be signing off and approving the lease for the Simpson Speedway club so they can continue keeping their facility alive? The Simpson Speedway is a marvellous facility west of Colac. It is an organisation that brings together many, many uses for the Crown lease that exists in that space. It provides a community hall. It provides a large source of revenue to that community in fundraising. All money generated by the Simpson Speedway of course gets spent locally, whether it is through local contractors or in local businesses. It is estimated that the return to the community is in the order of many, many millions of dollars. The lease has now been sitting with your office, Minister, since May last year, and the community and the people at Simpson would really appreciate a prompt response so they can get on with their fundraising in their organisation.

**Kororoit electorate**

**Luba GRIGOROVITCH** (Kororoit) (14:40): (363) My question is for the Minister for Education. Can the minister please outline what programs and supports are in place for children with learning disabilities in Kororoit so that they have access to the same schooling and wellbeing opportunities as all children? The background to this question is actually heartwarming. Bianca Novacevski, a year 4 student at Brookside P-9 College in Caroline Springs, recently expressed to me that her school has supports in place for all students, including those with learning disabilities, as well as programs for their personal wellbeing. However, Bianca has expressed concern as she is unaware if other schools have access to the same supports and programs. Bianca believes this will help children with their learning difficulties and mental health issues, as all children have the right to learn according to their own individual needs. I want to thank Bianca for raising this important matter on behalf of her fellow peers so that we as a government can help young people in our community and, in Bianca's words, 'learn, grow, and have the ability to cope with those who speak or act differently and, set up for a new generation'.

**Morwell electorate**

**Martin CAMERON** (Morwell) (14:41): (364) My constituency question is for the Minister for Emergency Services in the other place, and the question I ask is: what is being done to prevent another Hazelwood mine fire? February will mark 10 years since the Latrobe Valley endured its darkest period. For 45 days the region was shrouded in smoke and ash rained down from the skies as the fire in the Hazelwood mine raged out of control. Some residents tried to flee; others were forced to stay indoors. The air quality was so poor that people immediately began suffering adverse health effects. A decade on, the memories, scars and health impacts caused by the mine fires are still present. As we brace for another dry, hot summer, constituents have raised concerns about the possibility of another fire in the Hazelwood mine. The mine is currently partially filled with water, but any exposed coal, particularly during a long, hot summer, poses a grave fire risk. Minister, what is being done to combat the fire risk in the Hazelwood mine and prevent another catastrophic event from occurring?

**Glen Waverley electorate**

**John MULLAHY** (Glen Waverley) (14:42): (365) My constituency question is directed to the terrific new Minister for Prevention of Family Violence. Minister, how is the Orange Door, inner east, in Box Hill supporting my constituents as their local point of contact following a family violence crisis? When I was an electorate officer in the last term of Parliament I would often assist constituents in finding resources to escape family violence. In 2019 Labor members from the other house provided us with contacts for those experiencing domestic violence. I would like to give a shout-out to the Eastern Community Legal Centre; Uniting Vic.Tas; the Salvation Army; Launch Housing; SECASA, the South Eastern Centre Against Sexual Assault; and EDVOS, the Eastern Domestic Violence Service. In September 2021 the Orange Door in Box Hill opened, providing a new resource for those in the eastern suburbs. Since the Orange Door program began in 2018 the service has helped more than 100,000 Victorians. I am proud to be part of a Labor government that has implemented the Orange Door as a recommendation from the 2016 Royal Commission into Family Violence. I look forward to the minister's response.

**Sandringham electorate**

**Brad ROWSWELL** (Sandringham) (14:43): (366) My constituency question is to the Premier. The Beaumaris Children's Playhouse is an incredible organisation within my community, having served families in the bayside community for more than 40 years now and currently serving some 170 local families. Sadly, earlier today I received a number of emails from Playhouse families saying that Bayside council plan to take over the facility in order to build a larger kindergarten on the site of the Playhouse, with no notice to those families. So I ask the Premier: what support can the Premier and her government provide the Beaumaris Playhouse community as they navigate the difficult circumstance before them?

**Narre Warren North electorate**

**Belinda WILSON** (Narre Warren North) (14:44): (367) My constituency question is directed to the Minister for Public and Active Transport. My electorate of Narre Warren North has some incredible investments in public transport and infrastructure from the Allan Labor government, including two level crossing removals in Hallam and Narre Warren. Recently I have had constituents from my electorate contact me about the need for some accessible public transport options in Lysterfield South. My question to the minister is: what is the process to implement some accessible public transport in Lysterfield South?

**Mornington electorate**

**Chris CREWTER** (Mornington) (14:44): (368) My constituency question is for the Minister for Community Sport. Will the minister commit remaining funding to enable the Emil Madsen Reserve, Mount Eliza, redevelopment? Emil Madsen is the largest participation sporting facility in the country, with soccer, cricket, netball, football, skateboarding and a playground bringing together over 2000 community members. Currently there is local government and federal government funding. Before the election I had secured a \$5 million commitment from an elected coalition state government for it. Labor did not match this, so state funding is still missing. State Labor must come on board. Many local examples exist of bipartisan commitments, such as Jubilee Park Stadium, where I secured funding for their master plan and millions for their build, where state Labor came on board – and I went to its official opening on the weekend. There is Lloyd Park, Langwarrin’s new pavilion, being constructed with \$4 million I secured, plus council funding; Frankston and Kananook car parking; or the Mornington–Hastings bus service, where despite Labor not matching our Liberal campaign commitment they have now come on board. Do the same please, Minister, for Emil Madsen.

**Broadmeadows electorate**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (14:46): (369) My constituency question is for the Minister for Roads and Road Safety, and the question I ask is for the minister to consider a safety and speed limit review on the following roads: Pascoe Vale Road, Glenroy; Pearcedale Parade, Broadmeadows; Widford and Blair streets, Broadmeadows; and Wheatsheaf Road, Glenroy. I have been approached by the wonderful and fierce community pedestrian advocate Mary Pope about the safety of pedestrians along the shopping strip in Pascoe Vale Road, Glenroy, and also along Pearcedale Parade in Broadmeadows. She has requested that speed limits be reviewed in these two locations. Michael O’Connor, another hardworking transport advocate, has also requested a speed review of Widford Street in Broadmeadows. The section of Widford Street in Glenroy has been reduced to 50 kilometres per hour thanks to his advocacy, but it remains at 60 as it crosses the ring road, where it passes the Olsen Place shopping centre. He also asked for a speed limit review of Wheatsheaf Road, Glenroy, and Blair Street in Broadmeadows, which both have a number of community facilities and shops.

**Motions****Parenting support services****Debate resumed.**

**Emma KEALY** (Lowan) (14:47): I rise today to speak on what is widely known in the house as the IVF motion. But this is of course much broader than that, and it has matters which relate to how we are best supporting parents and young people in their early years and particularly around some of the issues that come to be when you are looking at making that decision – and it is an enormous decision which so many of us in this place do know about – to start a family and how you go about that journey.

I have just remarked to the member for Dandenong across the chamber that I think the last time we were in a similar circumstance we shared our stories over the table, and we both had wet cheeks by the end of the contribution, so I am actually quite pleased that we are able to share this moment again.

Of course since then we have both had children; we have both welcomed little ones into the world. And we are very fortunate in being able to do so, because I think it is perhaps one of the most important jobs that any of us will ever have beyond being a member of Parliament. Being a parent is so important, and if I can take the liberty of giving us both a pat on the back for the work that we do in balancing a family and also representing our local people. For all the parents we have got in the chamber, whether you are a mum, whether you are a dad or whether you are an important role model for younger people in your life, thank you for all you do. You do a fabulous, fabulous job.

When it comes to starting a family, it is a decision that I find quite ironic – that it is so hard for some people to be able to start a family, yet when particularly women are, I guess, entering into that world of relationships and really when they are thinking about children it is probably taking every single effort not to have a child. Then it gets to the point where perhaps you have made the decision that you want to bring a young life into the world. Maybe it is something that you find out that was not necessarily planned, but you make that decision around, well, what happens next. I think particularly for women when they make that decision that they want to have a child and they do not fall pregnant and then they do not fall pregnant the next month and the next month and the next month – and it can be a very short time frame where I guess there is this perception for so many women when they are taught sex ed at school that if you have unprotected sex you will fall pregnant straightaway if you are within a certain window, so it is very, very challenging for women to find out that hey, my body does not work like this. I was told when I was at school that if I did this, this is what would happen. This would be the outcome. I would be pregnant straightaway. There is an enormous inbuilt sense of failure for women who are unable to follow that pathway that we are taught about at school.

That can of course have enormous flow-on effects, not just for the woman or the family in terms of their ability to actually have a child and grow a family in their own right but also about their mental health, about their sense of worth in the community and about confronting those really challenging issues: ‘This is something I actually planned my whole life around. This life that I was going to live was going to look this way, and now I don’t know what happens next’. The feeling then when you have got friends who have babies or you have got other family members, sisters or brothers or other siblings around you – it can just remind you that you are without, and that is very, very difficult.

Of course also with IVF making the decision to go down that pathway is enormously expensive. Having a family, creating a family and nurturing a family should never be a decision which is based on your bank account. I think we all agree on that. I do not think you will find any challenge from anybody in this chamber or probably any Parliament in Australia, to be quite honest. It is everybody’s right to be able to have a family. It should not be out of reach simply because you do not have the finances to be able to endeavour to engage in a health program like IVF. This is something there were a number of commitments about before the election. The government had their own commitments, which they are bringing forward. The Liberals and Nationals took their own commitments, which were quite similar in many respects, around supporting women to be able to access IVF without financial impediments and without the amount that is in their bank account being a limiter on whether they could enter into IVF or not. There were particular other elements that the Liberals and Nationals brought forward around including some of that paid fertility treatment leave for nurses, teachers and other public sector workers. I think it is very important to make sure that when time is taken away from work you are able to get some flexibility from your employer or able to access leave for that so you still have an income. It is very important that we see that ongoing support.

The other aspect which is slightly different to the pathway that the government have gone down is that when women have a relationship already with an existing IVF provider, they have a relationship, and it is often a very deep relationship because it is not just around that health procedure that takes place, it is actually about working through, as I said, the mental health aspects and the trust. It is invasive as well, so it is something where it is important that women can, wherever possible, stick with the same provider, the same clinic and the people that they have developed that relationship and trust with. I think it is very, very important to ensure that this is not just seen as a public or private entity and we

## MOTIONS

3866

Legislative Assembly

Wednesday 18 October 2023

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actually ensure that women are given choice about their provider. They can stay with their current provider if they have been on IVF for some period of time and that relationship is able to continue into the longer term.

When we are talking about IVF and pregnancy, there are many, many quirks around it. I do note the minister's comments in her opening statement. She did cover off on so many aspects of the challenges and the warm stories as well. I think one of the things that is very, very difficult for anybody is to know somebody experiencing, or to go through yourself, the loss of a pregnancy. It is something that women who go through IVF have to face so regularly that for some it can become just a transactional thing of oh, this has failed again, and there is nearly a sense of disbelief when they are finally pregnant that it will carry along to a full-term pregnancy.

We all know, and it upsets everybody in the Nationals team still, that we have a very close friend who lost her baby last year. That was an incredibly difficult time for each and every one of us but particularly for the former member for Euroa and her family around the circumstances of that occurring. Our thoughts are always with Steph. We certainly wish she was still around; she is a superstar, but we know that she is doing very well also. But we feel like we lost part of our family last year, and I think that is an experience any person can go through. Particularly for the woman who is going through that pregnancy loss, it is an exceptionally difficult thing.

I do note the minister's comments in her opening remarks in this debate around the Pink Elephants, who will be presenting in Parliament tomorrow. Of course there are many early pregnancy and miscarriage support groups right around the state. Some are more prominent than others, some are local community groups that get together. This is a very important network of services because while you can be close to somebody who has experience of loss of pregnancy, whether it is through termination, whether it is through spontaneous miscarriage, whether it is in the early stages of IVF and an implant not taking root they are all steps where people need support. Often to share those experiences can make an enormous difference in being able to connect to someone who has an empathetic ear and that sense of connection. That is very, very important because we are all going through our own individual journeys and while there are a lot of battles in this place, I think that on this we can at least all agree that when people can share their stories in an open and respectful way, it does lead to a greater outcome for every single individual who is going through that scenario.

While it is sometimes difficult, in this place we can sometimes share our stories in a very personal way. It is something that is important because it might resonate with one individual out in the community who then feels like they can either reach out and get support, to know that they are not alone and to know that there is a pathway forward and perhaps a different journey ahead of them. It might not be what you expected, but in some way it may end up being the right journey and pathway for you. There were people I met who were going through IVF who were unable to continue with their programs during the COVID lockdowns. It was something that was investigated as part of the Pandemic Declaration Accountability and Oversight Committee in the last term of Parliament. It is covered off in the *Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders*, which was tabled in this place in July 2022. There were many decisions made over the COVID lockdowns, and there is now the opportunity to look back and think what was right, what was wrong, what worked and what did not. There is no doubt it would have always been difficult to find that line. For me, one of the most outrageous decisions and one which was not founded in health advice or health recommendations was the cessation of not just elective surgery but also IVF treatments for a period of time in early January 2022.

This was part of the code browns that were called at that point in time. I was a member of the committee, and it found that it was an overreach and an unnecessary action that took place under the guise of releasing health workforce into the public hospital system. But, we heard through evidence, that that did not ever eventuate. The outcome was that we had families, women, who were going through IVF treatment who had to suspend that treatment and interrupt cycles in the midst of the COVID pandemic. The committee heard that advice was not sought from the chief health officer at

that time as to what the implications would be in terms of the mental health impacts and the financial and physiological impacts on women who had their IVF treatments interrupted. There was no input from the chief health officer on that rationale of balancing the staff. While this was an attempt to release staff, would any health staff actually be released into the public health sector? Unfortunately the answer was no, and that is something else we heard through evidence. While they were attempts through that code brown to release staff, not one staff member was released during that time.

There are other aspects when we look back over the COVID pandemic where there were critical decisions made without founding advice and without supporting evidence even at the time, and this is without the 20/20 vision of hindsight, where there were significant impacts on young families in particular and our kids. This motion mentions expanding Victoria's early parenting centre network. Over COVID some of the services that are being outlined and are being delivered by Victoria's early parenting centre network were delivered by maternal and child health nurses. They are absolutely brilliant people. They were all woman in my experience. Jen and Jennifer were my two maternal and child health nurses. They supported me over COVID, but it was a very, very difficult time. I had my darling little girl Ella in one of the first lockdowns. For me it was a very difficult experience. I had been at home in lockdown. We had had no cases of COVID at all on our side of the state. I had been homeschooling my little boy Harvey, who was in grade 2 at the time, every day, so he had been sitting at home with Mum, watching her get bigger and bigger and bigger. At that young age, about six, seven years old, he was not quite sure what was happening, but he knew that something big was happening.

When my waters broke on the Sunday night I called up my dad. He came round to look after Harvs as Chris and I went into hospital, and Harvey did not know where Mum was in the morning. Even though Poppy was there, he had no idea where I was. I feel like he missed out on a really important opportunity to bond with me, to have a greater understanding of what was happening in his family life, because he was not allowed to come into hospital to see his mum. He was not allowed to come into hospital to see his sister. He could not work out what was happening, and he was very, very concerned about all of us. Given there were no cases around, as I said, at the time – and there would not be for a year to come – I do always wonder what difference that would have made to him. In some ways even though it was completely out of my control – they were not my hospital orders; they were the government's hospital orders – I still feel a level of guilt that there was not something I could have done to better support my child.

I also think it would have made a difference to me in my mental health journey, as has been shared in this place before, given my wonderful maternal and child health nurses Jen and Jennifer were not able to do the drop-ins that they usually would do as part of their maternal and child health checks. It is very normal for maternal and child health nurses to come to your home to make sure you are coping okay, you have got supports around you and it is a safe environment. That is particularly important in identifying women who are at risk of family violence and other aspects at this time: 'Is there food in the fridge? Is the baby going to be safe? Is there somewhere for them to sleep? Is there a dog in the area?' It is all of those questions, which seem quite basic but were totally missed over that COVID period. We need to make sure that we are checking in on all of those mums and all of those kids now, and I am not sure that has ever been caught up on.

But Jen and Jennifer for me were fantastic. It was at a time when eventually I was diagnosed with postnatal anxiety more than depression, and if it had not been for Jen and Jennifer I would not have been able to get any support at all. They were amazing. But there was just nothing available, and there are still very, very limited resources out there for women who are going through postnatal anxiety or depression. It is really hard to get access. In fact if I had not had access to the parliamentary mental health support team as a member of Parliament, I would not have been able to get anything – not a thing – and that is what parents are still facing right across the state of Victoria. They cannot access mental health support when they need it.

There are not enough mental health workers in this state. While there are some scholarship programs that have now been put in place, there is not an increase in the number of places that are available to

make sure we are training an expanded workforce. Now we come out and all of us say we want to get the right care that people need in the place they need it at the time they need it, but that is not happening in Victoria. It has not happened in my time in Parliament, and I cannot see it being addressed any time in the near future unless we expand the mental health workforce.

I am enormously appreciative of PANDA. PANDA have amazing online resources. They have provided for the gap in support and care that people need from the get-go, and I thoroughly recommend them for any new parent. Whether you are a dad or a mum, it does not make any difference. Maybe you are another supporter in someone's life. Reach out. Go to PANDA if nothing else. Go to your GP. Talk to your maternal and child health nurses. They are the ones who will connect you in, and while resources are limited, do not think that it is not worth reaching out simply because you do not think there will be anyone out there. Please put yourself first, put your baby first, put your relationship first and reach out for that support.

As I said, over the COVID pandemic things got very tough for a lot of different reasons around mental health, and that was also for younger kids who simply could not deal with being cut off from their family and friends, from their school and routines and from the things that they like to do to enjoy themselves or connect with the community. That is things like playing sport, going to art classes, playing guitar, being in the local stage production, just being able to go down to the playground or kick a footy with mates. That could not happen. While that had an impact then, which is summarised, as I said, in the report I mentioned earlier from the Pandemic Declaration Accountability and Oversight Committee, we are still seeing the impact of that today. The journey of life can begin with IVF, it can begin in lots of different ways, but we need to make sure we have got in place a system to nurture children and make sure they are the very best they can be.

I went to two schools last week. I went to the fabulous Halls Gap Primary School and I went out to Kaniva College in the west of the state. Speaking to the teachers in both of those centres, they were very much concerned about the impact of the COVID lockdowns on their students and the limited support that was still available to them as teachers to better support those kids. While I know that there is a feeling that I am cutting back over something that happened years ago now and we are trying to park it in our past, the impact and implications are still having an effect today and it cannot be forgotten.

We had an enormous surge in calls to Kids Helpline – a phenomenal surge. We saw in 2021 that close to 123,000 attempts were made to connect to Kids Helpline counsellors by people in Victoria alone. That was a 20 per cent increase from the pre-COVID time, but they simply do not have the funding to be able to deliver support to all of those kids calling in. Kids Helpline have done a phenomenal job in providing that support for our kids, and they still have similar demands. It has eased somewhat, but it is certainly not back to levels that we saw before COVID. I would urge the government to look at expanding their financial support to Kids Helpline, to Lifeline and also to other helplines. They are always put forward in government media releases, but they need to get that additional funding in place to make sure that they can meet the demand, because it is still there today.

I would like to go back again to the early parenting centre network, which is specifically itemised in today's motion. While it is a step forward that we have early parenting centres where professionals are able to provide advice and support to parents around sleep and settling, child behaviour and parent and child health and wellbeing – I guess in some areas this is something that maternal and child health nurses are somewhat providing, but not in the same way – I do note that these early parenting centres are all based in either Melbourne or large regional cities. My electorate of Lowan represents about 20 per cent of the state, and as many of my National Party representatives know, when you are in a country area a long way away from Melbourne, a long way from Ballarat, Bendigo and Geelong, you have the most limited access to services. While I understand that the government can only do it in certain seats, we need to make sure that people who live in country Victoria do not miss out on the supports that are available to people in the city just because they choose to live in the country.



There are kids, like the kid of a very good friend of mine, who simply do not settle, and it can have an enormous impact on the relationship between the child and the parent. We all know how tired you can get being a mum, especially as a new mum or when kids go through that eight-month stage when the teeth kick in. That was a terrible time for my two kiddos. Whatever it is, it can be a really difficult time, and when your baby will not sleep and you cannot sleep and nobody can catch up, it is just annihilating. That can also exacerbate other issues that happen, particularly postnatal depression. I have got a very, very close friend who has done a lot of work with PANDA, an organisation I mentioned before. She had significant postnatal depression, and if she had not had the support of and access to a sleep centre – she came to Melbourne for those services – she questions what the future would have been for her and her child. She felt she was at risk and she was thinking things that she did not want to be thinking about, about harming her child. These are the supports that we need available to every single Victorian woman.

Having those services available in Melbourne is great, but without financial support for women to be able to access those services from the country or to travel to that area, or even the recognition that they are travelling away from their support network – they are travelling away from perhaps their mum who is there every day otherwise, or they have got one support person who they can trust and rely on in town, and you are taking them out of that environment – we need to have flexible ways that we can provide supports to people who do not live in Melbourne, Ballarat, Bendigo or Geelong. It is really important that we do make sure that we have got services for every Victorian, not just those people who live in metropolitan centres.

Because we are talking in this motion around the critical early years of children's lives, I also want to speak about some of the other aspects of this. Unfortunately there are other downsides when it comes to government decisions about their priorities and about where things are going wrong and not being addressed. We know that government tends to gloss over some of the key issues because it looks bad. It is probably one of those things we all get accused of. The government only talks about the good stuff that they can sell in their media releases to get a positive story and a smiling picture in the news, but we do not necessarily get the truth. And that is the job of opposition, to make sure we hold government to account. So within this motion, while absolutely we have got things to do –

**A member** interjected.

**Emma KEALY:** And yes, I hear from over the table, here we go. There are really important events that are not being addressed, and we are not seeing transparency in the state of Victoria around them. We know that the *2021–22 Sentinel Events Annual Report* indicated there was a significant increase in the number of sentinel events in healthcare services in Victoria over a 12-month period in 2021–22. In fact, there were 240 sentinel events in 2021–22, an increase of 43 per cent on the previous year. Of those 240, 38 were children. We still do not know from the government how many of those sentinel events resulted in the deaths of children. We do not know how many. It is so important that every government is transparent in the information they provide and does not just talk about the good news story and the happy snaps. We also need to understand what is going on, why it happened and what the government is doing to fix it, because it is very, very concerning that we have got 38 children who had a sentinel event, which is either a death or a significant injury which caused a substantial difference in that child's capability going forward. This is a significant number – 38 in Victorian hospitals in one year alone. The government must come clean with that. They must make sure that they are being accountable to the services that are being provided to children across our state.

I do believe one of these instances was around the case of a young man that I have spoken to on a number of occasions, Jesse. He went through a hysterectomy as part of a gender reassignment surgery at the Women's hospital. Jesse recounts a terrible situation where he had not had a pregnancy test beforehand, and his hysterectomy also aborted a fetus that was months old. This is incredibly difficult for someone to wake up to. There were other complications as part of the surgery. There were other challenges in Jesse's journey as well in being misgendered on a number of occasions and still getting letters asking for donations in his former name and being addressed as 'Miss'. There are key issues

around some of that, and we need to ensure that at every opportunity we are doing what we can to shed light on these issues. I believe that Jesse's fetus – Wolf is what Jesse called him – is one of the 38 children who were noted in that sentinel events report.

We have also seen a critical lack of support in terms of Aboriginal children in Victoria removed from their families and placed in the out-of-home care system. If we are looking at the best possible support for all Victorian children, we must focus our energy on reversing this trend of more and more Aboriginal children being taken out of their homes and put in out-of-home care. I note that again we have seen a horrific increase in that number. In 2008–09 it was 37.7 children out of every 1000, a total of 734 young Aboriginal kids taken out of their home. In 2020–21 it went up to 134.9 kids per thousand head of population. It was a significant increase, and in that year, 2020–21, it was 2592 Aboriginal children taken out of their home and put in out-of-home care.

While I acknowledge this motion today is around the government talking up the good work they have done, there are significant issues that must be addressed, and we cannot see that they are being addressed. Whether it is about fairness and equity for children who are born in rural and regional areas of the state or whether it is about equity and services and fairness in access to services for parents and families who live in rural and regional areas of the state – whatever it is – we need to make sure that all Victorians are cared for. We are not seeing that from the Allan Labor government, as we did not see it from the Andrews Labor government. We are not seeing anything made different at this time, apart from the fact that the Allan Labor government cannot manage projects and cannot manage money. Certainly we are seeing are glossing-over of some of the significant issues that are facing this state.

We need to make sure that IVF services are accessible to all. We need to make sure there is fairness and equity in how those health services are delivered. But most importantly we need to see an expanded array of services available to people who live in rural and regional Victoria, because they contribute so much to our state. They are too often forgotten and overlooked, but they should be front and centre of every single decision made in this place. Just because they are not part of the population of greater Melbourne does not mean that they are lesser, and it does not mean that they are not as important. We know things will need to be done differently, but unless government stops overlooking them and starts looking at how it can reach every corner of the state, we will not see a difference in health outcomes, educational outcomes or closing the gap in our wealth outcomes for people who live in rural and regional Victoria.

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (15:17): I move:

That the debate be now adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

#### *Committees*

#### **Select Committee on the 2026 Commonwealth Games Bid**

##### *Premier*

**The ACTING SPEAKER (Meng Heang Tak)** (15:17): I have received a message from the Legislative Council requesting that the Legislative Assembly grant leave to the Premier the Honourable Jacinta Allan to appear before the Legislative Council Select Committee on the 2026 Commonwealth Games Bid to provide evidence in her capacity as the former Minister for Commonwealth Games Delivery.

**Ordered that message be taken into consideration immediately.**

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (15:18): I move:

That this house refuses to grant leave to the Premier the Honourable Jacinta Allan to appear before the Legislative Council Select Committee on the 2026 Commonwealth Games Bid to provide evidence in her capacity as the former Minister for Commonwealth Games Delivery.

**Sam GROTH** (Nepean) (15:19): This is a historic day for this state, a time when the Premier of this state, the former Minister for Commonwealth Games Delivery, has been asked – now formally, through a motion in the other place – to front the Commonwealth Games inquiry, an inquiry into something this state, because of the performance of this government, should be utterly ashamed of. The Commonwealth Games was supposed to be, by the government's own admission, something that delivered for regional Victoria. It was something that the government had plans to deliver in 2026. Evidenced by what we have seen already in the upper house inquiry, what the government has said is a stark contradiction of those members that have appeared in front of the inquiry so far.

We know that the now Premier in her role as the Minister for Commonwealth Games Delivery has been the chief architect in botching the 2026 Commonwealth Games, which has absolutely trashed this state's reputation and has torched close to \$600 million of taxpayer funds. We know that as far back as late 2022 and early 2023 the government was made aware and the minister was made aware on many occasions that the cost of delivering the Commonwealth Games was not the \$2.6 billion that they stated but was pushing upwards of \$4.5 billion. We know that the Department of Jobs, Skills, Industry and Regions (DJSIR) had briefed and put budget submissions to the government outlining a more than \$2 billion cost. We know that the business case advised against delivering a regional games and advised that if they were going to deliver it, it would need to be done in a three-city capacity. The government decided to move ahead with a five-city games with multiple extra sports, a games that, through everything that we have heard so far in the inquiry, was never, ever possible to deliver. We know that the government continues to spruik a cost blowout somewhere in the range of \$6 billion and \$7 billion, with \$2 billion of additional costs allocated to the Office of the Commonwealth Games, and we know that the CEO – or former CEO now that has been shut down – of the Office of the Commonwealth Games admits that he had never, ever seen that \$2 billion in additional cost blowouts before.

We on this side of the house fully support the motion that has come down to bring the now Premier up in front of this inquiry. Yes, we know that she has been formally requested to do so and that previously she has said that she will not, but it is the right thing to do. It is early on in this Premier's tenure, it is early on in her time leading this state, and I think when the former Premier left we all had some level of optimism that things might change here in Victoria and in this place and that we might actually see something different, but from what we have seen over the last month it is just more of the same. It is the status quo. It is just a continuation of what has happened previously. The Premier has the opportunity to come and set the record straight. She has refused, and now a motion moved in the upper house, in the other place, has once again asked that she come and front this committee.

If we look at the evidence that has been provided to the committee so far, it is in stark contrast to what the Premier has said numerous times in this place – and numerous times in this place over the last few weeks. We had an assertion from the Department of Treasury and Finance that the Office of the Commonwealth Games, which I mentioned, was responsible for the \$2 billion blowout. That was ignored by the Premier earlier this week. We had claims from Visit Victoria that the cancellation of the Commonwealth Games in 2026 has actually enhanced Victoria's reputation somehow internationally.

**A member** interjected.

**Sam GROTH:** It actually is like something out of *Utopia*. It is unbelievable to think that you can go and cancel a major event and it is somehow going to enhance the reputation of this state. We know that there was \$600,000 in marketing to spruik about delivering a games like no other – a games that will never be delivered. The now Premier fronted the Public Accounts and Estimates Committee on 13 June and finished delivering her evidence just after 10 am. We know that at around 11 am the Premier was

already engaging with lawyers to go ahead with the cancellation of the Commonwealth Games. Not even an hour had passed after the now Premier finished delivering her evidence at PAEC –

**A member:** It's just a stunt.

**Sam GROTH:** 'It's just a stunt' is right. That is what the Commonwealth Games were. They were a stunt by those on that side of the house to deliver in seats like those on the other side – a swimming pool in Barwon South that was not required. It was in complete stark contrast to the business case. The business case never spoke about delivering some of the projects that were being delivered.

**A member:** They made it up as they went along.

**Sam GROTH:** They absolutely made it up as they went along. There were projects in the business case like delivering the swimming at Kardinia Park. It was something that the city of Geelong, in the business case, wanted to go ahead. They did not want to put the swimming at Armstrong Creek, which was a temporary facility to be moved away. At 11 am, less than an hour after the now Premier gave evidence to the Public Accounts and Estimates Committee, the Department of Premier and Cabinet (DPC) briefed on the cost blowouts of the games, even though the Premier, or the now Premier, had said, 'Things are moving ahead. We are making tremendous progress'.

In recent times, on the time line, Tim Ada testified to the committee that on numerous occasions he had briefed the now Premier, the minister at the time, on cost blowouts. In March they had delivered advice that there were cost blowouts of up to \$2 billion as early as March. The Premier, based on evidence we have heard so far at the inquiry, was given briefings as frequently as fortnightly, if not more regularly, on where the costings were at for the Commonwealth Games. The Premier has stood in this place and misled this Parliament on a number of occasions with what she has said around when she knew about the cost blowouts. The Premier has said they became aware of cost blowouts in the weeks leading up to the cancellation. Between her time at PAEC on 13 June and when the games were cancelled on 18 July, in the weeks leading up, is when they became aware of cost blowouts. So you are saying that either the Premier has an issue with the facts and the numbers that she is aware of and those time lines or it is the department, who on numerous occasions put in requests for extra budget and who briefed on budget blowouts repeatedly.

You have got Victoria 2026 with Peggy O'Neal and Jeroen Weimar, and Peggy O'Neal writing to the Minister for Commonwealth Games Delivery to let her know that they could not deliver the games within the scope needed with the budget that was allocated and to request more funds. In February they requested upwards of \$700 million. In April they requested more money, and there was a formal budget submission that was not even looked at by this government prior to the cancellation. It was just left sitting there. We know that Peggy O'Neal met with the Premier – the now Premier – after lawyers had already been engaged. Did the now Premier have the decency to let Peggy O'Neal know that they had engaged lawyers and that they had sent them over to London? Did they have the decency to let her know that they had engaged with lawyers and had plans to cancel the Commonwealth Games? Absolutely not. It is not going very well.

Victorians deserve answers. They deserve accountability from this government. We had hopes that that was what would happen under this new government – we had hopes. They deserve answers, and they deserve for the now Premier, as requested formally in the other place today in the motion by those members of the committee of the inquiry, to attend the inquiry. The Premier refuses, and I will note this is not the first time this has ever happened here in this Parliament. Multiple times this has been requested. This is not something new. In 2007 this house, the Assembly, granted leave for the then Minister for Consumer Affairs to appear before the Legislation Committee. In 2007 this house granted leave for that. In the 55th Parliament, between 2003 and 2006, this house granted leave for a minister to attend meetings of the Council's Legislation Committee. This is not something new; this has happened previously.

**Darren Cheeseman** interjected.

**Sam GROTH:** I like the fact that the member for South Barwon kept collecting his pay cheque even after the Commonwealth Games had been cancelled. He is very, very chirpy over there because his bank account continued to tick up and up and up for weeks after the Commonwealth Games had been cancelled. If you want to talk about accountability, feel free to keep interjecting.

We also know that at least two weeks prior to the cancellation date of 18 July DPC had sent someone over and requested a formal meeting with CGF, with the Commonwealth Games Federation, and when the Commonwealth Games Federation asked what the meeting was about there was no response. If the decision was only made in the days leading up to 18 July and the cost pressures only became apparent in the weeks leading up to 18 July, why did DPC request a meeting with the Commonwealth Games Federation after engaging with lawyers two weeks prior to the cancellation and then, when asked why, provide no response? There was silence, absolute silence.

**A member:** Well worth it.

**Sam GROTH:** It was well worth it. It is incredible. Throughout the whole process so far there have been serious revelations about the now Premier's version of events. The department came in and said that they made the government aware of cost blowouts in March – \$4.5 billion was what they were told in March that the Commonwealth Games would cost. When the department was told to go away and rework the figures to find a cheaper way to do it and they came back with a number of \$4.2 billion, the government completely ignored it, went to the budget and continued to tell Victorians that the games could be delivered for \$2.6 billion.

I do not see how you can have multiple departments and organisations – DJSIR, the Office of the Commonwealth Games, the organising committee – continually briefing the then Minister for Commonwealth Games Delivery on a cost blowout and the now Premier can sit in this place and tell everybody that she did not become aware of the cost blowouts until the weeks leading up. It just does not make sense. The Victoria 2026 organising committee asked for \$722 million in February.

**A member:** Just go to the select committee and explain yourself.

**Sam GROTH:** That would be the easy thing to do. The easy thing to do would be just to front up. The Premier will say, 'I gave my evidence at PAEC. I fronted PAEC.' It does not exactly align, the evidence that was given with what we now know. But even if you want to talk about the ability for the members of PAEC to get the correct information, those on this side had roughly 20 minutes, if they were lucky, to ask the Premier questions. There were Dorothy Dixers throughout PAEC, questions lined up, to make sure that the now Premier was able to just speak it out and talk about the tremendous progress in not being able to deliver yet another project on budget. It is –

**A member:** Outrageous is what it is.

**Sam GROTH:** It is outrageous. This house has an important motion to debate. It has been sent down, and this house should vote to do the right thing. Those on the other side have the chance to do the right thing. They have the chance to stand up for what is right. They have the chance to show that they support transparency – because there are many people in here whose communities are now missing out. They are now going to miss out.

*Members interjecting.*

**The SPEAKER:** Order! The member will be heard in silence.

**Sam GROTH:** Thank you, Speaker. Look, there is no doubt the evidence we have heard in front of the inquiry so far –

**John Pesutto:** It's damning.

**Sam GROTH:** It is damning, Leader of the Opposition. The time lines do not add up. The evidence does not add up. The Department of Treasury and Finance's evidence does not match the evidence of

the Office of the Commonwealth Games. The Office of the Commonwealth Games's evidence does not match that of DJSIR. DJSIR's evidence does not match that of the Premier. The Premier's evidence does not match any of the evidence given by those above in any way, shape or form.

The only common factor across all of these and the only person that had a finger in this right from the start is the then Minister for Commonwealth Games Delivery, the now Premier. She is the only one who had, right from the start, a finger in every single part of this. She needs to come clean about exactly when she knew the Commonwealth Games were in trouble and why she has continually misled Victorians. When did she know about the blowouts? Why didn't she announce them? Why didn't she tell anyone? What were the dates? She needs to front the inquiry. This motion has come down. It is an important motion. It is important for the Premier to front up to this inquiry. You have the ability to tell Victorians what happened.

**The SPEAKER:** Order! The use of the word 'you' is a reflection on the Chair. Through the Chair.

**Sam GROTH:** My apologies, Speaker. Those on the other side of the chamber have the ability to not use their numbers to block this motion. The majority of the other place sent this here for a reason. They sent it because they believe it is important enough that this state knows exactly what has happened with the time lines and the costs and what the Premier knew around the Commonwealth Games cancellation. The Victorian people need and deserve the truth. They deserve the truth around what the Premier knew and when she knew it. Did she know about the \$2 billion blowout? Did she know that \$2 billion in additional costs is a number that according to evidence has just been made up? Did she know that the games could not be delivered? When did she know? When did she know the Commonwealth Games could not be delivered? Time and time again we know this government has a real issue with transparency when it comes to decisions and it comes to costings and it comes to the delivery of projects. Did she know the lawyers had been in again? Well, we do not think she did. We do not think the –

**Anthony Carbines:** On a point of order, Speaker, I remind members of the house to refer to other members by their correct titles. Thank you for your consideration.

**The SPEAKER:** The member for Bentleigh included.

**Sam GROTH:** Thank you, Speaker. I will take note of that, do not worry. I think what is also important is that you look at, for example, the Premier's own electorate, the people in Bendigo. Now, we went around – the member for Caulfield when he held the shadow portfolio for the Commonwealth Games – we went to Bendigo. We went to Ballarat. We went to Geelong. We went to all of the places that were supposed to be receiving the benefit of hosting the Commonwealth Games, and they had no idea. They had no idea that this was going to happen. They had no idea a cancellation was on the cards. They were not engaged with.

I also find it extremely challenging to think that the Premier will talk about only having knowledge of the blowouts in the weeks leading up when you have got the secretary of the department saying 'Yes, we knew, we knew'. I also find it challenging to think that they got a business case put to them – there was a business case put to them that was not even looked at by the state's tourism, marketing and major events body. It was not even looked at. They did not look at the business case. How does our tourism body, Visit Victoria, not look at the business case? How did they not engage with the regions? Was that a directive – for them to not look at it, to not analyse it properly, to not go out to the regions?

I mean, I am sure that the committee running this inquiry have a number of questions they would like answered. I think the Victorian public deserves to have those questions answered, and this place and those members of the government should not use their numbers to block transparency, to block the truth coming out, to block the now Premier fronting that inquiry. It is the right thing to do. Whether there is precedent, whether it is the standing orders of this house or whether it is all those things, it is the right thing to do. It is the right thing to do. And there is precedent in this place. This house has the ability to decide whether the Premier will front up. You will use your numbers to block –

**The SPEAKER:** Order! Member for Nepean, through the Chair.

**Sam GROTH:** Those on the other side – members of the government, this house – will use their numbers to block.

**A member:** It's not in the standing orders.

**Sam GROTH:** Those standing orders in the past have been granted leave – this house has granted leave previously for members to appear, as have other parliaments within the Westminster system. In New South Wales we have seen it – under 'Members of the Assembly' a council committee can:

... formally invite ... attendance of a member of the Assembly ... by way of message to the Assembly ...

It has been done on numerous occasions. It has been done here on numerous occasions. It has been done here.

*Members interjecting.*

**The SPEAKER:** Order! Member for Frankston, you are not in your place.

**Sam GROTH:** It has the opportunity to ask the Premier to come clean, to tell Victorians the truth, to tell those people in Geelong, to tell those people in Ballarat and to tell those people in Bendigo, in Shepparton and out in Gippsland – to tell them why they will no longer be hosting the Commonwealth Games. There are questions about the saleyards in Ballarat. There are questions about the costs. There are questions about the Premier's time lines around when to pull out. There are questions about when lawyers were engaged, when they were not engaged, when the Premier knew.

**James Newbury:** What other questions?

**Sam GROTH:** What other questions? There are so many questions. We know that the Commonwealth Games Australia CEO knew there were problems, that the original plan to host the games in regional Victoria blew out in costs and they ran into trouble. This government ran into trouble by playing to local politics in the run-up to an election. If you were aware of cost blowouts from the department, if you were aware of the cost blowouts back in late 2022 and early 2023, and you were advised of them in fortnightly briefings you were given, just stand up –

**The SPEAKER:** Order! Member for Nepean, I was not advised. If you continue to use 'you', you are reflecting on the Chair. I am sure you do not mean to, but try to keep your comments about 'you' to yourself.

**Sam GROTH:** Thank you, Speaker. I appreciate that. The Premier has claimed she is not one to cut and run. She is not one to cut and run when challenges get hard, but at the moment that is exactly what she is doing. If this house votes this motion down, when the challenges get hard the Premier is cutting and running. She is not fronting up to the debacle that has been the Commonwealth Games cancellation, and when you think about all of the things that this Premier has bungled – when you think about Melbourne Airport rail, Geelong fast rail, West Gate Tunnel, Suburban Rail Loop and now the Commonwealth Games – the financial mismanagement of this government and the projects that the Premier has touched, for some reason this is the one that has stuck with Victorians. It is the one that they were really looking forward to. Victoria is broke. It is getting harder and harder for Victorians, and now this government is wasting \$380 million to cancel the games, \$550 million-plus and rising to cancel the games. It is the right thing to do. Front up to the inquiry. This house should support this motion. Those on this side of the house will be supporting this motion because it is the right thing to do.

**A member:** We believe in integrity.

**Sam GROTH:** We do believe in integrity on this side, absolutely we do, and we do not wait for someone to leave before we start pushing matters of integrity forward. We support this motion. The

Premier needs to front up. She needs to come clean. Those members on this side of the house fully support this motion.

**Michaela SETTLE** (Eureka) (15:49): I am following Inspector Clouseau there. We had some wonderful points of moment by moment what has gone on. The member for Nepean might not respect the Westminster system, but those of us on this side do. He talks about precedents. Let us talk about precedents. On this side of the house the Labor government has been in power for quite a few terms. I was looking through when this has been used in the past. The only time that it has been requested in the last 40 years is while we have been in Parliament, so basically, it is one of their stunts. It is their continuing, continuing stunt. The reason I think that it is a stunt, and why I find it so extraordinary, is that I have sat in this house all week and listened to the questions during question time be put to the Premier, and she has answered each and every one of them. So my question is: does the member for Nepean think that in fact David Davis is a better questioner than the Leader of the Opposition? Is this a sign that you have no faith in the Leader of the Opposition?

**The SPEAKER:** The member for Eureka shall refer to members as ‘in the other place’.

**Michaela SETTLE:** Certainly. We are looking basically at a stunt when we have had the Premier – and previously when she was the minister – answer these questions again and again and again in this chamber. What we are trying to do here is break what is a basic Westminster tradition, which is that we have a separation of the two houses. Now, the expert on the Westminster tradition, the member for Nepean, likes to talk about the fact that there have been precedents. As I said, they are precedents that have come as requests from the other side, but within those precedents when that permission is given it is always with ‘if they think fit’, so it remains the prerogative of the minister that is being required.

I personally think that adhering to the Westminster system and the separation is incredibly important. I was lucky enough to attend the Commonwealth Parliamentary Conference in Ghana just a couple of weeks ago, and one of the things we talked about there was the importance of what in this case they referred to as the Latimer House Principles. The Latimer House Principles refer to the separation of the different branches of government and jurisdictions, but what we are talking about here in the Westminster system is making sure that we keep separate the two houses, and that is an incredibly important principle. *Erskine May: Parliamentary Practice*, which I believe we can find sitting by the clerks, is the tome to which everyone refers for the Westminster system. It most recently, in 1989, found that:

The underlying rationale is the desire to avoid conflict between the two Houses. It means that a member of one House, in respect of what he says –

‘he or she’ it should say –

or does as a member of that House, is not accountable to the other House.

This is an incredibly important separation of the two houses and not something that one should fly in the face of or turn into a political stunt. I think that we should really be looking to uphold it. As I say, in the 11 years that we were in opposition – 11 out of 41 – we never tried to contest this important principle. But as I say, the Premier has answered these questions –

**James Newbury:** On a point of order, Speaker, on relevance and just to assist, a former Labor minister, Minister Robinson, did agree to just such a motion in this house in 2007.

**The SPEAKER:** That is not a point of order.

**Michaela SETTLE:** Thank you. It is not a point of order. And did they include the words ‘as they think fit’? I think they would have, because that, again, is the convention.

Moving on, after Inspector Clouseau’s long list of questions that he would like answered, I put to him that we have a very robust house. We have a very robust process which is known as question time, and again and again those on the other side have had the opportunity to ask just those questions, and again and again the Premier has answered those questions frankly and fully. It can only be a stunt. Or



perhaps David Davis in the other house has always had aspirations for leadership. Maybe this is some sort of an early step in trying to get a crack, because otherwise why is it that question time is not sufficient for the Leader of the Opposition? They ask these questions, the Premier answers them, and now they want someone else to ask the questions.

I think that it is incredibly important that we continue to stand by some very important principles, exclusive cognisance being the bedrock of the Westminster system. We stand by that, but more than that, perhaps if they would just like to listen to the Premier instead of yapping on the other side of the table, they might find out that she has answered each and every question.

**David SOUTHWICK** (Caulfield) (15:55): If the Premier has nothing to hide, then the Premier should simply front this committee. The Premier is simply hiding from her responsibility to explain to the Victorian taxpayers why this money has been wasted and why she mismanaged her portfolio prior to becoming the Premier. This is the Premier that was responsible for the delivery of the Commonwealth Games which have been non-delivered. They have been cancelled. The cost has blown out from \$2 billion to \$6 billion. Victorian taxpayers are none the wiser in terms of how this cost blew out. Question after question has been put to the minister, and the minister, who is now the Premier, has failed to respond. What we are requesting here in this house is simply for the Premier to front up before this committee and explain what has happened and why taxpayers money has been wasted. Why have we got more blowouts? If the Premier has got nothing to hide, the Premier should front up. It is very simple. It is very, very simple.

We hear the government members talking about there being no precedent, that we cannot do this, that we cannot compel. We know that in 2007 Labor minister Robinson was compelled by a Labor government to front up to a Legislative Council committee, so it has been done before and it can be done again. We are seeing the government lacking in transparency, lacking in integrity. This is the very government that wants to put up an integrity bill to talk about integrity and to consult on integrity, but they want to hide their Premier from fronting up and dealing with integrity. I mean, this is the most loose government we have ever seen.

*Members interjecting.*

**The SPEAKER:** Member for Eureka, you had your turn.

**David SOUTHWICK:** This is a government that is all focused on themselves and not on the Victorian taxpayer. If there is ever an example of how taxpayers money has been literally wasted, it is the Commonwealth Games. The Minister for Commonwealth Games Delivery, who is now the Premier for Victoria, is hiding behind this motion.

We heard in the Legislative Council that not just the Liberals and Nationals but a number of parties voted to say ‘Come forward and tell us what happened. Don’t tell this Parliament, but tell the Victorian taxpayer why their money has been wasted’, and the Premier is now hiding. The Premier is now running from this very thing that she was so proud to talk about prior to the cancellation. She was literally cutting ribbons on pre-emptive works. She was running out and saying, ‘Look at this Commonwealth Games. It is fantastic. It’s the best thing since sliced bread.’ And then what happens? She hides, she says, ‘I’m not going near it. Please, I’m hiding.’

It is very simple. This is a committee that the government did not want to form in the first place. We had a precedent in which unanimously the Council voted to say, we want transparency, we want the truth – show us the truth – and what has happened again? The Premier is running as far as she possibly can from it. The Premier, the member for Bendigo East, has let down her very own electorate, promising a Commonwealth Games and running away from it, and now we talk about legacy, now we talk about housing – a lot of the stuff you would not build in the first place.

This is the Premier and her first legacy since becoming the Premier is cancelling the games, wasting taxpayers money and not fronting up to the public, not fronting up and showing why this money has

been wasted, where the \$4 billion has been blown out to. Where is the budget? Where is the detail? This has all been made up. Every single project the Premier touched when she was the minister blew out – \$30 billion blown out, Commonwealth Games cancelled, no detail. \$2.8 billion to \$6 billion overnight, no detail. The Premier needs to front up. If the Premier wants –

**The SPEAKER:** Order! The time to interrupt business for the matter of public importance has arrived. The member for Caulfield will have the call when the matter is next before the chair.

**Business interrupted under sessional orders.**

*Matters of public importance*

**Children**

**The SPEAKER (16:01):** I have received a statement from the member for Preston proposing the following matter of public importance for discussion:

That this house notes the importance that the Allan Labor government has put on helping Victorian children thrive by:

- (1) making kinder free;
- (2) delivering hundreds of new and upgraded schools;
- (3) making it free to study to become a secondary school teacher in Victoria;
- (4) opening 50 new government-owned childcare centres;
- (5) supporting students with additional funding upgrades to every government specialist school in Victoria; and
- (6) funding the biggest ever investment in care services to deliver improved outcomes for children in residential care.

**Nathan LAMBERT (Preston) (16:01):** I rise to propose and speak to the matter that you have read out, Speaker. There is a lot in that matter, as you have just read out, but that is because there is a lot that this Andrews–Allan Labor government has done. I would like to begin by talking about the work we have done for children with a disability, because supporting those students in particular is so crucial to our government's values of fairness and inclusion. There are a lot of different ways that we can measure the incidence of disability in the community, but broadly speaking about one in 40 students require extensive support in their schooling. An additional one in 20 require what is referred to as substantial support, and then beyond that there is another one in six students who require a lower level of support but certainly do need some adjustments to be made within a conventional classroom set-up. When we add those three groups together, one in four Victorian students needs some form of support, and providing that support is a critically important mission for this government. We do have to recognise that there is a great deal of diversity within disability. Students may come to school with vision impairments. They may come with hearing loss. They may come with autism. Students may need a feeding tube to feed. And we know that mental health is health, and there can often be quite complex interactions between different forms of disability.

There is a lot we are doing as a government to support children with disability, but I wanted to focus, within the additional \$3 billion that this government has put into inclusive education, on our flagship \$1.6 billion disability inclusion reforms, which arose from the 2015 review undertaken by former minister James Merlino. The new disability inclusion model will replace the existing program for students with disabilities, and probably the most important component of it is that it replaces the old brackets that we had. There were seven or eight brackets that the program for students with disabilities had. I think there is a recognition that those brackets were too crude. I think there is a recognition that they sometimes missed some students out. We are moving away from that, and we are now moving to a much more individualised system that allows each student with a disability to get the support that they need. As one local principal has described it to me, it is essentially the NDIS model applied to schools and applied to disability support within schools. We know that the NDIS model is important to give people the individualised support they need, and that is what we are doing with these reforms.

An additional important thing about the new system is that the reforms do widen the scope of those who will be provided with support, and that is important for two reasons. One is that it has often been the case that schools that have a high number of students who need substantial support also have a high number of students who may need less substantial support but still some support, and we want to make sure that those schools were not burdened, if you like, by the fact that they did not have the funding that they needed to make those less substantial but still important adjustments to their classroom practice. That is why we have widened the scope. In talking to principals, certainly in Preston and Reservoir, I think there is also a great deal of appreciation for the fact that the widened scope now means that some students who have very complex behavioural challenges are supported by the scheme when previously they were not. A valuable aspect of it in particular is that some places where you previously needed to get a diagnosis in order to get the support you needed are now largely independent of those diagnoses, and that is a good thing for ensuring students get what they need.

There is now a three-tiered model that we use. There is some base funding that applies to every school. There is some funding for whole-of-school measures that is based on an index of the socio-economic or socio-educational background of the students. That is important because we know that supporting students with disability is a partnership between their families and the school. Families will come to a school with different levels of resourcing and capability to support their child, and every principal knows sometimes a school may need to step in with additional support where a family does not have it. It is very important to this government that that is possible and that is done. That is why that tier 2 funding is provided in the way it is. Finally, there is the tier 3 bit, which provides the individualised support to which I referred.

There is a very important shift in focus in our disability reform these days. We focus a lot more now on what students can do, not what they cannot do, and we really encourage a collaborative approach in which students and their families, teachers, staff and health professionals all come together to support that student. Those two things, the more individualised approach and that more collaborative approach, come together in the 10-week assessments that are essentially the key feature of the new system, where each student is assessed over 10 weeks and then a funding program is put in place.

I do want to acknowledge that the additional, better and stronger assessments that we are doing require more work of teachers and require more work of staff, and we are grateful to teachers and staff for the additional work they are doing. I know there is a lot of compliance work in it, and I know that teachers who support students with a disability are already doing a lot of work through their student support groups and other measures. We are very keen to make sure that we do not burden teachers and staff unnecessarily, but at the same time, because these reforms assess student needs better, they will inevitably need some additional time and effort to go into those assessments.

We do note that the Victorian Auditor-General's Office released a report looking at this government's disability inclusion reforms. Those who have been around the public service will know that VAGO is not always glowing in its assessment of government programs, but I think it was very pleasing to see VAGO's strong endorsement of the approach this government is taking. They noted that we will need to really make an effort to support schools in the implementation of the new model. Schools come to disability support from very different places. I know locally in Preston and Reservoir some schools are very experienced, some less so, so we certainly will be supporting schools appropriately to ensure they can roll out this new program. In our part of the world they are preparing right now for a full rollout in 2024.

A big part of making this work of course will be continuing to listen carefully both to schools and also to students with a disability and their families. We have our new Victorian Disability Advisory Council. We have other groups that allow those with lived experience to feed into the system. We have young people. We have carers. We have First Nations Victorians in those groups. We have culturally diverse Victorians and LGBTQIA+ Victorians. We are really making sure that we are getting a breadth of lived experience within the feedback that we are seeking. We have made some changes, as some members here would know, for instance, to the visiting teachers program, and there

have been some other changes based on the feedback that we have received. I wanted to focus on that change to disability inclusion because it really, as I say, is the flagship and I think is making a huge difference and will make a huge difference to the lives of children with disability.

Outside of that but still within schools there are a couple of other really important things I wanted to touch on. We have expanded outside school hours care for specialised schools, and we will have done that for 30 schools by 2026. We are also expanding the students with disabilities transport program, which helps students get to their school. Both those things are important for students, but they are very important for parents. They take pressure off parents, and we do know that being a parent of a child with a disability can be tough. There is a very, very tough thing we sometimes hear about where parents bring their child to the school and then they get to the end of the school day and they say ‘I don’t want my child back’. There is a term, ‘relinquishment’, for when that happens, and it is an incredibly difficult thing. I know it has happened and does happen sometimes in our part of the world. I think of that often in just thinking about the incredible pressure that a parent must be under to do that. That is why our reforms like outside school care and student transport may not sound as big as the key reform, but they are just as important to give parents every bit of support we can to support their child and to care for their child and hopefully to care for their child within their family.

In addition, there has been some very important work done, as we are doing right across government, in workforce support. We are supporting teachers and regional staff to undertake the masters of inclusive education program. We are supporting 1700 teachers to complete the Inclusive Classrooms professional learning program. We are of course making studying teaching free – a great reform. As the Minister for Health alluded to earlier today, we have workplace initiatives to ensure that our health workforce – and we know how important that workforce is to children with a disability – is as strong as it can be, particularly in regional areas, as the minister alluded to. We are also making some important changes to the way that school support for disability interacts with out-of-school support. There are now NDIS navigators. The NDIS is such a big thing in the lives of so many people who have a disability, including children with disability, and we want to make sure that the school support and the NDIS support work together as best as they can.

We have now – and I think it is a great reform of this government – TAFE transition officers, and I know this comes up locally. It is actually very difficult when students with disability, particularly those who do require more extensive support, get to the age of 17 or 18 and they will have had 30 hours of very structured support and then they finish school and they drop off into a very, very different world. Our TAFE transition support program is about making sure that when they get to the end of school there is something for them to go to.

In addition, and I want to sort of finish on this, we have upgraded every specialist school in the state – all of them. Those capital improvements are important. There is, I should note, a bit of a debate going on at the moment about the use of specialist schools or general schools for disability education. I will not touch on that. I think there has always been a longstanding tension between none of us wanting to stigmatise children with a disability but also recognising that of course they need more help. There will be different views on the different models, but I would note locally that we have 600 people waiting to get into the Northern School for Autism. They could double the size of that school tomorrow if they could take the people, so there is clearly a significant proportion of our community who are still looking for that specialist-based school support.

There is a lot more I could say about the work that we are doing to support children with disability. It is a really important area and one in which the government has done a tremendous amount of work over its three terms. Ultimately all the elements of the work we are doing and all the elements of this matter come back to a common value, which is the idea that our education system is here not just to make our society more prosperous but to make it fairer and more inclusive. Fundamental to that is the universal nature of it. We want students to come out as 17- or 18-year-olds knowing that they had the same chances as all of their peers. We know that – I think particularly of my parents’ generation, or our parents’ generation – it was not always the case. People would come out of Northcote High or Reservoir High or

Footscray High – high schools that are represented by members here. If we think back, historically they were regarded as tough schools. There was perhaps even some romanticisation of having gone to these schools and coming out of them having survived. I do not begrudge anyone their working-class cred in that, but as a government we do not want those stories to be told. We want every school to be a good school. We do not want schools of hard knocks, as it were, and I should note importantly that all those schools I just mentioned are now great schools represented by great local members.

We had last month the former Minister for Education up to Reservoir High, which of course is now a great school. She opened the new design technology centre there. I think I can say that right now students at Reservoir High have the newest building anywhere in our electorate, and we are thankful to school principal Katie Watmough and student leaders Amelie, Torey, Aidan and Kaitlyn for showing us around. We will keep working with them to ensure that Reservoir High is a great school. We do know – it is just a truth – that historically schools that may have been those schools of hard knocks that let students down were often in areas where students had the highest level of need. Historically we had an education system – when this government came to power in 2014 we certainly had such an education system – that in places was making disadvantage worse, not making it better. We are so proud that we now have done so much work to make sure that early childhood care and education is universal and accessible, to make sure students have all of the facilities and teachers they need all over the state, and to invest in inclusion, as I said, through specialist schools and disability inclusion to ensure those students are supported, ultimately leading to a situation, to come back to where I started, where students come out of the school system knowing that they had exactly the chances that all of their peers had.

I know that the former Premier had a real urgency about him with those issues. I know that the new Premier shares that urgency. If you go back to 2014 and look at the very first contributions of this government – the contributions of the then Deputy Premier and the member for Mordialloc on that first day – you can see the urgency that they had to reform the system that we inherited from the previous Liberal government.

*Members interjecting.*

**Nathan LAMBERT:** Thank you, member for Lowan, for assisting me with my notes.

This government knew from day one its values. It set about implementing them, it has devoted itself to acting on those values, and I commend the matter to the house.

**Jess WILSON (Kew) (16:16):** I am pleased to rise to speak on this matter of public importance (MPI) today. Following on from the member for Preston's remarks when it comes to ensuring we fund specialised education in Victoria, can I start by echoing many of the points he made about the great work that these schools do across Victoria. In my electorate I have three schools that provide specialised education for children who are not meeting their full potential in the mainstream system. Two of those schools are wonderful independent schools. Giant Steps provides immense education opportunities for children with autism and children with severe autism. Having spent time there with the principal Davina Bate, I have seen the wonderful work that those educators do every single day to support those children and ensure that they have a bright future ahead of them when it comes to the opportunities that education provides, and I thank them for everything that they do every day.

Equally, Andale School, one school that I have spoken about a number of times in this place, provides a primary education for children that are not meeting their full potential in the mainstream primary system. It is a school of just 22 students and around 10 staff, led by Justin Walsh, their principal. It is a wonderful school to visit. The excitement in the classroom and in the playground is something that is infectious when you go to Andale School. They should be very proud of the education they offer.

Belmore School, a government school that has recently undergone a number of upgrades, as the member for Preston mentioned, is also a school that provides education for children with disabilities. It has been great to get out there to present them with their leadership awards on a number of occasions

over the past 12 months and to hear firsthand from the now former principal about the legacy that she helped to create at that school when it comes to ensuring that every one of those students has every opportunity ahead of them.

The member for Preston also touched on the debate we have seen from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and the findings that split the royal commissioners around the future of specialised education in Australia. I think this debate has a long way to go, but it is certainly important to recognise the incredible work that special schools do for children in Australia, particularly here in Victoria, many of which we are very close to.

As the member for Preston noted, many of these schools have waitlists that could double the size of the school at any moment. It is important to recognise that we all want to see inclusive education and we want to make sure that every child has an opportunity to be part of the mainstream system, but there are going to be times when it is those special schools that can provide that specialised education, that tailored education, that ensures that every child in Victoria has the very best start and has an opportunity to learn and to reach their full potential. That is going to be very, very important in this debate as it continues in the weeks and years to come.

Coming back to the motion before us today, there are a number of points here that I think are misleading when it comes to where education is going in the state of Victoria. I start by looking at ‘making kinder free’ and ‘opening 50 new government-owned childcare centres’. Of those 50 new centres, only 30 locations have been identified and specific sites have been located for four of them. So there is a long way to go for the delivery of these, and of course we as the opposition have concerns about the actual delivery and the rollout of this over the years to come – a big program, \$14 billion. And just in the last week we were in the Parliament we debated legislation looking at compulsorily acquiring land when it comes to building those childcare centres. This is a very big program. It is the start of it, and by labelling free kinder ‘free’ it does overlook the fact that many of these kinders with the \$2500 subsidy provided actually cannot meet the cost of running their own centres. So this is something that is going to have to play out as this program is rolled out and something that we have lots of concern about.

I know those opposite do not like it when I talk about the fact that the free kinder program is a misnomer. This was very much an election announcement, one in the lead-up to the election. It sounded great on the TV ads, but unfortunately for those on the ground that are actually trying to run these kinders, many of which are sessional kinders – family-run kindergartens – it is very, very difficult to make sure that you can meet the rent payments, that you can meet the payments for the teaching staff and that you can meet the payments for the administrative staff. These are all parent-run kinders that find it very, very difficult to actually meet the need for the resources required under this program. We all want to see expanded kinder and expanded childcare opportunities in this state, but we have to make sure we are working with this sector to make sure the rollout is delivering for their needs.

I want to touch on school funding on this topic. We hear a lot about the funding in the electorates of many of those opposite. Unfortunately we do not often hear about school funding in any of the electorates on this side of the house, and if we look at the \$241 million that the government has invested in capital works, that is \$241 million in government-held seats compared to just \$14 million in non-government-held seats.

*Members interjecting.*

**Jess WILSON:** Now, I thought that those opposite might make that point – that we do not hold enough seats – but there is a disparity between the amounts. Ninety-three per cent of funding flows into Labor-held electorates – 93 per cent. How many seats does the Labor Party hold in here? Only 63 per cent. So it is not proportional to how many seats are held, unlike what those opposite like to point out. With only 6 per cent of funding flowing into non-government electorates it is very hard to

understand how this government can continually say they are delivering for all Victorians. No, they are delivering for Victorians that live in Labor-held electorates.

Now, I only have to turn to my own electorate to look at schools like Kew East Primary School, Balwyn Primary School and Canterbury Girls, which is a wonderful girls-only government school that has literally had a wall fall down while the students were at school. This is a school that needs basically an entire rebuild. It has not had any capital works funding for decades. It provides wonderful education for girls locally. It is one of the few girls-only public schools in the state, and yet there has been no capital works funding in that school for decades. The same goes for Kew East Primary School, a school that has asbestos in its buildings, a school that has to continuously fundraise just to put a coat of paint over the walls that are cracking. These are schools that are desperately in need of funding, so when those opposite talk about record levels of funding it might be the case that that is happening in Labor-held electorates, but it is certainly not happening right across Victoria. And of course today we have seen another hit on education when it comes to the expansion of the schools tax. Another 18 schools will likely be added to the schools tax over the next few years.

**Katie Hall:** On a point of order, Speaker, just on relevance, this matter of public importance relates to making kinder free and making it free to study to become a secondary school teacher, not private schools paying their fair share of tax.

**The SPEAKER:** I ask the member for Kew to come back to the motion before the house.

**Jess WILSON:** Certainly, Speaker. I am looking at the motion here talking about supporting students with additional funding for upgrades and looking at the importance of helping children thrive. I do not understand how putting a tax on schools is going to help students thrive. For many families that is going to make it very difficult to send their children to a school of their choice, a school that reflects their values and a school that reflects their faiths. This is a tax that is going to only hurt families at a time that they can least afford it. Today we have seen the expansion of that tax to an additional 18 schools. These are schools right across Victoria, schools in regional Victoria, a number of schools in Ballarat –

**Katie Hall:** On a point of order, Speaker, again the member for Kew has strayed considerably from the matter of public importance, and I ask that you bring her back to the MPI.

**The SPEAKER:** I ask the member for Kew to come back to the motion before the house.

**Jess WILSON:** Thank you, Speaker. If we turn to the fact that this government also likes to talk about the record funding they are putting into teachers, then let us look at the nearly 3000 vacancies that are being advertised at the moment for teachers across Victoria. Now, I know that we are talking about issues today that the government does not want to hear, and they are looking for opportunities to shut down debate, as per usual, as we saw on the previous motion, but if we look across Victoria there are currently schools that have been advertising for more than five rounds and have had zero applicants. This week we had a story come out about a school in regional Victoria – in fact in the member for Lowan's electorate – of just 38 students who have advertised five times for teachers. They only need two teachers to meet the needs of that school, and next year they are at risk of not having any teachers at all.

This is a situation where we are seeing teachers leaving the profession in droves. If you look at the *Victorian Teacher Supply and Demand Report 2021*, 20 per cent of new teachers, that is one in five, leave the profession within five years. We saw the stress that teachers were under during COVID. We saw the immense amount of pressure they were under, and the fact that we have seen so many teachers leave the profession in recent years is only putting teachers under further stress and forcing more and more to leave. Every time I speak to a school principal the number one issue they raise is trying to retain and attract teachers. I have heard stories of schools going without maths teachers for three or six months. The fact is they simply cannot find teachers to actually ensure that the students at their school are being taught the essential foundational skills in many respects that are expected of our education system.

It does not surprise me that when you look at the recent NAPLAN results we have got nearly one in three Victorian students failing to meet the proficiency standards in literacy and numeracy. Now, those opposite like to say that they are in the best in the country, but if you have got nearly one in three Victorian children not actually meeting basic literacy and numeracy standards, I am not sure that is something I would be boasting about.

Looking at the recent funding when it comes to ensuring our students have the best facilities, there was a recent report that highlighted the fact that Victorian schools are seeing the number of relocatable or demountable classrooms increase year on year. We saw schools across Victoria with demountables in numbers of over 20 or 30 or 40. Now, this is a situation where we have those opposite talking about record levels of funding, but schools are simply not having the purpose-built facilities that they need. We need to ensure that our students have permanent classrooms to ensure they are actually able to get the best start to life. There were a number of schools in the report that highlighted the fact that in many respects they were relatively newly built schools, yet they have seen within years of opening the number of portables installed at those schools increase by 15 or 20 – and it will be up to over 40 in the years to come. Portables are designed by the Victorian School Building Authority to be there for scenarios where the school is quickly expanding, but we need to make sure that the VSBA is keeping up with demand and building the required permanent classrooms and facilities these schools need. We are often talking about the fact that this government is building new schools, but we also need to make sure that we are actually investing in our existing schools, particularly in those growth areas.

In closing, Victoria was once known as the Education State, but if you look across the metrics – and I know it is not what those opposite want to hear – whether it comes to school funding in specific Labor-held electorates; whether it is taxing our non-government schools, taxing parents who want to make a choice to send their kids to a school that reflects their values and their faith, taxing parents on their choice on where they want to send their kids; or whether it is the fact that we are simply seeing our teachers leave the profession in droves, Victoria is no longer the Education State. We are failing when it comes to investing in our kids' future, we are failing when it comes to making sure they are meeting the standards expected, and we need to do much, much more.

**Katie HALL** (Footscray) (16:31): Sometimes listening to the Liberal Party speak about public education, it is more front than Myer, as my mother would say. Public education is the reason that so many of us got involved in the labour movement and the Labor Party, because I know when I was a kid – and I come from a family of teachers who all worked in the public system – I watched members of my family get sacked by the Kennett government. I watched the local school get bulldozed and turned into a housing estate. So I do not have –

**Brad Rowswell**: On a point of order, Deputy Speaker, you were not in the chamber when the member currently on her feet was very concerned and was drawing points of order to the attention of the Chair –

**The DEPUTY SPEAKER**: The point of order is?

**Brad Rowswell**: It is relevance to the matter, Deputy Speaker. The member is currently addressing matters that are not within the contents of the government's matter, and as a member of the government, I ask you to bring her back to the matter.

**The DEPUTY SPEAKER**: Thank you, member for Sandringham. I came into the chamber, I believe, in the second half of that point of order. The debate is about schools, and I see the member has been responding to other debates that have been had in the chamber. Please continue on the matter of public importance topic.

**Katie HALL**: So much of this matter of public importance (MPI) is about the big, bold reform that Labor governments do in education. We are the builders of public education in this state. We are the people who took the padlocks off the TAFE colleges that were closed and we are also the ones who are transforming early childhood education, because we know that 90 per cent of brain development



happens by the time a child is five. From when a baby is born through to whether they are pursuing opportunities later in life at TAFE or university or through a trade, it is Labor governments that are there with them step by step, supporting them, because we believe that public education – high-quality public education – whether it is through funded kinder or TAFE or quality public schools, is the great leveller. That is the opportunity that we provide to every single young person in this state, no matter what their postcode is. So frankly I am not too fussed if some elite private schools have to pay the same tax as my local state schools.

But when we talk about the reforms that we are delivering in early childhood, there is nothing more transformative than changing the trajectory of a child's life through early childhood education and developmental opportunities. I feel well equipped to be speaking about some of the supports that we are delivering through the early parenting centres, because I have not slept properly in five years. The original early parenting centre is in my electorate of Footscray, and it is called Tweddle – not Tweedle, for the many people who often refer to it as Tweedle – and I will speak a little bit about their extraordinary history and contribution not just as a sleep school. People know them as a sleep school, and of course sleep is so important to mums, dads and infants. But they have a wealth of research. They have done an enormous body of work in brain development and supporting children's development, and parents – to learn how to be parents and how to interact with their baby. Because for many people, me included, it does not feel like it comes naturally, and so sometimes you need that helping hand to know that, yes, reading to your baby, even if your baby is not responding, is a really powerful thing to be doing for their brain development.

One of the extraordinary things that we have been working on is the delivery of a whole range of these early parenting centres, based on the work of Tweddle in Footscray, around the state. I acknowledge my colleague the member for Northcote who has campaigned tirelessly to have one of these early parenting centres in her electorate. I was delighted to have her come and visit Tweddle and see the redevelopment that is happening at Tweddle, because we are adding an extra 40 per cent capacity into Tweddle. What that means is families of all different shapes and sizes – if you are a single dad or a single mum or if you have got a toddler or a teenager – can come to Tweddle and stay. You can stay in the family rooms, and you can have the dedicated attention and care of the paediatricians and the nurses who are so skilled at helping mums and dads adapt to life with a little one.

We are about to open one of these residential family units in Werribee – the first of our 12 new and upgraded early parenting centres was completed just last week. I am very pleased that Premier Allan, the Minister for Health Infrastructure Mary-Anne Thomas and the Minister for Children Minister Blandthorn in the other place toured the multimillion-dollar Wyndham early parenting centre in Werribee, which is set to open its doors next month. How wonderful for this growth area of Melbourne to have access to one of these centres, because for a long time Footscray has not been able to service this growing part of Melbourne.

I am also thrilled that an additional \$18.9 million investment, on top of the \$148 million investment already made for these 12 centres, will be going to Northcote and to a dedicated Aboriginal-led centre in Frankston. One of extraordinary things we see through these centres is the work they do with families that are pretty vulnerable, but also with dads. I have seen that work up close, and it is pretty extraordinary, and it has extraordinary results.

I thought I would mention the history of Tweddle because something very significant happened a few years ago for Tweddle: they celebrated 100 years. Tweddle is a public hospital. Not many people understand that, but it was funded through philanthropy 103 years ago, by a donation of £3000 from Mr Joseph Tweddle. That work has evolved. It started off as a hospital for mothercraft. Thankfully those days have moved on. It was initially dealing with the impact of neonatal deaths –

**Emma Kealy:** On a point of order, Deputy Speaker, as the member on her feet pointed out during the contribution by the member for Kew, this is a debate which is focused largely around education. I

believe she has strayed very widely from that, and I ask you to bring her back to the matter of public importance before us today.

**The DEPUTY SPEAKER:** I ask the member to continue on the MPI within its remit.

**Katie HALL:** On the point of order, Deputy Speaker, I am speaking about the care services aspect of the MPI. We are talking about the care services provided to prevent neonatal deaths and also to provide support to parents.

**Emma Kealy** interjected.

**Katie HALL:** Obviously the member thinks that that is amusing and that it is entertaining.

**The DEPUTY SPEAKER:** Order! Member for Lowan, you will get your chance.

**Katie HALL:** If I may continue, Tweddle provides such extraordinary support to people in my community. Their focus on therapeutic interventions in the first 1000 days has led to a transformative body of research and work and will actually transform future generations. This is the kind of investment that Labor governments make because we know that it will have changed things for generations to come.

**Emma KEALY (Lowan) (16:41):** I very much appreciate the opportunity to speak on this matter of public importance (MPI), because even if this had been an opposition matter of public importance, it is something we could certainly speak quite widely about and quite passionately about, putting forward the position that the Labor government is not delivering what they say. This is something we always hear. What we see from Labor is that what they say and what they do are two entirely different things.

What happens with this Labor government is they love putting out a glossy media release, they love getting the front page and they love to put out nice socials with smiling faces, but when it comes to the crunch and holding them to account, we find they have not delivered what they promised. Let us talk about what they have promised in my local electorate of Lowan, 20 per cent of the state by landmass. We are not getting anything that this government is promising. Even the spin that we are hearing today in this MPI – we are not seeing it in my electorate of Lowan.

In regard to making kinder free, we have got waitlists for kinder all over the place because there simply are not enough early years educators. Did you know that next year if you live in Jeparit your kids cannot access kindergarten? This government is closing kindergarten in a community that has always had kindergarten, and that is Labor's record. Make it free, but do you know what? It is not very helpful if it is free if it is not even available. If they have to travel an hour away to get their kids into kindergarten, how does that make any difference to their lives? Make it as free as you like. It is like giving some volunteer a pay rise – doubling their pay. It does not make any difference at the end of the day. If you want to talk about making sure we get those zero to 4 years right, do not close kindergartens.

The other thing that the Labor government can do to make sure we are supporting our kids is to not just say 'Oh, we've got free TAFE and – bang – automatically we've got all these childcare workers'. You have not delivered the childcare workers that are desperately needed, not just in my electorate of Lowan but right across the state. Right across the state there are parents – and this particularly impacts women – who are at home. They are impacted by cost-of-living pressures. Their bills are going up, their mortgages are going up, their rents are going up, their grocery bills are going up, their fuel prices are going up and their registrations are going up. Everything is going up because all Labor knows is spend, spend, spend and then tax, tax, tax. When Labor run out of their money, they come after yours. That is exactly what Labor does over and over and over again.

I hear Labor MPs laughing on the other side while their snouts are in the trough, making sure they get the big salaries. They do whatever it takes to get re-elected so they get a job, and they do not care two bits about what happens to Victorians out on the street who are struggling to make ends meet or about

these families where both parents have to work just to keep food on the table at home but they cannot afford to because they cannot get a childcare place. They cannot get a childcare place because there are not enough workers and there are not enough facilities right across the state. I take just one community in my electorate, in Horsham. I was chatting to a childcare operator just this morning. There are about 200 families that are on the waitlist in a community of about 16,000 people – 200 families. Do you know how many families are going to come off that waitlist next year? Five – just five. You have got 190 women who are not able to go back to work because they cannot access child care. You want to close the gender pay gap? Provide some facilities to make sure that women can access child care and get back to work. That is what it will take. We hear all these wonderful things you are doing, but when you deliver it, you are not delivering it for women and you are not delivering it for these children. It does not matter whether you live in country Victoria, whether you live in a regional city or whether you live right in the centre of metropolitan Melbourne, there are not enough childcare places in this state.

This is the problem with what we see with Labor. We see these promises – we are making it easier for families – Labor is not making it easier for any family. In fact it is getting harder and harder and harder. This is nine years of the Andrews–Allan Labor government. Since 1999, 24 years ago, Labor have been in government for 20 of those years. There is no further any Victorian has to look – when you look at the state of Victoria, when you look at the state of your bills, when you realise life is getting harder – than at the Labor government, because what you say you are doing has not been delivered in any way, shape or form.

I even look at schools that have been funded across my electorate – hollow promises, absolutely hollow promises. They promised so much when it comes to Casterton Primary School. They promised a fabulous expanded facility with open learning spaces and a new library. It was going to be fabulous – and then they started building works, the earthworks. There were significant sewerage issues that came through. Rather than providing additional funding to upgrade what was existing infrastructure and maintenance infrastructure, all of that money has now gone into the plumbing works, gone into the sewerage, so those kids have got a safe place to play, a safe place to learn. I think they are going to get a lick of paint and a new bit of carpet. What Labor promised, again in their media release, were these open fabulous spaces and modern learning environments. Instead it went to upgrade the sewerage system, a lick of paint and a new carpet. That is not delivering the best learning outcomes for our kids. That is overpromising and underdelivering, and that is exactly what this Labor government does over and over again. Labor cannot manage projects, they cannot manage money and you cannot believe a word that they say.

This is not just one school as an example. In fact every school that has been funded across my electorate has had massive funding shortfalls, and what they promised and what they would deliver are two different things. I look at Warracknabeal Education Precinct, a school that recently opened. Of course I was not invited to the opening. It did not matter to me, because I am thrilled that after years and years of campaigning for funding and standing side by side with that community, finally they have got the school that they deserve and should have got a long, long time ago. But the government cut it short. Did the Labor government provide funding for the school to relocate to their new site? No. It is the parents and teachers association that had to pay that – the fundraisers, the sausage sizzles. That is who had to pay to move into the new school. Did they get a new maintenance shed? No. Did they get a hands-on learning shed to replace their hands-on learning site? No. That is something that the school council is now going to have to fund themselves. That is where you cut it short every time.

Stawell Primary School is in exactly the same situation. Many elections ago it was promised that they would get a brand new synthetic oval with a running track. It is still not open today, because what Labor say they are going to do and what they actually deliver are two different things. We know that we can do so much better than just reading media releases or believing any of the contributions that we hear in this place. There is an opportunity, though. I do hope that at some point in time we will see some honesty and maybe a bit of humility to say, ‘You know what? We could do better. We can do

better. We're not perfect'. The smugness and the arrogance that is coming across this chamber is also being felt out in the electorate. The people of Victoria are seeing this, and they are sick of it. They are sick of a government who thinks it is better than everybody else. While they are earning the big bucks in government, while they are sitting in Melbourne in their ivory towers, claiming money for roles that they do not even deliver, we have got here in the local area and on the ground parents who cannot afford to keep their kids in school, to keep food on the table and to keep them in sporting clubs and associations. That is a problem in this state.

Now, there are a number of issues right across country Victoria. I would just like to quickly touch on them. In Mildura we know that the Charlton building for child care still has no provider. We desperately need more workers. In Euroa and at Nagambie they desperately need more childcare services; they are waiting over six months for a place there. In schools, we know that at Shepparton they have still got three boarded-up schools in regional areas, in residential areas, where the community do not know what the future is. Why have we got these massive boarded-up buildings with no answer? They have a new, big school of 2500 kids, where the one-size-fits-all approach simply is not suiting that Shepparton community. In Gippsland South, the member there has been fighting for years and years and years to have Sale College funded, but while we had a master plan in 2021, since then there has been simply nothing.

I urge the government in this matter of public importance: please be straight. Please make sure that we get some proper funding into facilities for child care and for educational opportunities to support our kids, because we are absolutely sick to death of having a Labor government that cannot manage projects, that cannot manage money. We cannot believe a thing that they say.

**Darren CHEESEMAN** (South Barwon) (16:51): It is with some pleasure that I rise this afternoon to make my contribution on this very excellent matter of public importance proposed by the member for Preston. I must say, in reflecting and thinking about this particular matter of public importance, I thought right from the outset I might take the opportunity to thank the fantastic workforce that we have in Victoria who work in our kindergartens, who work in our primary and secondary schools and who work in our fantastic TAFE training colleges across this state.

The Andrews Labor government and now the Allan Labor government very much believe in a strong public education system. And the reason why we believe fundamentally in having a strong education system in this state is because we believe every single child deserves the very, very best start to life to get the very best education that the state government can enable them to have. And we do that because we believe in the productivity-generating capacity of a strong education system. Right now in Victoria the Victorian Institute of Teaching recognises that we have 141,000 teachers working in and around schools throughout Victoria. Out of that 141,000-odd teachers some 17 per cent are now 60 years of age or older. This is a significant challenge, a challenge that we have identified and a challenge that means we have put in place significant programs to ensure that we, into the future, continue to have a strong education system that values our teachers and that trains and recruits teachers to be able to work in our Victorian government schools. I know when I go and visit my schools in South Barwon – I certainly know, in having many conversations with my colleagues, that when we go and visit our schools we see some fantastic people making a real contribution to the young people of Victoria.

A significant number of teachers working in our schools are baby boomers, and those baby boomers are coming to the end of their working lives. What we need to do is put in place programs and funding streams to support that challenge, to make sure that we are training and recruiting significant teachers to be able to replace the baby boomer generation that will be retiring over the next few years. That is a significant challenge, and I would like to, from the outset, very much thank those teachers who have been working in our schools for decades.

This challenge is a challenge that will not be easy to meet. The number of teachers that we will see retiring in the next few years equates to about one in five teachers. This is not just a problem that Victoria faces; this is a problem that every single state and territory in this country faces, and almost

every other like economy across the globe has the exact same challenge. It is significant. Victoria is not only competing for graduates against the other states and territories, we are also in a global race to recruit new teachers to our education system. That is why we have put in place a significant number of investments to make sure that we are recruiting teachers faster than we have ever recruited before, that we are incentivising teachers from interstate to come and work in our fantastic Victorian public education system and that we are incentivising teachers from other jurisdictions internationally to make their way to Victoria to work in the Victorian system. Through all of those efforts we will build a future teaching workforce in this state to make sure that we deliver on that challenge of recruiting, training and retaining the very best that we can in our Victorian government schools.

For a very long time now our government has been working exceptionally hard to build modern schools throughout our state. In my electorate we have seen brand new schools open; of course my seat is in a growth corridor. We have also seen record investment made in existing schools to make sure that those schools have the teaching facilities that they need to deliver a brilliant education system, a productivity-enabling education system, that will build the capacity of Victoria into the years to come.

But right now, as I see it, the biggest challenge we have – identical to the challenges faced by other jurisdictions – is to retain existing teachers and recruit and train new teachers. We have put in place investment programs in all three of those categories to make sure that we value our teachers, we keep a hold of them and we keep them in the Victorian public system but also that we enable future generations of teachers. That is why we have programs such as free tertiary training to make sure that we are incentivising Victorian students, those that are looking to go on to university, to make sure that they see the value in going on to university and getting a tertiary education so that they can go on to become teachers.

We have got scholarships that we have put in place to make sure that we provide those opportunities for graduate teachers to go and work in sometimes hard-to-recruit-to schools. Again, we are making sure that it does not matter where you live in the state of Victoria: if you go to a public school, no matter where that school might be located, you will have great teachers. We recognise that not every location is easy to recruit to, and that is why we have significant programs put in place to recruit teachers to hard-to-recruit-to schools. This is a huge task. It is not an easy challenge, but as is typical for Labor, when we see challenges in the education system we put in place the programs needed, we face up to those challenges, we make the hard decisions, we make the space in the budget and we fund it and we deliver it, because we believe in it.

**Roma BRITNELL** (South-West Coast) (17:02): Once again the matter of public importance (MPI) put forward by the government shocks me, and I will explain why. It states:

That this house notes the importance that the Allan Labor government has put on helping Victorian children thrive by ...

I will focus mainly on point (6) –

- (6) funding the biggest ever investment in care services to deliver improved outcomes for children in residential care.

The government is trying to claim that they are doing a good job. Frankly, nothing could be further from the truth. Children in residential care are doing very badly. These are children that are in the state's guardianship. We are talking about children in the state's care here. About 10,000 children are in the government's care on any one night. These are children who hopefully will be in foster care or kinship care, but if that is not available, they will be in residential care. This is collectively known as out-of-home care.

Hopefully most of them will be in kinship care or foster care, but the ones that are not are being left in residential care, and the failing of the whole system under this government of residential care is nothing short of abhorrent. There are about 450 children on any given night in these small group homes in residential care, but if I dive into this situation a little deeper, the reality is the government have not

made an investment of significance into their care and nor are children thriving in residential care. What they have done is increased the annual budget allocation, absolutely. But that is only to deal with the increasing demand due to the crisis-driven approach of this government rather than one of early intervention, help and prevention.

If this government was serious about improving the situation of a child in care, we would not be seeing the damning statistics that we are seeing today, that I will share a few of here. I have only been in the role of Shadow Minister for Child Protection for a few weeks, but the briefings that I have had from advocates and families are chilling. They would leave your hair standing on end. Frequently children in residential care are being groomed for criminal activity. Vulnerable children and young children who are removed from their families and placed in residential care are often in greater harm in that residential care situation and are often at risk of abuse whilst in the care of the state, and this is the matter of public importance that this government has put forward today to boast about.

Under this system the government has completely underfunded it. They have not implemented the recommendations from the various inquiries and reports that have gone on into residential care. There are many, many, many recommendations still outstanding, to the frustration of the commissioner. These are children. It is absolutely shameful and disgraceful. This is not something to be noting as a government and to be proud of. Children and young people living in residential care have been criminalised, go missing regularly and are targeted by criminal gangs and paedophiles. High numbers of sexual abuse and exploitation continue to be reported by the children and the young people in these residential care environments. This is shameful. There are high numbers of children dying whilst in the care and guardianship of this state – dying. I just cannot believe what I have been reading. We are leaving children in the state of Victoria to die whilst in the guardianship of this state Labor government. Just yesterday we saw an article in the paper about four children in care that we are waiting for the coroners report on. This is shameful.

Children in care from January to March, in the first quarter of 2023, earlier this year were reported to have had 322 incidences of abuse reported in residential care settings. This also included 76 allegations of sexual abuse reported by the children themselves. Now, this part was not highlighted in the report; it was uncovered by the intense scrutiny in the Public Accounts and Estimates Committee inquiry. What is the government hiding it for? Why aren't they working on getting this fixed? I cannot understand this government putting this MPI forward when they have children dying in care, being sexually abused and groomed criminally. The figures, the stories, the facts are evident, and this government should be ashamed and disturbed.

Children in residential care are going missing in high numbers because they are fleeing the residential care for their own safety. They are not attending school. The department are using hotel rooms and other temporary accommodation to place these children in because they have such a need to be removed from home and there is no available foster care or residential care – and I will go further into foster care as the answer soon.

One family I have been working with for some years were advised that their 13-year-old daughter who was suffering from some mental health issues would be better off in the state's care because they did not believe the family could adequately care for their child. When the family made contact with me they were devastated that, after several years in state care bouncing between residential care homes in Melbourne, the child was not attending school, was frequently absconding from residential care homes, was roaming the streets of Melbourne, had a chroming addiction and had had a pregnancy scare and numerous court appearances all by the age of 14. Is this how an improved outcome for a child looks? I do not think so. At one point the family were asked to take her back with an addiction and with out-of-control behaviour. Her mother contacted me and said, 'She's far worse than when they took her from my home.'

In the state of Victoria Aboriginal children are over-represented in the system 11 to one. This is the worst rate in the nation, and the rates have been increasing since 2015. In the state of Victoria working

with children checks are the weakest in the nation. In 2022 the Victorian Ombudsman found serious shortfalls in Victoria's working with children screening. The current minister is the fifth child protection minister sworn in in less than two years. Does this sound like a government who have been rolling up their sleeves and getting in there and fixing the problem? No, it sounds like a government that is spruiking that it will just chuck a bit of money which will only cover the cost of the increasing demand – that is what it strikes me as. Money alone, even if it is more, will not fix this problem. The commissioner for children and young people recently highlighted that within the last two years every second child placed in residential care was charged with a crime. This is a shame. What a disgrace for this government to put up this MPI stating they are noting the importance of what the Allan Labor government has put up, claiming residential care is helping Victorian children to thrive. Thrive? Do these figures and facts that I have placed here on the public record describe an environment where children are thriving?

Kinship carers and foster carers are the best place for children who cannot live at home. Under this government they need support. They have had no increase in their funding since 2016. But it is not about money. They tell me about the red tape and the lack of trust. Where is the research to understand why only 321 foster carers joined the system but 620 left the system last year? Where are the exit interviews? Where is the support? This government have some damning figures on their hands. They have the deaths of children, which we cannot continue to walk past. These are our children that we need to care about. All of us are adults in this room, and we are walking past a disgraceful situation. I am so disgusted to be reading an MPI that is trying to boast about the increase in funding to kinship care, because it is only meeting the demand that has increased under this government, who have had the power for almost a decade to do something about it. There are good foster carers out there who want help, who need help, who need support. This government is ignoring an opportunity, and we must help the children in residential care.

**Jordan CRUGNALE** (Bass) (17:12): I rise to speak on the matter of public importance – schools and upgrades. I thought I might even start with a story. I think about my upbringing and my dad and my family – they came over from Italy, and he only went to grade 2 – and it was on a trip back from his funeral, actually, in WA, that I remembered a story he used to tell us. There was a little chapel, and the bishop asked a whole heap of builders – because it was on its last legs and falling over – what options there were, and all of them basically said that it was doomed and had to be knocked over. He did ask my dad Fernando, and my dad looked at it, walked around it and kind of assessed the foundation and the ground and what have you, and he said, 'No, we can just put a metal band around the concrete and the building will be fine'. And sure enough, 50 years later it is still standing. This is where, when we look at building that foundation – and we have heard contributions around the early childhood reforms and TAFE reforms and kinder and what have you – it is about getting that foundation. If you are able to have that greenfield and set it up right, then you can do that, but sometimes you have got to work with what you have got. We know that in the Jeff Kennett years things were cut and closed. It was like having a tablecloth at a restaurant ripped out – everything just kind of went everywhere – and it has taken time to sort of rebuild.

**A member** interjected.

**Jordan CRUGNALE**: Thank you. We are an education state. Education is a fundamental right. Early childhood, primary, secondary, adult education, TAFE – all the varying degrees of education. But there is also education outside of the institutions themselves that provides a whole heap of learning that sometimes you do not get in that sort of formal setting. But as a Labor government and as a labour movement, education really courses through our veins. My parents came out here, and education was something that they instilled in us at a very early age. We had to start working to put ourselves through school and then college and thereafter as well, but it was the way to try and get through life and become independent and economically contribute to the community.

When it comes to public education, we are investing. We have heard it from previous speakers as well – \$270 million to provide that free kinder in 2023 to approximately 140,000 eligible children.

And a bit like setting that foundation, you need the infrastructure as you go through this reform as well. For a three- or four-year-old kinder you need a workforce, which is what we are working on, with scholarships and also TAFE. With free kinder, having those savings of up to \$2500 a year means that we have potentially 28,000 people, predominantly women, that can choose to go to work or back to work. So it is looking at it from the whole of ground up.

We committed to building 100 new schools, and in the electorate that I have in season 1 and also season 2 with the boundary changes there was certainly a lot of growth in that Clyde, Clyde North and Pakenham area and a lot of new schools. Last year we opened three in one day in Clyde – Clyde Secondary, Clyde Creek Primary and also the San Remo campus of Bass Coast College. We are powering through those schools from primary to secondary.

It is not just the new schools that we are doing. We are upgrading our existing schools because it is great to build new schools, but we also love and support and value the schools that we have in our electorates, whether it is the 47 kids that go to Powlett River Primary, the 27 that go to Inverloch and Kongwak, or the 1200 at Ramlegh Park Primary School, which is probably one of the largest primary schools. Although it is not technically in my electorate, the zoning comes over into the electorate of Bass. In my electorate there are probably 22 state primary schools, three secondary schools with a number of campuses and one specialist school. Then we add in the independent schools as well, which brings it to over 33. Then, as I said, with the school zones crossing boundary lines we certainly have a myriad more. We have welcomed newly built secondary campuses for Bass Coast College. There are two new campuses, both Wonthaggi, the senior campus, and San Remo, and we certainly look forward to future announcements to upgrade the Dudley campus just to bring that whole narrative of the Bass Coast College to a complete celebration across the Bass Coast shire area.

For Clyde Secondary College we also announced in our budget this year stage 2 works. That is a really growing school in the Clyde area, obviously. It is an inclusive school that caters also for kids that need specialist education. There is Clyde Creek Primary School, which we opened also in 2022, and we recently opened their specialist campus onsite for 50 students. We have got others on the way in Clyde. There is a primary school as well. We are getting land. There is a whole heap of stuff in that Clyde and Clyde North area, and this goes to the fact that we commit to something and we do it. We listen, we partner with people, we build stuff, we nurture and we just kind of get on with it, really.

When I look at the election commitments from back in 2018, for Clyde Creek Primary School there was \$23 million. That is finished off, and we are just working out the official kind of hurrah for that one. Koo Wee Rup Primary – I was there only last month. It is a bit of a trifecta there. We opened the election commitments from 2018. They have started building their competition-grade gym and they are getting a kinder onsite as well. At Lang Lang Primary School, with the \$1.5 million we committed to, the upgrade is done. They have upgraded the bathrooms, and they smell so much better than they did a couple of years ago. It is really good to know. Cowes have got an award-winning gym. The \$5.5 million gym is pure magnificence. It overlooks their swimming pool and backs onto the sanctuary that they have onsite at their school.

The member for Cranbourne and I were recently at Cranbourne South, where we had committed \$5.9 million to upgrade their school, and we were actually welcomed by some amazing, articulate, inspiring captains, who gave the member for Cranbourne and me a really insightful tour. This school, like so many others, acknowledges, respects and partners with First Nations community members, land councils, gathering places, artists and storytellers. They generally immerse themselves in wanting to meaningfully learn about Bunurong country, where my electorate sits, and to walk lightly on this land together, showing respect and listening, all with open hearts. Cranbourne South's new building is called murrup, meaning spirit. It is the fifth element, as the four houses in the school are named after Bunurong words representing the four elements: baany, biik, munmut and wiiny, meaning water, earth, air and fire. It is great to go around to so many of my schools and kinders as well as secondary schools. They are building and strengthening relations with our First Nations community members.



When we look at schools, it is not just the building stuff that we do. I have only got a minute left, but it is so much more than building new schools and upgrading schools. It is all the stuff that happens within the schools and the teachers, the educators, the school councils, the school community and the kids. A real school community oozes out into the wider community. It is energising, and it is great to see teachers and educators and all the staff really kind of spark that love of learning with their students and also that critical thinking and creative thinking and everything that happens in that setting.

We have got the Smile Squads, we have got mental health professionals in our high schools and we have got Head Start apprenticeships. There are mental health wellbeing programs in schools. I have only got 5 seconds, so how great, I love Bass.

**Cindy McLEISH** (Eildon) (17:22): I am pleased to be able to make a contribution to the matter of public importance (MPI) submitted by the member for Preston today. It is focused on education. The government like to think that they are all things education and they are all things rosy education, but really that is not the case. There are quite a number of issues that I want to speak about today that will put a lot of weight to that.

First of all, I want to note that 93 per cent of the funding for education goes to Labor electorates. That is so disproportionate. They might try to argue that it is proportional, but when you have a look at the number of seats in this house, 63 per cent of which are held by the government, they are certainly getting the lion's share. Many of us in smaller areas, in country areas and in the city, are missing out and have done for a long time. I know that this has an impact in the outcomes of rural and regional Victoria and in the ability to attract a workforce. We saw just last week one of the small primary schools was struggling to recruit staff, and I know this has been an issue for a number of years. It certainly has not got easier.

But I am going to start my contribution on the second point about new and upgraded schools. I have a lot of issues with schools that are missing out on funding for some simple upgrades. I am not talking about \$8 million redevelopments or probably \$20 million redevelopments; I am talking about some things that are less than a million dollars. The government expects kudos for building a whole lot of new schools. As the population grows, and we know the population is growing in Victoria, and with families and children growing, you have to do schools. We need to do that. It would be negligent if they did not provide schools, because every suburb that is new needs to have a school. Those kids need to be able to go to school locally, not get on a bus and pop down half an hour to somewhere that is already in existence. The government is trying to play up that, whereas this is something that is absolutely required of any government where you have growing suburbs or towns or regions.

I will start with Mansfield. Mansfield is a growing town. The population has been absolutely exploding, and the primary school does not have capacity to hold all of these students. The enrolments were 280 in 2013, and in 10 years it has doubled. Last year there were 530 students, but the footprint of the school remains the same. It is a fairly squeezey little campus there. They do not have a big oval to go and do their sports – they have to cross two roads to go to the wonderful Lords Reserve in Mansfield to do that. The community stadium is next door. They really are suffering from the pressures about whether to go up. There is never talk within government about providing a second campus in Mansfield. Certainly in Seymour they amalgamated four schools into one – two primary, the special school as well as the secondary school – but that is not being talked about in Mansfield. They do need to be thought about.

I have Panton Hill Primary School. They are desperate to have a covered outdoor space – not a stadium, an outdoor space that is covered – where they can be playing outside in the summer in the shade and in the winter, if it is raining, they have got somewhere that they can still play outside. For them to do this project – I know they have applied for a couple of grants; I have raised it in this house. The current outdoor asphalt area is a little bit uneven – it is not quite the size of an actual court, so they want to extend it – and that will require a little bit of earthmoving as well to bring it up to scratch and to have a soft, artificial grass surface there so the kids have somewhere that they can go in all sorts of weather.

Kinglake Primary School really lack the funds to maintain the grounds and upgrade the old buildings and the paths. I did speak to the minister about this, the former minister to say that they have had only \$146,000 in capital funding allocated since 2016–17. That is only \$20,000 per annum. This is a school that does not have a wealthy parent base by any means to help. They struggle to even get parents to come along to working bees and to provide even in-kind support. A small school like Kinglake really needs that sort of help.

At Chum Creek Primary School in November last year a very large tree fell on one of the relocatables, and I saw that. Not only did it put that portable out of action, it put an enormous area of the playground out of action as well. It was in November 2022. They waited months and months – six months – for a repair. It was going to be enacted in the middle of 2023 – well, it was only fixed a couple of weeks ago. They waited the best part of a year to have the buildings that were damaged by an enormous tree landing on them fixed. I just do not think that that is good enough.

Gladysdale Primary School kind of lucked in in the budget a couple of years ago. They were granted a new building at the front of the school. The old building was torn down in December 2022. New works began. In March 2023 works stopped, leaving the site unsafe. Then nothing happened for five months, so I had everybody ringing my office saying, ‘What’s going on at Gladysdale?’ This is a small school in a small community. I raised a question on notice on 17 August around completion dates, and that still remains unanswered. The school is always in the dark, and the community are fed up. I think it is really difficult for the school to become the project manager. They are told that there should be an end-of-year completion, but they are not confident because at the moment only the frame is up. The government is failing in very many areas there.

I want to talk about the workforce and the difficulties of the workforce and recruiting teachers but also retaining teachers. I have heard way too many stories of teachers leaving the profession. COVID did many of them in. Yes, they worked from home, and some of them actually quite liked that. But what happened when kids came back to school was there were discipline problems, there were knives at some of the schools and it has been put to me – somebody in a primary school in a city electorate reported it – that kids had come back watching pornography, and that is extraordinary for primary school children. It was because they did not have that level of supervision. There was a level of disengagement as well, which has not been recovered for some students. Others did quite well. But a lot of the teachers have found the process absolutely exhausting and have been looking to move away – and many have left.

The fifth point of the MPI is about:

supporting students with additional funding upgrades to every government specialist school in Victoria ...

This is an area that I am hoping that the government is very outspoken about, because we have had the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. What has recently come to light is their recommendation to phase out specialist schools, and that is something that I would be very much opposed to seeing. Speaker, I have been with you at Bendigo to see the great specialist school there and to understand the level of disability, and when children have profound disabilities it is very hard to have a one-size-fits-all model. I know in schools where they have tried to do that, what ends up happening is they have a different entrance and they stagger the lunchbreaks to keep the kids separate, because it is not safe in the schoolyards with the rough-and-tumble of kids racing around and knocking kids accidentally. There are incidents that happen with bullying as well. So I am really hoping that the government has a very strong voice in this area to make sure that the specialist schools are protected.

We have schools that are autism specialists – government and private as well – and these schools fill a gap. Often parents have moved their children away from mainstream school because it has been really difficult for them to fit in. I have heard of, in these instances, families homeschooling their children because it has been so stressful for their children trying to really fit in in that cut-and-thrust and rough-and-tumble of the regular primary schools.

There are a lot of issues with trying to open the 50 new government-owned childcare centres. The governance models are really going to be very tricky about where you do that. Do you co-locate them with existing primary schools, or do you co-locate them on existing kindergarten sites? Some of them are council owned and run; some of them are owned by council and they have third-party providers. These governance structures are really tricky and are going to create a lot of problems for the government.

**Kat THEOPHANOUS** (Northcote) (17:32): I am delighted to rise today to speak on this matter of public importance (MPI), which is all about our littlest Victorians – and rightly so, because though our youngest Victorians may not have the voting rights which elect us as members of this Parliament, it is nevertheless the decisions that are made here which will impact on them and their opportunities into the future. So it is very fitting, I think, that this time has been dedicated in the parliamentary program to speak about how the Allan Labor government is supporting Victorian children to thrive. It is an absolute priority for this government, underscored by the fact that we now have a dedicated Minister for Children as well as a dedicated Parliamentary Secretary for Children, my good friend the member for Preston.

The single most precious thing we have as a community and a society is our children. Children are our future leaders, thinkers and innovators. The knowledge, values and sense of community we instill in them will shape the culture and moral fabric of our society into the future. The opportunities, skills and love of learning we nurture in them will determine our future prosperity and our ability to weather the challenges of the decades ahead. Our children are precious, and there is nothing more worthy of our investment, of our attention and dedication or of our love.

It has been a really lengthy debate today, and as I round it out with this final contribution from the government ranks I am conscious that my colleagues have made some outstanding contributions. The member for Preston spoke with complete heart about the work our government is doing to support children with disabilities both in the health system and in the education system. It was a significant and thoughtful contribution, and I extend my thanks to him for sharing it with us.

The member for Footscray, another fellow parent with children around the same age as mine, spoke very eloquently about the roller-coaster ride of parenthood and the absolute necessity of having support around us in those early stages. Together our investment in expanding our early parenting centres alongside our work to open dedicated infant, child and family health and wellbeing hubs and to boost the amount of time maternal child health nurses can spend with families is a dramatic uplift in practical, direct support to families navigating these tumultuous early years.

The member for South Barwon, who is also the Parliamentary Secretary for Education, gave a very good overview about how we are supporting Victorian children through our education system, including by making it free to study to become a secondary school teacher in Victoria. And the member for Bass spoke passionately about our Labor government's unwavering commitment to modernising schools right across our communities, something which the electorate of Northcote has also benefited from, having just this year seeing the recent completion of a STEAM centre at Thornbury High, a new learning building at Preston South Primary and wonderful new facilities at Croxton School for specialist learning. Right across maternal and child health, early parenting, education, wellbeing and disability support, our government is prioritising children in this state.

I want to add to and augment the contributions of my colleagues by speaking about a part of this MPI which is very close to my heart, and that is kinder. As many know, I have got two young girls – Ariana and Cleo – and for the last six years we have had at least one of them, but mostly both of them, in child care and kinder in Northcote. Cleo is finishing up four-year-old kinder this year, and we will be sad to say our final goodbyes to her centre and all the outstanding, compassionate, talented educators that have nurtured both her and her sister over the years. These are some of the most hardworking, empathetic and oh-so-patient people you will ever know. How they manage to get the best out of my otherwise unruly and wilful little people I will never understand. We think our jobs are hard but, Speaker, try spending 8 hours in a class full of toddlers and see how tired you are at the end of the day.

I have nothing but admiration for our early childhood workforce, and I have been proud to be part of a Labor government which has elevated this sector well beyond outdated understandings of simply childminding into a truly educational practice. That is where it should be, because we know that the first 2000 days are critical in shaping the trajectory of a child's life and that 90 per cent of brain development happens in these first five years. This is the golden zone – our opportunity to give kids the best start in life and the tools, skills and support they need to prepare them for a lifetime of learning.

That is why it was my absolute honour to join our former Premier at Alfred Nuttall kindergarten in Fairfield last year when we announced an extraordinary package of truly Labor reforms in early education: free kinder for three- and four-year-olds embedded permanently in our state, a new pre-prep year with 30 hours a week of free play-based learning to be rolled out over the next 10 years and 50 low-cost government-operated childcare centres in the parts of our state where they are needed most. This is the biggest transformation of early childhood education in a generation. It is the kind of reform that changes lives, that leads to generational opportunity – the kind of reform that only a Labor government delivers.

Sometimes I think about my grandmother Eleni, who as the oldest child had to leave primary school in grade 3 to look after her younger siblings in their village in Cyprus, and then I think about my mother Rita, who was the oldest of six and the first in her family to gain a university degree here in Australia. That opportunity for an education was one of the big drivers for their migration, and it is a familiar story to many European migrants in those postwar years. Education is the single best tool we have for improving economic and social equality, and it starts with instilling a love of learning in children from birth.

This year more than 2750 kindergarten services are participating in free kinder. That is about 97 per cent of the sector, and it will benefit around 140,000 children. Free kinder is not just incredible educational and social policy but deeply significant economic policy too. Free kinder will save families up to \$2500 in fees per child each year, and crucially it gives more women the choice to return to the workforce. About 28,000 Victorians, mostly women, want to work more but cannot because of the cost of child care. Free kinder means more hours of quality free early education and care for three- and four-year-olds and more flexibility and choice for families. As we embark on this decade-long transformation of early education, we know that we will need time to grow a strong and skilled workforce and to deliver the infrastructure required to get more childcare and kinder spaces into our suburbs.

Earlier this year I visited Merri community kindergarten in Thornbury to meet Chelsea Ford, one of more than 3500 early years educators who have joined Victoria's kindergarten workforce through our government-funded scholarships. Chelsea was very obviously loved by the kids at the centre and was proud to be working to support Victorian children to thrive. We were joined by the former minister for early education, who spoke about the over \$370 million Labor government investment to build a stronger kindergarten workforce through things like training scholarships, career development opportunities, targeted financial incentives, access to recruitment agencies and our free TAFE courses. And we are partnering with universities to upskill diploma-qualified educators as degree-qualified educators.

But of course we also need more child places in our kinders, and this is something that has been raised with me often in the inner north as our populations grow and the pressure on our existing network increases. In the inner north many of our kinders are now benefiting from our Building Blocks grants, including Batman Park kinder, Thornbury kinder, Perry Street kinder, Merri kinder and Yarralea kinder, and we are building a brand new kinder at Thornbury High.

Across our state we are dedicated to building 50 government owned and operated early learning centres to address the childcare shortages in areas of greatest need. Where possible those will be co-located with schools to avoid that dreaded double drop-off. It is an ambitious reform but is one that we are committed to as we work to improve early education across this state, and this is Labor policy at its finest. It is groundbreaking for children in this state – for the next generation that is coming through. It is something that we are absolutely committed to. I have not even spoken about bush kinder

and bilingual kinder, about our kinder kits and our toy grants or about the hugely important school readiness funding, which is helping support kids with additional needs. It is fantastic policy and I support it.

**Annabelle CLEELAND** (Euroa) (17:42): I am pleased to rise today and speak on this matter of public importance submitted by the member for Preston. While it is an attempt to be self-indulgent and pat the government on the back, I must give the Labor government a healthy dose of reality. One major point in this matter I want to address is the hundreds of new and upgraded schools that this government boasts about. Within my electorate is Kilmore, the largest town in Victoria without a public secondary school, located in one of the biggest growth corridors in the state. The only secondary school option currently in Kilmore is Assumption College, a private school that has fees starting from nearly \$9000 a year. Assumption is an excellent school because it did produce one of my fabulous staff members and digital wizards; however, not everyone in Kilmore has the opportunity to attend private school.

Down the road in Broadford and Wallan the schools are already at or nearing capacity, and students as young as 12 years old are having to make a 2-hour commute to and from school each day. The need for a school in Kilmore has been repeatedly brought to this government's attention, yet it has been ignored every time. There was a golden opportunity just missed due to a lack of urgency and care from this government and the former Minister for Education. Despite thousands of local residents signing petitions calling for the state government to purchase the former Colmont School campus, it has recently been sold to a private company. The previous Minister for Education was made aware of this opportunity on multiple occasions and was invited to meet with local families to hear how desperately locals need this school. Instead, she did nothing, demonstrating a short-sightedness and arrogance that has resulted in hundreds of families being left without reasonable local education options. This former school campus was ready-made and conveniently on the market and had the opportunity to provide a cost-effective solution to this very real problem for our community, so I ask: why should these children be placed at such a disadvantage just because of where they live? This is not some rural, remote location. This is Kilmore, one of the fastest-growing towns in our state. It is time to listen to the community and provide them with a public school, so to help this government listen I have some direct quotes from Kilmore residents who signed the petition. There were nearly 3500 signatures, so buckle up. Rachel Fairman said:

Education, family's and children should not have to suffer exhaustion to gain an education ...

Jamie Leahy said:

I have 3 kids who will all need a high school to go to soon. I shouldn't have to bus them out of town so they can get the education they deserve!

Meghan Thorpe said:

I have 2 children that will be attending high school in the next few years my husband and I can't afford a private school and don't want to travel really far away ...

And I think that is a pretty fair request. Margaret Kelly said:

There is an empty school, you don't have a school, yet somehow the government is not joining the dots!

Tracey Challis said:

The amount of housing getting built in the area, the growth of the township and surrounding areas, there is definitely enough families to warrant a public high school ... A town this size and only offering a private school is just wrong. There has been talks and petitions ... This has been needed for several years. To no avail. It's about time the government listened.

Rebecca Hocking said:

We need more options for public high schools in the area, having a public high school option for Kilmore will relieve commuting stress factors and make schools more accessible. Families in Kilmore shouldn't have

to be forced into paying for a private school, as they are our only options within our town, or having to commute to a completely different town just so their child can receive an education.

I think everyone in the chamber can agree that everyone deserves an education close to their home. These are just a handful of the thousands of responses received of nearly 3500 signatures. We could fill the school tomorrow, yet I am getting crickets out of this government, who is bold enough to brag about its education investments. How can this government pat themselves on the back about their contributions to education while this goes on?

Another point I must raise and bring some clarity on is the state of child care in Victoria, particularly in regional areas. We have seen the announcement of 50 new child early learning centres that will be established across our state – hold on for the reality check. As part of the government’s rollout of new early learning centres I was pleased that Seymour, located within my electorate, was included to alleviate some of the strain on the system locally. But let me tell you, our community is angry about this misleading announcement. The reality that this will not be delivered until beyond 2028, if it is delivered at all – if we can trust this government is capable of delivering a project – is an absolute slap in the face to parents wanting but needing to return to work. This headline-grabbing announcement has prevented private and not-for-profits from filling the childcare void, yet this government has no goal to actually deliver and relieve childcare waitlists. I just received this message this morning from Alicia in Nagambie, who highlighted the six-month waitlist in Nagambie, which is up to two years in many surrounding towns – two years. Just four out of these so-called 50 centres have been confirmed in the first round, with three of them being found in Labor seats. The issue goes far beyond delays for Seymour. This government has a clear track record of overpromising and underdelivering for Victorians. I have serious concerns that the Best Start, Best Life initiative will be added to this ever-growing list. Initial estimates for the cost of these 50 childcare centres was tabled at \$484 million. So far land has only been located for four of the 50 childcare centres, and on top of that, no-one knows where 20 of these 50 centres will be located, including this government. I have quite a few suggestions for my electorate of Euroa.

We are already seeing a scramble by this government to find ways to deliver yet another program they have announced without a suitable or thought-out plan. As this happens, kindergartens across the state are nervously waiting for any scrap of detail. As usual, this government has failed to adequately consult with stakeholders, with kinders and childcare centres finding out about so-called free kinder reforms and the new funding regime mere months before being expected to operate under the new arrangements. We have seen how the Commonwealth Games, or lack thereof, embarrassingly ended. Now we are expected to trust this government to implement this project without an issue, on time and under budget. But you have not earned that credibility.

As things currently stand regional Victoria is in dire need of more childcare centres. Kilmore, Broadford, the Benalla region and the Seymour region are all classified as childcare deserts by the Mitchell Institute. These are major towns, not inaccessible backwaters, but they are being placed at a disadvantage when child care is so rare. The lack of childcare options is placing a significant barrier on young people who want to raise their family in regional Victoria. We have got incredible local childcare providers, but in most of these places there are up to six kids competing for each place – it is not sustainable. Towns like Nagambie and Avenel were not even included in their announcements despite serious problems finding local child care in these areas. The issues raised in the responses, including multiyear waitlists, are part of a petition I put out for a survey and a review for local parents who are in desperate need of childcare providers.

The responses shared overwhelmingly negative experiences, with 100 per cent of respondents saying they had been adversely impacted by access to child care in the region. I would like to add one more example from Lauren in Seymour, an incredible landscape architect with two gorgeous boys. She also volunteers on absolutely every community event in town. She said:

Nash has been on the Goodstart nursery waitlist since July 2022 with the hope that he would start daycare at 12 months of age in June 2023.

In April 2023 we were offered a day which I didn't take because I intended to be on mat leave for 12 months.

It wasn't until August 2023 that one day became available meaning I couldn't return to work more than one day until that time ...

We still only have 1 day a week and every Thursday when I drop Noah –  
her other child –

off, I ask if Nash can have a casual day this is completely dependent upon another child in the nursery being away or sick.

This is literally parents waiting at the door of childcare centres for access. It is completely unacceptable. Another mum Lou, a local nurse, who recently had two delicious twin boys Freddie and Tommy, is on a 40-strong waitlist in Seymour for a centre that can take eight babies. This government genuinely promised a centre so far down the track that these boys will be at school before this centre even starts to get built. My community is not the only one suffering with these issues. All-year kinder and education has been mentioned so many times in press conferences, motions, bills and more, yet when it comes to action, we have seen very little and our communities continue to suffer.

I would like to make a big shout-out to all of our local teachers and childcare providers for what they do considering the lack of investment. They go above and beyond, in particular Yaya, my little daughter Quinn's teacher, and my son Arthur's teachers as well. It is incredible how much they dedicate and allow us mothers and parents to be here.

**James NEWBURY** (Brighton) (17:52): It is astonishing to think that the government has brought in a matter of public importance today and has not filled their own speakers list when talking about schools.

**The SPEAKER:** I believe the member for Bentleigh was about to stand and speak.

**James NEWBURY:** You called me.

**The SPEAKER:** Because I thought you were going to call a point of order or something.

**James NEWBURY:** Speaker, with respect, you called me, and I am speaking.

**The SPEAKER:** Is it a point of order?

**James NEWBURY:** No, you have called me to speak, and I am speaking.

**The SPEAKER:** What are you speaking on?

**James NEWBURY:** I am speaking on the matter.

**The SPEAKER:** We alternate speakers across the table, as you would be aware, Manager of Opposition Business. It was my understanding that you were standing to take a point of order given what you referred to at the start of your contribution when the member for Bentleigh was ready to rise as well to speak on the matter of public importance. I am not quite sure –

**James NEWBURY:** When I stood, Speaker, it was based on the fact that, number one, the government had advised they did not have a last speaker. They had advised us formally of that. And the member was not standing. I looked across, the member was not standing, as the camera will show.

**The SPEAKER:** Manager of Opposition Business, I will not have this argument with you in the chamber. I am prepared to allow you to have the call, but I believe that the government also was seeking the call.

**James NEWBURY:** We have a matter of public importance that is important. It is important because in terms of government funding 93 per cent of education funding is directed to Labor seats – 93 per cent of school funding is directed to Labor seats. Despite the coalition representing a third of the seats in this chamber, our seats receive 6 per cent of funding. Is there any other definition than pork-barrelling to that breakdown of funding? There is no other way to describe what is being done in terms

of government funding. I would say to the new Deputy Premier that as Minister for Education he has inherited an important portfolio that will make and can make incredible differences to the children of our great state, and I would ask him to consider the way that the government currently funds our schools and schools that are not in Labor seats and to look to adjust the funding to just be fair.

If you would like me to, I would be more than happy to talk to you about the needs of schools – good schools – outside Labor seats. I will give you one example: Brighton Primary. Brighton Primary has a specialist hearing unit and has students who cannot hear properly. It is a wonderful unit. It is one of the only specialist units for kids with hearing difficulties in Melbourne, and guess where it is? It is next to a train line – directly next to a train line – because the government in living memory has never committed funding to Brighton Primary School. The last record we have of capital works funding at Brighton Primary was when people were last wearing flares – not when they are wearing flares now, it was when they were trendy previously, 50 years ago. To think that we have a school with a specialist hearing unit in Melbourne where the children are being housed and taught next to a train line because the government is directing funding to Labor seats not Liberal seats purely because of the representation of the seat is outrageous.

**Mary-Anne Thomas:** Rubbish. That is rubbish.

**James NEWBURY:** The facts do not lie, Leader of the House. The facts do not lie – they never do. The funding is clear, the statistics are clear: 6 per cent of funding goes to Liberal electorates – the facts do not lie – despite the coalition representing a third of the seats in this place. Ninety-three per cent is pork-barrelled into Labor seats. These are children we are talking about. I understand and anybody who has been around politics understands that governments always play politics and they always play politics with what they are doing, but doing it with school funding and neglecting children in non-Labor-held seats is just wrong. It is just wrong. I am sure that my colleagues would all have examples in their electorates. Every single one of them would have multiple examples where schools have not had funding for decades and decades and decades because those electorates are Liberal held.

But to think there is an example where children have hearing difficulties and are at one of the specialist units in Melbourne – this is not a Brighton thing, this is a unit that teaches children with hearing difficulties, a specialist unit, for the whole of Melbourne. And they are not just based next to a train line, guess where they are? They are in a demountable, and the demountable was placed there in the 1970s. I do not like talking down the quality of the infrastructure, but to think that the demountable has been there for 50 years, I am sure you can imagine. And it is only reasonable to think that that demountable needs attention. Of course it needs attention. How much soundproofing do you think it has? None. It has literally no soundproofing, and the members on the other side are laughing. They are laughing about children not having the capital infrastructure they deserve.

Every child in this state deserves to be treated fairly. Every child deserves to be treated reasonably. The government should be allocating funds on the basis of need, not on the colour of the seat, and that is not what is happening. So the challenge that I put to the new Deputy Premier, taking over that role, is I would be happy to talk to you about what we are seeing in terms of government funding, but the minister needs to consider the way that funding is allocated and consider the children of the state and the fair and reasonable way that school funding should be allocated. But that is not the only example in my electorate; there are numerous examples in my electorate. I am sure that every member on this side could get up and deliver frankly hours of debate on every single school in their electorate that has not been funded. They have not been funded in my case, for most of my schools, for half a century.

Hampton Primary School was promised some funding at the last election – after the Liberal Party made a commitment – as an election commitment, and they were told they would receive the money and the cheque would be in the mail on the day after the election. Guess what they got told after the election – ‘The funding ain’t coming, and it isn’t in the budget’. The funding was not in the budget. What an outrageous broken promise. How dare the government promise my school, the kids in my community, funding as an election commitment and then on the day after the election break their



promise. Now they have been told, maybe in three years. Read the budget every year for the next three years – keep looking, keep flicking through the budget. These are children we are talking about. And Hampton Primary School is not the only example. Multiple schools were promised funding for the day after the election by Labor during the election campaign, and all of them had have had that promise broken. It is outrageous. School funding is totally pork-barrelled in this state.

### *Committees*

#### **Select Committee on the 2026 Commonwealth Games Bid**

*Premier*

#### **Debate resumed.**

**David SOUTHWICK** (Caulfield) (18:02): I want to return to the matter of ensuring that the Premier fronts the select committee and comes clean when it comes to the waste and mismanagement of the Commonwealth Games. This is absolutely vital. This is so important. It comes to the core of a government that wastes and mismanages taxpayers money. If you ever wanted an example of how Labor cannot manage money, you only have to look at the Commonwealth Games debacle. It is an absolute disgrace. It is such a mess.

We have had so many changes in this – more changes than you would see at a Taylor Swift concert. Seriously, this has changed so many times. It was a Commonwealth Games that was going to be for some in the regions, excluding Shepparton when Shepparton was part of the initial bid to put on the Commonwealth Games in the first place. Then the government magically said ‘We’d better include Shepparton as well’. What we saw was so many regions: it expanded, it grew. Why? There was no plan. There was no vision. There was no detail when it comes to the money, and ultimately taxpayers are paying for this mess. That is why it is so important that the Premier fronts the committee and explains why \$600 million has already been wasted and why \$2 billion is going to be wasted for games we are not going to deliver.

We have had the Premier front up and say on numerous occasions that this was something of a bipartisan nature, that this was bipartisan, that we agreed to deliver the games, to cancel the games and to pay out money for the cancellation. Wouldn’t it be wonderful if we had that amount of power? But I tell you what, the government has got the chequebook, the government has also got the phone call to the lawyers and the government has got their finger in the pie of this and their hand in the taxpayers pocket. That is what the government has got. And who is leading the charge? It is the former Minister for Commonwealth Games Delivery, who has been elevated because she did such a wonderful job with the Commonwealth Games delivery portfolio on top of the major projects portfolio, which had \$30 billion of waste and mismanagement. We have wasted taxpayers money. Every single project that this Premier has touched has ended up with waste, mismanagement and blowouts. We also have the Suburban Rail Loop. That was initially a \$50 billion project that has blown out to \$200 billion. We have all of this kind of back-of-the-envelope stuff.

What really annoys me and many people that I speak to is when people are doing it really tough – they see their energy bills going through the roof, they cannot afford to put food on the table – and they see a government with just absolutely not a care in the world. ‘Yes, we will cut a cheque for the cancellation of the games, and you know what, we’ll spend the \$2 billion to deliver sporting infrastructure for a games we are not going to deliver into the regions.’ If you were going to do this in the first place, which is all about delivering vital legacy to the regions, you would not have done it in the way that it is being done now. So we are spending \$2 billion of taxpayers money not to deliver the games. We are spending \$600 million to cancel the games. There is no detail about how the Commonwealth Games blew out from \$2 billion to \$6 billion. Hang on, the former Premier said it was \$6 billion to \$7 billion, so we do not even know where the magical billion dollars has disappeared. Every time we hear it, a billion here, a million there, and you know what: who pays for this mess? Taxpayers pay for it. That is why it is absolutely crucial for the Premier to front.

If the Premier has got nothing to hide, she should simply front the committee, explain it all, bring the plans, bring the details, bring the legal advice, bring who spoke to who, when, how and what. Ultimately, we would all be wiser, but that is not going to happen. This has been the most secretive, corrupt government that we have ever seen. And now we have a Premier that has taken over, and she has had a perfect opportunity to be different than the former Premier Andrews. It could have been very, very different. She could have said, 'You know what, I'm going to be transparent. I'm going to stand up and front the committee.' This committee was unanimously voted on by the upper house because they wanted to get to the bottom of the blowouts, get to the bottom of the race, get to the bottom of all of this, and what happened? Up in smoke. No wonder we are broke. No wonder we have the most debt, more than every other state. No wonder we are paying more taxes, because ultimately, when Victoria ends up losing to this hopeless government, taxpayers end up paying. And that is why the Premier needs to front the inquiry.

**Nick STAIKOS** (Bentleigh) (18:07): The government opposes this motion, and the government opposes this motion because –

**John Pesutto**: Because they are opposed to accountability.

**Nick STAIKOS**: No, the government opposes this motion because it is longstanding convention that members of the Assembly cannot be compelled by members of the upper house. That is fact. This is therefore nothing more than a stunt. I am glad that the member for Nepean is back at the table because I was here for your 30 minutes, and let me tell you, sometimes celebrity candidates are not all they are cracked up to be. They come in with all sorts of promise. I understand this guy was on *Postcards*, but he forgot his cue cards today. It is not easy without an autocue, is it?

**James Newbury**: On a point of order, Speaker, on relevance, the question before the Chair is the motion to not have the Premier attend the upper house committee. I would ask the member to come back to that question. No-one will ever, ever not know who he is. I am absolutely sure that he does not have to –

**The DEPUTY SPEAKER**: This has been a wide debate already, and I would hope we can all continue to keep to form. The member for Bentleigh to continue on the motion.

**Nick STAIKOS**: Frankly, a contribution on this motion need not be lengthy because it is clear-cut. Now, the opposition do not have a leg to stand on on this issue because the opposition did support Victoria hosting the Commonwealth Games and the opposition also supported Victoria withdrawing from the Commonwealth Games. Those are the facts. Just because now they dedicate every single question they have in question time to this issue – they are out of step with the rest of Victoria. Nobody in my electorate is asking about the Commonwealth Games. The member for Caulfield in his contribution talked about energy bills. Indeed, the people of Victoria are asking about their energy bills. That is why this government is bringing back the SEC, and the Premier is focused on bringing back the SEC and addressing the housing crisis. These ostriches have their heads in the sand on what the issues are to the people of Victoria. It is not the Commonwealth Games. That issue is behind us. The Premier is focused on the issues that matter to Victorians. We oppose this motion.

**James NEWBURY** (Brighton) (18:10): I rise to speak on this motion and speak with deep concern that the government would be using its numbers to block what should be an opportunity for the Premier to come clean, attend the Council committee hearing and speak to the truth, speak to what occurred and most of all speak to how taxpayers money was spent. Today in the debate in this chamber we have heard much from the government about precedent, so let me start by talking about precedent and Westminster principles, because this is an issue that I have certainly been fighting on weekly in this place, and I have never once heard the government speak to Westminster principles.

The former Labor government allowed in 2007 one of their ministers to go to the Council and present, on request of the Council, to a Council committee hearing – a Labor minister in 2007. So for the government to come in today and say that there has been no circumstance where the Westminster

principle has allowed a member of this place to go to the Council, all that tells me is they are either hiding the fact or they have not looked through the books. It is probably both. It only happened 15 years ago, and it happened when a Labor minister did it. It was not a Liberal minister, it was a Labor minister. The former government had one of their own ministers go to the Council, and in that circumstance it was right.

What is interesting in this debate is that members on that side of the chamber have spoken about these motions being new, and I have just mentioned one example where a Labor minister went to the other place. There is another example where the Council requested the appearance of a minister. Who would that have been? Who would that have been some five years ago? The current Premier. And guess what happened in that circumstance? The Labor government used their numbers to block it. So this Premier has form, because it has happened twice. This Premier has used the numbers of the government to stop any sense of accountability about her behaviour as a minister and now as Premier.

It is outrageous. It is absolutely outrageous to think that a minister would not want to be forthcoming with how they are spending other people's money. It is not their money. We always hear Labor talking about how they spend money. It ain't their money. Someone has worked hard for that money. It has then been taxed. It has then gone into the government coffers. Every dollar that is in a government coffer has the sweat of a hard-earning Victorian on it. It is something that this government has no idea about. I have never heard the government talking about that ever. The former Premier – I never once heard him respect the fact that money was earned before it ended up in the taxpayer coffers.

We have a motion that has been put to this house that provides the Premier with the opportunity to show that this new government will have a degree of integrity, and that more than anything is what this is about. The details of who knew what when are absolutely critical – of course they are. But more than that, this motion is about one thing: this is a test of the new Premier's integrity. That is what this is about. This is a test of integrity, and on the first hurdle the Premier has failed. What is more outrageous than that is that yesterday the Premier dropped to the newspaper the fact that the government would be consulting on new parliamentary integrity measures – 24 hours ago – and 24 hours later we have a test of integrity that the government is using its numbers to block this. It is extraordinary. Here is the first material example of where the Premier can show her integrity. That is all that Victorians would ask for. The committee would show the Premier the respect that someone in her position deserves – of course the committee would. The committee would treat her with respect, would consider and raise matters that every Victorian deserves to understand and know about and would ask in a methodical fashion questions you would expect a Premier to have consistent answers to who knew what when and how much was spent. These are not hard questions. They are not unreasonable questions. Within 24 hours of dropping to the media that this government are consulting on how to have more integrity in this place, they are using their own numbers to block that from happening. It just shows you that actions always speak louder than words.

What is so egregious to me is that it is not the first example of where this member has used their numbers to block appearing and having a degree of accountability for their work – it is the second. There are so few examples of where the Council considers a member being called to appear before a committee. It has happened so irregularly in the history of this Parliament – and of course it would, because you would only as a Parliament use that power sparingly. The Council has considered this matter today and said, by a strong majority – not a majority of one, but a strong majority – 'Premier, please come to our place and please answer questions in relation to a matter'. It was a polite request, where the committee will be respectful and would just ask the Premier about their own work and about the work that she did, when she did it, how much money was spent and when the decisions were made. I note the Deputy Premier has come to the table. I am going to be very interested to see if he is the next speaker to defend the Premier. I am waiting to see if he is the next speaker. Will he be the next speaker to defend the Premier?

Let the record show, as I was saying, that there are almost no instances in a Parliament where the Council requests the appearance of a minister – very, very few examples. There have been three that

I am aware of in 20 years – it happens very, very irregularly – and the last two were requests of the same person, the Premier. In the first instance the government used their numbers to gag it: no, not going. Labor used their numbers to gag it, and today we know – the government have already confirmed – that they intend to do the same. I would suspect that the Premier is the only person in this place to have ever denied the request of the Council twice. I could be wrong – I would be happy to be proven wrong – but I am sure that it is the only time a member has twice refused that request. How extraordinary. What a test, and failed test, of character. What a failed test of integrity. Imagine going down in the history books as twice having failed to be accountable for what you do as a minister and the way you spend taxpayers money. What a shameful entry into a career. The Premier I would like to think is better than that – a long-term member of this place. It is disappointing to think that twice now this member has refused. As I finish my contribution, as I said, I look forward to seeing whether the Deputy Premier will stand and explain and defend the Premier's character, because this Premier has been proven to lack integrity.

**Iwan WALTERS** (Greenvale) (18:21): It is still a pleasure to rise to contribute following that bloviating contribution of sound and fury, as I was saying.

**James Newbury**: On a point of order, Deputy Speaker, I apologise, I thought the Deputy Premier stood to speak. Was that wrong? Was the Deputy Premier seeking to speak?

**The DEPUTY SPEAKER**: Order! The member for Greenvale has the call.

**Iwan WALTERS**: Before I was so rudely interrupted by the member for Brighton and the member for South-West Coast I was going to say – and I am coming in at this point of the debate to make the point – that the Premier has been delivering for regional Victoria since 1999 and for our entire state as Deputy Premier and Premier. The reason that is relevant is because the Premier is in her post because she commands the confidence of this house and she commands the unanimous support of our party, hence her position. The reason I want to talk about that is because it touches on the doctrine of exclusive cognisance – not cognitive dissonance, which is what the opposition leader brings to bear every single time he asks questions about legal fees and other such things. Now, of course he would not really understand the nature of exclusive cognisance. Those Tories opposite probably want to have a Premier in the upper house – Lord Salisbury, David Davis, whoever it might be. They would not be familiar with the concept of having a Premier from the lower house, because they are still stuck in the 19th century.

This is a stunt. The Premier has answered each and every single question that she has been asked on this matter, and the Leader of the Opposition has been chortling away very rudely throughout this entire contribution. It is an indictment of the quality of his questions if he has not received answers to them. If he has to seek a stunt of a motion to try and find answers to this rather than seek answers through his own questions, that is a shameful indictment of him and his party.

**Sam HIBBINS** (Pahran) (18:23): The Greens supported the motion in the other place for the Premier to appear before the Select Committee on the 2026 Commonwealth Games Bid. It is not about political pointscoreing, it is about the principles of transparency and accountability. It is more than reasonable that the Premier appear to answer questions particularly about the decision-making process in regard to the Commonwealth Games. This was a major project. To put it bluntly, this was a pretty big deal when the government first announced it. I think some of us might have even baulked at just the initial price tag of the Commonwealth Games, but we were assured by the government that there were going to be significant benefits in relation to this project and it required the significant government money, time and energy that went into this project.

It is entirely appropriate now that the Commonwealth Games have been cancelled and that they have now effectively gone from being 'the Commonwealth Games' to only being referred to as 'a 12-day sporting event' that the Parliament be allowed to scrutinise what has occurred and why and where the money has gone and what has been the decision-making process and what were the actual benefits of

this Commonwealth Games project. Certainly having seen just part of what has already occurred in terms of the select committee there is a need for even more scrutiny. We have just had a 1-hour appearance by two ministers responsible for delivering the legacy respectively, much of the time taken up by Dorothy Dixers from the government, with many relevant departments not being there or only getting to contribute when the minister called on them, so there is definitely a need for more scrutiny of the Commonwealth Games.

I also just finally want to touch on the argument put forward by the government in relation to the Westminster system – that somehow the differences between the two houses should mean that the Premier should not appear before a committee. This is false. It is already there within the standing orders for the upper house to request a member of the lower house to appear before a committee. Even the most cursory research would find that there are multiple examples with Westminster systems where you have actions by one member taken in another place. We have had Treasurers sit in the upper house and be requested to come to the lower house to deliver budget speeches. We have got upper house ministers in Tasmania regularly appearing before the lower house to answer questions in relation to their portfolios. I will just read you this line from a research paper on the federal Parliament's website:

Furthermore, while members of the House of Representatives (including its ministers) are accountable (in the context of parliament) only in the House, and senators are accountable only to the Senate, there are provisions in the Standing Orders to enable ministers from one house appearing before the other or its committees.

This is a standard practice within Westminster governments. The two houses do interact. They may be separate in the passage of bills and other mechanisms, but they do interact and there are provisions for ministers to appear before committees of other houses. It is entirely consistent with the Westminster system. It is entirely appropriate in this instance for this house to have the Premier appear before the select committee on the Commonwealth Games, and I would urge the house to oppose this motion preventing the Premier from appearing.

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:27): I move:

That the question be now put.

**James Newbury**: On a point of order, Deputy Speaker, the National Party have not had an opportunity to speak, and under the standing orders they are provided an opportunity to speak.

**The DEPUTY SPEAKER**: Thank you, member for Brighton. I understand your point of order. Standing order 155 does state that the minority does get a chance. You are correct; the National Party has not made a contribution. Could you assist the house in possibly informing your National Party colleagues that this would be a good chance for them to come to the house.

**James Newbury**: I am more than happy to do so, noting that the Leader of the National Party will want to speak and it will take him a moment to come up to the chamber.

**The DEPUTY SPEAKER**: Thank you, member for Brighton. The Leader of the House still has the call if she wishes, or has she concluded?

**Mary-Anne THOMAS**: I have asked that the question be put. I accept your advice, which is that the National Party take the opportunity to take the next call.

**The DEPUTY SPEAKER**: We will continue on the motion for now.

**Cindy McLEISH** (Eildon) (18:28): We have a pretty interesting situation before us at the moment with regard to the highly promoted then sensationally dumped Commonwealth Games, and we are debating a motion that has come down to us from the Council. That motion was put forward by Mr Limbrick in the other place, and it says:

That this house requests that the Legislative Assembly grant leave to the Premier, the Honourable Jacinta Allan MP, to appear before the Legislative Council Select Committee on the 2026 Commonwealth Games Bid to provide evidence in her capacity as the former Minister for Commonwealth Games Delivery.

I certainly support that motion and would expect that the Premier will in fact do that. But what we have also seen is the Minister for Government Services put forward a counter motion that is also part of this debate, so that tells me the government absolutely do not wish to debate this motion at all. There is a bit of a protection racket going on.

We do know that the current Premier was formerly the Minister for Commonwealth Games Delivery, and we would expect with a change of leader that there may be more transparency – greater openness – so that we understand a little bit more about what has been happening, because we were left in the dark a lot under the former Premier. When we heard the new Premier outside talking to the media and trying to present a different approach, I thought this might be a great opportunity for her to show that it is a different approach.

What we are requesting is not new either. We have had Treasurers from the other place who have come down here. We have had a former member for Mitcham Tony Robinson. He also came here, and he also participated. The Premier is integral to this inquiry, and I will tell you why: because we need to determine the extent to which the Premier's fingerprints were all over the decisions that were made during the Commonwealth Games discussions and while it was actively being promoted, what decisions were being made at the time and also the decision to cancel. We need to know the real story about the costings. Was it a back-of-the-envelope method or was it Gold Coast plus a bit? I think it was Gold Coast plus a bit. I am not quite sure; there were a lot of blowouts. The Premier says from the \$2.6 billion – Gold Coast plus a bit – it had gone out to \$6 billion to \$7 billion. We want to see that, because if it has blown to that extent, perhaps all other major projects that the Premier has touched previously have blown out to the same extent.

Has the minister been involved in extending the actual original scope? If the Commonwealth Games organising committee are given the budget to run the games, I reckon they could pretty much do that. But when the goalposts keep changing and when government keeps imposing new ideas – additional sports, for example, or maybe 'We want to have the opening of the Commonwealth Games in Melbourne, not in Geelong, where they're having the closing games' – it would make a lot of sense to me if you had them in the one place so you do not have the additional costs of bumping in and bumping out. Was it decisions of the government like that that led to this blowout? These are things that we certainly need to know.

With regard to the cancellation, it is a little bit unclear exactly what the Premier's involvement has been. When did she know? How much did she know? We heard evidence from Peggy O'Neal of the Victoria 2026 organising committee. She certainly seemed to be missing a bit of information. The Premier has been very fuzzy in any answers that she has given about any decisions. It is hard to understand exactly what has happened, and that is what she and the government want us to believe, because they do not want us to get the full story. What engagement did she have with the Commonwealth Games Federation? What was she telling them? Were they left in the dark, finding out at the last minute on the news? It seems that when the decision was made a lot of people had no idea it was coming. But we know the lawyers were involved, certainly for some period, probably doing more than just giving a little bit of advice: What is it going to be like to cancel it? What is this going to mean for us? How much are we going to be up for? That is just losing the games, not including the cost of the lawyers. We are not sure about that.

We have had this project, the Commonwealth Games, still without a home, going from \$2.6 billion to now \$6 billion to \$7 billion. We need to understand absolutely what that means. We know where about \$600 million has been spent, but there is an awful lot that we do not know. Personally, I would like to hear the Premier give her definition of a legacy and legacy projects because I am very sure that her definition is exceptionally different from mine. My definition of a legacy project is that you build or enhance something that is there in the longer term. It is not building a swimming pool and then pulling

it down, which was what was on the cards – build a swimming pool and pull it down. That is not a legacy project, that is a waste of money when you could have a good legacy project at Kardinia Park, with the 50-metre indoor pool there, expanding and upgrading that to an international-standard facility. That would be a legacy for years to come for Geelong as a regional swimming centre – another hub, not just the sports and aquatics centre at Albert Park. This would have been a much better use of money – better value for money, I am sure of that – and a much better legacy than building something and tearing it down. We know that council in Ballarat were pretty keen to have a rail platform out there at Mars Stadium near the showgrounds.

Now, that made good sense to me because that is a great legacy project, because any games and things that happen out there could utilise this. It would get cars off the road; the congestion around the stadium and the showgrounds would be gone for all the events that happen there. That is a good legacy project, but they did not want to have a bar of that because they were too busy trying to build and pull down things in other areas. Gymnastics in Geelong – well, they were really excited about what might have been able to happen there, and I fear very much that this is now off the cards because, again, my idea of legacy projects is different from the government's.

If you are expanding or enhancing a stadium that is going to be there for years to come, you do not need to put that full cost against the Commonwealth Games. So I want to hear: was the Premier intending to put the full cost of the stadium upgrade directly to that Commonwealth Games budget or was she going to amortise it over the years to come? Over a 30-year period only part of it should be to the Commonwealth Games budget and the rest should be part of the capital expenditure around the state. You know, the athletics track at Ballarat would have been a good one as well, not to mention the social housing and the excitement that cities around the state, the regional cities, had when they were thinking that this was going to help them with their social housing projects. It concerns me a little bit when the government talks about how they were going to be temporary, knock it down – again, that is not legacy. If you have a look at what has happened elsewhere or perhaps in some cities, they used university accommodation, which could have been looked at. But if we wanted to have that accommodation that was there in the future, they could have worked out a very easy design to have something that was used for the athletes and officials – a lot of athletes and officials – to stay in comfortably and then to repurpose and refit those. It just required some good architecture, good thinking and legacy projects like the utilities that were to go in. I think for quite some time we had the government looking like they needed to –

**Paul Edbrooke:** Looking good.

**Cindy McLEISH:** They were not looking good at all. The government were looking for excuses about why they should not have the Commonwealth Games – about the saleyards and possible contamination. If you have a look at the tender documents that went out for the Ballarat saleyards, well, I could pull holes in that pretty quickly, because if you talked to people that were involved with the saleyards in the Ballarat area, you would know that the level of contamination would have been very low. When you have got cattle and sheep coming in you have got a whole lot of fertiliser. That is good for the ground. That is going to be great to grow gardens and things. It is not going to have long-lasting contamination by any means.

So I certainly do not support the alternative motion put forward by the Minister for Government Services, but I absolutely support the motion and the advice that has come down from the other place that has been generated from the chair of the committee David Limbrick in that place, and I happily support that because we need answers. We need this Premier to do more than just talk. We want her to show us that she is being a lot more transparent than things have been in the past, and I urge the government, when we have precedents in the past, to actually think about that, respect this place and support this motion.

**Paul EDBROOKE** (Frankston) (18:38): It is like we have been sitting through the NYPD *Law & Order* special games unit – big investigation here, big time. We are doing it. It is Harry Potter in the

drawing room with a bloody candlestick. People are not very interested in this. Do you know why? Because this is about them, and they are not taking this seriously. Before – well, it was only about 20 minutes ago – we heard someone say ‘the west minister system’. It is the Westminster system. You might have to look past Google and you might have to go to Wikipedia, but it will tell you. Then we had someone say ‘the bi-caramel system’, and by God I think we had someone up the back, rumbly tummy, looking for the Werther’s Originals, looking for the Caramilk. What are you doing? It is unbelievable. And I will tell you why. This is about them, because at the moment, that gallery is clear. There is no-one out there. There is no-one listening. This is an issue that is not getting traction in the media, and this is about the Liberal Party and their internal machinations – because you are on this journey and it is about your own insecurities –

**The SPEAKER:** Order! Member for Frankston, I would ask you not to use the word ‘you’.

**James Newbury:** On a point of order, Speaker, this is an important motion for all Victorians, calling on the Premier to attend the upper house. This is not any other matter. It is an important motion, and the member is not speaking to the motion. I would ask you to bring him back to the motion.

**The SPEAKER:** The member is to speak to the motion before the house.

**Paul EDBROOKE:** I think it is important, and I think someone pressed snooze over there to cancel an alarm just then. Look, when it comes down to it, it is about the insecurities that you have in your leadership. We saw someone from the other house –

**The SPEAKER:** Order! I would ask you not to use the word ‘you’, member for Frankston.

**James Newbury:** On a point of order, Speaker, the member is now defying your ruling.

**The SPEAKER:** Manager of Opposition Business, we will give the member for Frankston an opportunity to speak to the matter before the house.

**Paul EDBROOKE:** There is no need for this motion, and we do not support the motion because the opposition have had the opportunity to acquit this in the media. They have had the opportunity to prosecute this successfully in the house in question time, and now they are again just trying to make political stunts that are unnecessary and wasting the time of this house. This is an absolute stunt and it should be treated as one.

**Peter WALSH (Murray Plains) (18:41):** I rise to speak against the government’s motion to reject the request for the Premier to appear before the upper house committee for the Commonwealth Games, and in listening to the debate and particularly listening to the very brief contribution from the member for Frankston, this is not a stunt. This is a genuine request from the upper house to have the Premier appear for her former role as the minister for the Commonwealth Games. It is not something that should be played out in the media, as the member for Frankston said, it is about the accountability of the executive government to the Parliament, to either house of the Parliament.

This is an important issue. From a regional Victorian point of view, the then Andrews government went to an election selling a vision of a Commonwealth Games that was going to be all things to all people. It was going to be bells and whistles right across the state, particularly for the Latrobe Valley, particularly for Geelong, particularly for Ballarat and particularly for Bendigo and for Shepparton. The government went to an election on this. They need to be held to account as to why they have not delivered on that particular promise from the election. Victorians were told the games would cost \$2.6 billion. We had the budget in May, where the budget papers were signed off, and the budget papers said the games were going to cost \$2.6 billion. Within a matter of a couple of months of the budget being delivered in this place, somehow the games had magically blown out to \$5 billion, \$6 billion, \$7 billion. You grab a number, that was the number that was being bandied around.

The upper house has a very diverse range of members of Parliament, but there was a united push from all those in the upper house other than the Labor Party members in the upper house to set up the



Commonwealth Games inquiry. That has been doing its work. We have seen from evidence being given by people at the hearings of the Commonwealth Games inquiry that there are some issues that need to be answered by the Andrews government, now by the Allan government, and particularly by the Premier in her role as the former minister for the Commonwealth Games and particularly about when the government was aware and particularly when the minister was aware that there was an increased cost to run the Commonwealth Games. The minister has continually said in this house that, as it evolved, she became aware of it sometime in early July. As the evidence in the upper house has proven, the now Premier was aware of the cost blowout sometime in February or March.

There are questions to be answered in the upper house parliamentary inquiry so the people of Victoria know how a promise before the election of the Commonwealth Games at \$2.6 billion and of showcasing regional Victoria to the world could all of a sudden turn into such a financial disaster for the state. The Premier has questions to answer around when she actually knew about the cost increases and when she knew about what was going to happen, with lawyers being brought in to give advice about cancelling the games, because with the answers that we have had in this Parliament, although she may have been relevant to the question, I do not believe she has been factual to the question, and that is why there is an opportunity to get things on the record in the upper house inquiry.

No-one, including a Premier, should be above the right of a Parliament to call people to give evidence. That is what the Parliament is about. The executive government and the Premier, as the head of the executive government, are responsible to the Parliament. They are not responsible to themselves. The Labor Party thinks somehow government is their own plaything. It is a privilege to be in government, and the government is accountable to the Parliament, whichever house of the Parliament it may be. There is a precedent in this place where the Labor Party has actually supported a minister being called to the upper house. As I understand it, Minister Robinson was called to appear before an upper house inquiry in 2007, and the Labor Party at that particular time agreed to have him appear before an upper house inquiry. The Labor Party has done this before. I understand it was in his role as Minister for Consumer Affairs. If the Premier wants to reset the clock as a new Premier about being open, transparent and consulting with people around how the government runs in Victoria rather than having the centralised model, the dictatorial model under the previous Premier, I would urge those on the other side of the house to seriously look at actually voting against the government's motion so that the Premier can appear before the upper house committee.

There is so much information that needs to be learned. Victoria has something north of a \$200 billion debt. The costs of cancelling the Commonwealth Games are going to increase that debt by somewhere between \$600 million and \$1 billion, because we do not know how much it is actually costing to get out of the Commonwealth Games. The fact that lawyers were hired without anyone's knowledge, the fact that senior bureaucrats were dispatched to London without anyone's knowledge to cancel the games means that there are questions to answer around these issues.

When it comes to the issue of legacy projects and what was promised to regional Victoria, I know regional Victoria is very, very concerned that what is supposedly now going to be done, even though there are no Commonwealth Games, will never, ever happen. If you look at the issue that was raised today around Ballarat, as I understand it there was never any serious intent to actually build a village on the old saleyard site, because of the cost of cleaning it up. That community was misled, as was the community of Shepparton, around the projects that were going to be built there, as was the Latrobe Valley. There is a particularly desperate need for housing in the Latrobe Valley. There will not be a legacy village down there for the future. The gun club down there was very keen to have a new shooting range. That will no longer be built, because there will be no Commonwealth Games, so there are some significant issues around that.

The issue of housing – we know how important housing is to all of Victoria but particularly how important new housing is to regional Victoria. Out of the change from athletics villages that will become public housing, there is now a program right across regional Victoria for housing. There are a lot of promises, a lot of quotes about the dollars that are being poured in the top end of this particular

project, but not a lot of facts around how many houses are actually going to be built and how many people will be taken off the public housing waiting list. I think one of the cruellest comments around this announcement of housing is the fact that there are supposedly going to be 17 new homes built in Rochester. Rochester is a town that still has literally hundreds of families living in caravans because their existing homes have not been repaired since the floods. I know the Premier was there on Friday. I was there at their community function on Saturday. As you walk around talking to the people in Rochester, there are about 10 homes a week coming back on stream for people to move back in, but that community is still traumatised by the flood, still really concerned about the fact that there is not enough housing there, so to say that 17 new homes in Rochester is going to solve housing issues is a furphy. It is about how the government works with the community to get people back into existing housing, not about how you build 17 new houses in Rochester. That equally applies in other flood-affected areas.

In conclusion, the Premier should appear. The upper house voted strongly to make sure that the Premier appears before that committee. It is a total lack of respect for the parliamentary process, a lack of respect for the upper house and I think, most importantly, a lack of respect for Victorians. As other contributors from our side have said, it is not the Labor Party's money that is being wasted on this issue, it is taxpayers money that is being spent on this. We have had \$600 million, heading towards a billion dollars, wasted on these games. They were going to promote regional Victoria. One of the senior people from the government stood up and said the fact we cancelled the games will promote Victoria more than running the games. I just shake my head and wonder. That someone on the other side thinks everything is about a *Utopia* moment and somehow you can spin your way out of these things is just beyond belief. I urge those on the other side to vote against the government's motion and allow the Premier to attend the upper house inquiry and answer the questions that Victorians want asked. The member for Frankston said no-one in Victoria cares about this, but they do care about it. Regional Victorians particularly care about it, and they want the Premier to appear and answer the questions.

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (18:51): I move:

That the question be now put.

*Members interjecting.*

**The SPEAKER:** Order! I have heard from all parties. The Leader of the Nationals knows better. The question is:

That the question now be put.

**Assembly divided on Mary-Anne Thomas's motion:**

*Ayes (53):* Juliana Addison, Jacinta Allan, Colin Brooks, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Gabrielle de Vietri, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (25):* Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Sam Groth, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keefe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Motion agreed to.**

**Assembly divided on motion:**

*Ayes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Steve Dimopoulos, Paul Edbrooke, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (29):* Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Annabelle Cleeland, Chris Crewther, Gabrielle de Vietri, Sam Groth, Sam Hibbins, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bill Tilley, Bridget Vallance, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Motion agreed to.**

**The SPEAKER:** A message will now be sent to the Legislative Council informing them of the house's decision.

**Business interrupted under sessional orders.***Adjournment*

**The SPEAKER:** The question is:

That the house now adjourns.

**Nepean electorate funding**

**Sam GROTH** (Nepean) (19:01): (381) My adjournment is for the Premier, and the action I seek is for Premier Allan to address the issues and projects that her predecessor failed to deliver for my community on the southern Mornington Peninsula. Although I have only got 3 minutes to deliver my adjournment, I wish I had longer to properly outline how successive Labor governments have ignored, disregarded and let down my community.

I will start with issues close to the Premier's prior experience in infrastructure, albeit not public transport, but there are plenty of blowouts in this case. It is hard to speak about public transport blowouts in my electorate, because we have little to no public transport at all. However, my community is still suffering under horrendous infrastructure shortfalls from the Rosebud Hospital to Jetty Road. Residents in my community are travelling at times more than 45 minutes for critical health care and navigating dangerous undermaintained roads, including the infamous Jetty Road intersection. The government has failed to invest in the substantive redevelopment of Rosebud Hospital to provide for our local healthcare needs and has refused to invest in that Jetty Road overpass.

Additionally, the government continues to classify the Mornington Peninsula as metropolitan Melbourne for the purposes of its political agenda. In doing this the Allan Labor government continues the Labor tradition of excluding my community from major regional funds and depriving my electorate of capital investment. The peninsula is also being locked out of the future regional tourism and events funds and the Regional Community Sport Development Fund, and I call for these to be included in future funding for the Mornington Peninsula. The \$150 million Regional Tourism Investment Fund, as spruiked by the government, provides investment in regional initiatives to help drive the recovery of the tourism and events sector, and the \$60 million Regional Community Sport Development Fund – and I do note that the Minister for Community Sport is at the table – focuses on vital funding for community infrastructure, including investment in local sporting facilities. My

community has also been blocked from the government's \$150 million Regional Worker Accommodation Fund despite the peninsula being a major contributor to the Victorian tourism economy and being included in the state government's own regional tourism statistics. Access to these funds would be a game changer for local businesses and workers in Nepean, providing the opportunity to rebuild and strengthen sectors still recovering after COVID.

It is time my community was given access to the same investment, infrastructure and opportunities either as part of the city or included as part of the regions. The action I seek is for Premier Allan to address these issues and deliver on the projects that her predecessor government persistently failed to deliver.

### **Cardinia Environment Coalition**

**Emma VULIN** (Pakenham) (19:03): (382) My adjournment is for the Minister for Environment, and the action that I seek is for the minister to join me to visit the Cardinia Environment Coalition at Deep Creek Reserve in Pakenham to meet with local volunteers working hard to care for the natural environment in my electorate. The Cardinia Environment Coalition, known locally as the CEC, leads significant positive environmental change through community-based awareness, education and action in my electorate. The CEC have a nursery located at Deep Creek Reserve in Pakenham where they provide advice to residents and landholders on how they can incorporate native plantings on their property. They also manage several parcels of public land located in Cardinia shire on behalf of the people of Victoria. On some of these sites the CEC is revegetating from degraded pasture, on some they are protecting from invasive weed species, while on others they are conducting feral animal control. The CEC recently received a small Victorian Landcare support grant to assist them with their work. I look forward to hosting the minister on this visit.

### **Loch Sport bushfire preparedness**

**Danny O'BRIEN** (Gippsland South) (19:05): (383) My adjournment matter this evening is for the Minister for Environment. What I am asking of the minister is that he come and visit with me the community of Loch Sport in the wake of the recent fire down there and ahead of the coming fire season. A number of issues have come out of the fire at Loch Sport, but most particularly it is about better fire protection for the town of Loch Sport, and that includes bigger fuel breaks and more fuel reduction burns. It is good to see the minister walk into the chamber; I am sure he will be very keen to come and join me in Loch Sport.

This community has one road in, one road out. It has got national park and banksia heathland on each end, and there has been concern for a very, very long time that there has not been enough done to protect the town from fire. I have been forwarded a letter, which I have here, to the then superintendent of the National Park Service in 1983 asking for pretty much exactly the same things that the community is asking for today. That is not to say nothing has happened since 1983, but certainly there remains a concern, and I think it is a genuine concern, about firebreaks and fuel reduction burns on each side. We have had, sadly, a massive fuel reduction burn on the western end of town because of this fire. It is virtually a moonscape in the area that has been burnt – it burnt that hot. But there was also a planned burden for 2022–23 at the eastern end of town, in the national park, that did not go ahead, and I know the community, local volunteer firefighters and others are very concerned about the threat to the town if a fire were to start at that eastern end.

There was also concern, and I would like the minister to address this issue in his response to me, about a bulldozer that was called in and was available to help create a firebreak around the town if needed. The community has been told that Forest Fire Management Victoria officials absolutely stopped anything being done with that bulldozer. I would like to get a true answer on what the situation was, because there have been lots of rumours about it – if it was not required, if it was unsafe or whatever the answer may have been. The community is very concerned about it.

There are a number of other issues that are not directly related to this minister's portfolio, things like power pole clearances; power poles not being timber; siren repeaters in town so that everyone hears the siren; a review by IGEM, the inspector-general of emergency management; safe harbour in the town, which is an ongoing issue that we have been discussing; and notifications and failure of the VicEmergency app, which I will be following up with other ministers. But the minister does need to come down to see firsthand the issues in Loch Sport, and I encourage him to come as soon as possible.

### **Bridge Inn Road upgrade**

**Lauren KATHAGE** (Yan Yean) (19:08): (384) My adjournment is for the Minister for Transport Infrastructure, and the action I seek is for him to inspect progress at the Bridge Inn Road upgrade. This upgrade is going to create safer and faster journeys for the 17,000 motorists who use the road each day in the dynamic suburbs of Mernda and Doreen. This upgrade is also providing a bit of excitement in the community, especially for the kids to see the cranes at work, such as when the four-lane bridge over Plenty River base was constructed with 33 giant 58-tonne beams being lifted into place in tandem by 750-tonne cranes over the Plenty River. It was a sight to behold. The upgrade of the intersections with Vantage Point Boulevard and Bassetts Road is happening as we speak. There are so many major infrastructure investments in my community, and I am looking forward to working with the minister to deliver these projects which will help my community to thrive.

### **Heatherwood School**

**Nicole WERNER** (Warrandyte) (19:09): (385) My adjournment matter tonight is for the Minister of Education, and my request to him is to issue a clear time line for the repairs at Heatherwood School. I quote:

My 16-year-old son is in fear of using the toilets. They are located far from the classroom and if he goes during class time there is no teacher available to supervise. He has been locked in the portable toilets on several occasions by bullies. The trauma of the noises, the smells is all too much for him. My other son holds on and when he comes home he is busting to use the toilet. He sits on a bus for 90 minutes on the way home from school. His confidence has been knocked and he is constantly worrying about the toilet situation. He tells me how much they scare him.

This is the heartbreaking true account from a parent at Heatherwood School. Heatherwood School has long been a place of hope – a place where children with special needs find the support and education they need to reach their full potential. It is a school that embodies the very essence of inclusive education, a fundamental value that Victorians hold dear. But tragically this beacon of hope has been overshadowed by dire circumstances that threaten the wellbeing and educational experiences of its students. The day of the Warrandyte by-election there was a devastating fire that exacerbated the situation at Heatherwood School. This has left the entire school operating with just a handful of temporary portaloos. I have even heard of students that have cerebral palsy being unable to physically open the portaloos and there being no accommodations made to help them. Despite there being money committed to fixing Heatherwood, teachers, parents and students have no idea when this horrible situation will come to an end.

I raise this in the Parliament today because I have no other choice. Although I wrote to the former Minister for Education in late August, I am yet to hear anything from her or the department as to what is happening. We stand at a crossroads facing a moral imperative. As a community that prides itself on being the Education State, we must uphold the values of equitable access to education for all, regardless of abilities or postcode. Our commitment to this principle is not merely symbolic. It is our responsibility to ensure that the most vulnerable among us receive the support they need to thrive in their educational environment.

### **Suburban Rail Loop**

**John MULLAHY** (Glen Waverley) (19:11): (386) My adjournment matter is for the Minister for the Suburban Rail Loop, and the action I seek is for the minister to visit my electorate of Glen Waverley to see the works that are currently being undertaken. A new worksite on Montclair Avenue,

near your office, Deputy Speaker, just off Kingsway, is due to open very soon, and earlier this year in June works were undertaken on Coleman Parade near the existing Glen Waverley station. These works relocated the water pipes under Coleman Parade, which was achieved through the use of a microtunnelling machine which drilled through the road surface to pull the pipe through the tunnels.

My constituents of Glen Waverley are looking forward to the completion of the Suburban Rail Loop. In fact they voted for it in 2018, and they voted again for it last year. For the past century Melbourne's growth, development and public transport system have been based around our CBD, radiating onwards. Moving forward, we need to become a city of centres and to become more sustainable. The SRL plays a key role in this strategy. It is the biggest transport project in Victorian history and will reshape our city for the years to come. SRL East is the first stage of the project from Cheltenham to Box Hill, with stops in Clayton, Monash Uni, Glen Waverley and Burwood. The decrease in travel times from Glen Waverley to Melbourne's education, health and employment centres will be significant. A trip from Glen Waverley to Monash University will be slashed from 20 minutes to 4 minutes. Similarly, a trip from Glen Waverley to Deakin Uni in Burwood will be cut from 30 minutes to 4 minutes. The SRL is more than just an infrastructure project; it is going to transform Melbourne for generations to come with slashed travel times and improved community amenity. Thanks to the Allan Labor government, it is not just a concept, it is becoming a reality, with major construction now underway. I am proud to be doing what matters and delivering the Suburban Rail Loop for my community in Glen Waverley. I look forward to the minister's response.

#### **Mildura electorate schools**

**Jade BENHAM** (Mildura) (19:13): (387) My adjournment is for the Minister for Education. The action that I seek is for the minister to visit the Mildura region and meet with the Mildura West Primary School parents and citizens association and also the Mildura Clontarf Academy. Mildura West Primary is a wonderful school in the heart of the city. It is an International Baccalaureate school with terrific student outcomes, a supportive environment for parents, carers, teachers and students and excellent staff retention rates. Parent satisfaction is one of the strongest in the region. However, Mildura West Primary School simply have not got the modern flexible learning spaces that are conducive to learning in the 21st century in Victoria, despite the opinion of many teachers I have spoken to. This is despite the department having published not one but two different master plans, the latest being in 2018. Meanwhile, we would like the minister to see firsthand the main learning space, which is now full of white ants and quite literally being held together by plywood and craft board. It is preposterous. The very active parents group are frustrated, and they are tired of being polite. They are seeking a visit from the minister to see their situation firsthand and completion of the master plan as a matter of urgency.

Whilst in Mildura, we would also seek a visit to the Mildura Clontarf Academy, who are achieving amazing things with local Aboriginal and Torres Strait Islander boys. When we talk about closing the gap we must include the Clontarf Foundation in the conversation, because they are actually doing it. The incarceration rate for 10- to 17-year-old Koori boys in Victoria is 23.2 in 10,000. Over the last two years the incarceration rate of Clontarf boys has been zero. In fact over the last 10 years Clontarf staff report that incarceration rates of Clontarf boys have been but two over the last 10 years. The education and employment outcomes are outstanding among the Clontarf boys in Victoria, and although enrolment is now at 320 and increasing every year, the state government support remains stagnant at \$540,000, the same as it was in 2010 during its inception, when enrolment was just 128. We have some incredible teachers and amazing schools in the Mildura electorate, and I invite the minister to the region as soon as possible. The action I seek as part of my adjournment debate this evening is for the Minister for Education to visit the Mildura electorate as a matter of urgency.

### Tarneit electorate schools

**Dylan WIGHT** (Tarneit) (19:16): (388) My adjournment this evening is for the Minister for Education. The action I seek is for the minister to join me at a round table with local principals of schools in my electorate of Tarneit. These fantastic principals include David Smillie of the Grange P–12, Vicki Minton from Baden Powell College, Keith Halge of Hoppers Crossing and of course the fantastic and formidable Anne-Maree Kliman of Tarneit P–9 College.

Yesterday evening during the adjournment the member for Kew came into this place to highlight some concerns about school facilities in areas like Tarneit, in growing areas. What I thought was important to do this evening was to perhaps give the member for Kew a little bit of a history lesson. Since 2018, in five short years, Melbourne's west has enjoyed \$491 million worth of funding from this state government for its schools. My electorate of Tarneit has been incredibly lucky to enjoy a pretty decent portion of that. That includes –

**A member** interjected.

**Dylan WIGHT**: You can interject all you want. That includes opening two new schools just at the start of this year, Karwan and Nearnung primary schools. That also includes capital works upgrades to existing schools: \$10 million for the Grange secondary campus, \$10 million for Hoppers Crossing Secondary, \$5 million for Good News Lutheran College, \$5 million for Tarneit Senior College and a \$500,000 new toilet block for Mossfiel Primary.

Now, just going on with the history lesson, how about we have a think about what those opposite did in my electorate in education the last time we gave them a chance to govern, between 2010 and 2014. I will give you a guess. Nothing – not one red cent, not one new school, not one dollar for a major capital upgrade. Indeed it left Tarneit Senior College with an exploding student population without basic amenities like a gymnasium and a library, and it took an Andrews Labor government at the time to get elected to fund the second stage of Tarneit Senior College.

I understand that the member for Kew is pretty excited about her new shadow ministerial responsibilities, but I tell you what, we may as well call her the shadow minister for private education, and it is no wonder why. The member for Kew represents one of the most wealthy electorates in this state, with several colleges, including the one that she went to herself, charging over \$35,000 per year, per student. (*Time expired*)

### Public housing

**Ellen SANDELL** (Melbourne) (19:19): (389) My adjournment today is to the Minister for Housing. Four weeks ago, without any notice or warning, the Victorian Labor government announced that they will tear down all 44 public housing towers across Victoria. Twelve of those 44 towers are in my electorate of Melbourne, including 33 Alfred Street in North Melbourne, the first to be demolished. Many residents found out their homes would be demolished in the news. Others heard rumours from family and friends after department staff turned up to their buildings with flyers but could not provide any answers about why, when, how, where people would move to or what their homes would be replaced with.

For residents living at the North Melbourne public housing estate, they were subjected to the government's cruel, hard lockdown during COVID, so this experience brought up some really scary memories. I have heard of residents who started packing up their belongings straightaway because there was no translation of the information provided – many of them do not speak English as a first language – and they did not understand what was happening. The community have so many questions, but so far they have been told most details are still yet to be determined. The Premier at the time said the rationale for demolishing these towers was to increase the number of people living on public housing estates from 10,000 to 30,000, but does that mean those extra 20,000 people will be living in public homes – 20,000 new public homes? No. Actually the vast, vast majority will be private homes. This plan was

cooked up in conjunction with property developers, with the Premier literally standing next to property developers and signing an agreement for the cameras. Two-thirds of this public housing land will be sold off to private developers to become private apartments on our public housing land.

Labor say they will rebuild the public housing plus more, but get this: since then we have learned that across all of Melbourne Labor have confirmed they will only build an extra 440 social homes over 28 years. So if you do the maths, that is 15 social homes a year for a waitlist of 125,000 people – for 15 new homes. My Greens colleagues and I have been holding community meetings to hear from residents. The minister has not come and met with residents. And when Homes Victoria came to a community meeting in Carlton they could not actually give any answers to residents' questions. Homes Victoria has not even held a public meeting with residents in North Melbourne where they want to demolish the first tower.

Community members deserve answers. These are their homes. Imagine if the government turned up on your doorstep, decided to demolish your home but would not give you any information about why, when or where you would go. Most of us would not put up with that. Public housing residents, our neighbours, will not, and they should not either. So tonight the action I am asking for is for the Minister for Housing, along with Homes Victoria, to come to North Melbourne, Kensington and Carlton, hold public meetings with residents in person, front up, talk to residents, explain, give them answers in person and explain why they have to move out so developers can build 20,000 private homes on their land.

### **Emerging Artists Creative Hub**

**Gary MAAS** (Narre Warren South) (19:22): (390) The adjournment matter I wish to raise is for the attention of the Minister for Creative Industries and concerns the Creative Neighbourhood Infrastructure Support Program. The action I seek is that the minister join me to visit creative practitioners in my electorate that will benefit from the funding towards the Emerging Artists Creative Hub in Casey. It was really fantastic to hear the recent announcement for funding for the City of Casey to adapt its Narre Warren Mechanics Institute Hall to create the Emerging Artists Creative Hub that will serve creatives in my electorate. The hub will provide dedicated spaces for collaboration, exhibitions and performances. I have seen so much talent in Narre Warren South with dedicated painters, writers, musicians and performers, not to mention the incredible work of the administration staff and volunteers who run the groups and put together the events. In short, the creative arts are an important part of our community.

Deputy Speaker, like you, I am a former professional musician, and also like you, I still on the odd occasion have a gig here or there. I know how much the arts can have an impact on someone's life, whether they are a performer or a producer or whether they are in the audience or part of the wider industry. I look forward to the investment that this government is doing, building on the performances and exhibitions that are currently held at Bunjil Place. So to that end I will be really grateful for the minister to visit the creative practitioners in my electorate that will benefit from the funding of the Emerging Artists Creative Hub in Casey, and I know that our creative community will make the minister feel welcome.

### **Responses**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (19:24): The member for Nepean raised a matter for the Premier, and the action being sought was for the Premier to follow up and deliver on issues on the Mornington Peninsula.

The member for Pakenham raised a matter for the Minister for Environment. The action being sought was for the minister to join the member on a visit to the Cardinia Environment Coalition at Deep Creek Reserve in Pakenham and meet with local volunteers.

The member for Gippsland South raised a matter for the Minister for Environment. The action being sought was for the minister to visit Loch Sport following the recent fire and in the lead-up to the fire



## ADJOURNMENT

Wednesday 18 October 2023

Legislative Assembly

3917

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season to consider issues relevant to the protection of the town, including firebreaks and fuel reduction burns.

The member for Yan Yean raised a matter for the Minister for Transport Infrastructure. The action being sought was for the minister to visit the member's electorate and inspect progress made on delivering the Bridge Inn Road upgrade, which will create faster and safer travel for road users.

The member for Warrandyte raised a matter for the Minister for Education, and the action being sought was for the minister to issue a time line for works at Heatherwood School.

The member for Glen Waverley raised a matter for the Minister for the Suburban Rail Loop, and the action being sought was for the minister to visit the Glen Waverley electorate to see the works that are currently underway on the Suburban Rail Loop.

The member for Mildura raised a matter for the Minister for Education. The action being sought was for the minister to visit the electorate of Mildura as a matter of urgency and meet with the parents and citizens at the Mildura West Primary School and to see the facilities and visit the Clontarf Academy whilst in the area to hear about their successes.

The member for Tarneit raised a matter for the Minister for Education. The action being sought was for the minister to join the member at a round table with principals of local schools in the Tarneit electorate.

The member for Melbourne raised a matter for the Minister for Housing. The action being sought was for the minister and Homes Victoria to visit Kensington and talk to residents.

The member for Narre Warren South raised a matter for the Minister for Creative Industries. The action being sought was for the minister to join with the member and visit creatives in his electorate to hear about how funding will provide support for creative arts and benefit creatives.

I will refer all matters to the appropriate ministers.

**The DEPUTY SPEAKER:** Thank you, Minister. So long, farewell, auf Wiedersehen, goodbye. The house now stands adjourned until tomorrow morning.

**House adjourned 7:27 pm.**