



# **Hansard**

## **LEGISLATIVE COUNCIL**

### **60th Parliament**

**Thursday 19 October 2023**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

### Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Georgie Crozier

### Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

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

<sup>1</sup> Lib until 27 March 2023

<sup>2</sup> LDP until 26 July 2023

### Party abbreviations

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

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

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

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



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**Thursday 19 October 2023**

**The PRESIDENT (Shaun Leane) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

*Committees*

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

*Premier*

**The PRESIDENT (09:33):** I have a message from the Legislative Assembly:

The Legislative Assembly informs the Legislative Council that this House refuses to grant leave to the Premier, the Hon 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.

**David LIMBRICK (South-Eastern Metropolitan) (09:34):** I desire to move, by leave:

That the message be taken into consideration forthwith.

**Leave refused.**

**David LIMBRICK:** I move:

That the message be taken into consideration on the next day of meeting.

**Motion agreed to.**

*Bills*

**Payroll Tax Amendment (Protecting Victorians' Access to GPs, Dentists and Other Allied Health Practitioners) Bill 2023**

*Introduction and first reading*

**Georgie CROZIER (Southern Metropolitan) (09:35):** I introduce a bill for an act to amend the Payroll Tax Act 2007 in relation to medical practices and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Georgie CROZIER:** I move:

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

**Motion agreed to.**

*Papers*

**Papers**

**Tabled by Clerk:**

National Parks Act 1975 – Report, 2022–23 on the working of the Act.

National Parks Advisory Council – Report, 2022–23.

Recycling Victoria – Report, 2022–23.

Renewable Energy (Jobs and Investment) Act 2017 – Victorian Renewable Energy Target – 2022–23 Progress Report, under section 8 of the Act.

Victorian Electoral Commission – Report, 2022–23.

Victorian Inspectorate – Report, 2022–23.

*Business of the house***Notices****Notices of motion given.****Adjournment**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (09:44): I move:

That the Council, at its rising, adjourn until Tuesday 31 October 2023.

**Motion agreed to.***Members statements***State Emergency Service Port Fairy unit**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (09:44): I rise today to report to the chamber that the Port Fairy SES is now complete. It was a wonderful occasion. I was joined by the Port Fairy SES unit members, their controller Hannah Morris and former controller Stephen McDowell, Jacinta Ermacora, my fellow Western Victoria upper house member, mayor Karen Foster, SES officials and the wider Port Fairy community to celebrate this fantastic milestone. I am so proud that our government invested over \$4 million to ensure the Port Fairy unit and community have the state-of-the-art facilities that they deserve.

This facility truly is for the whole community. It is co-located with the Port Fairy CFA station, which we built with a \$2.8 million investment, allowing joint training sessions and maximising both organisations' capabilities in the region. It boasts a meeting room which is fully accessible, having features such as hearing loops, which unit controller Hannah Morris described as a hub for the whole community. It is this dedication to the local community that defines this wonderful unit, and I would like to acknowledge the years of advocacy undertaken by them to make this dream a reality. In particular I would like to thank former unit controller Stephen McDowell for his leadership and the work he has done to ensure that this unit goes from strength to strength. I would like to congratulate Stephen, who now serves as operation manager, unit support, for the Barwon south-west region. Thank you, Stephen, Hannah and the unit's volunteers and families for all the work that you do in our region and in all of our communities.

**Extremism**

**Matthew BACH** (North-Eastern Metropolitan) (09:46): It was really good to be in the house earlier this week for an important moment of near unanimity when we discussed the government's motion regarding the tragedies that we have seen unfold in Israel and also on the Gaza Strip over recent days. As I was thinking about that, and as I was thinking about some of the reactions that we have seen here in Australia, my mind turned back to some important work that was completed just a little over a year ago by the Legal and Social Issues Committee, our inquiry into extremism in Victoria. I was disappointed at that time that the terms of reference for that inquiry were narrow. They referred to so-called right-wing extremism. As I said in our minority report, this is not a term that is used by our security organisations. In this context it is an unhelpful term. Other members of the committee argued against my efforts to seek to expand the terms of reference on the basis that other forms of extremism were not a threat at that time. Since then, very sadly, we have seen chants of 'Gas the Jews' in Sydney. Reportedly a man not far from here, just outside the front of this building, chanted 'Death to every Israeli' the other day. So what I said in my recommendation was that the content, findings and recommendations of the substantive report should be read as pertaining to all forms of extremism. Given recent events and given the real moral clarity from many members of the government, notably Minister Blandthorn the other day, I would urge the government again to treat the report in the manner in which I had urged at the time.



### Somebody's Daughter Theatre

**Rachel PAYNE** (South-Eastern Metropolitan) (09:47): Last month I attended the Dame Phyllis Frost Centre for the Somebody's Daughter Theatre's production titled *The Sky Chose Me*. Somebody's Daughter has been working with women in Victorian prisons since 1980. They are the only company in Australia undertaking this kind of work within the women's prison system. They work with the most vulnerable, the most disregarded and the most powerless in society to give them a voice. Telling your story through art, through movement and through performance is cathartic, and it was immense to watch these women explore their experiences of trauma, abuse, isolation and interactions with the criminal justice system through this medium. I will not forget that performance, and I will not forget those women and their stories. It made me reflect on why I am here, and it is to see the end of the prohibition of cannabis. Twenty-two per cent of women in Victorian prisons had drug offences as their most serious charge or offence – notably more than their male counterparts. The evening commenced with an art exhibition. I was rather taken aback by this artwork titled *Waiting*, where it depicted a large door with a key and a lock. The artist wrote that she had been waiting for her trial date – waiting for 4½ years, and I dare say she continues to wait for that date.

### Collingwood Football Club

**Jacinta ERMACORA** (Western Victoria) (09:49): I want to share the joy and utter exhilaration that I experienced on 29 September 2023, when I attended the AFL Grand Final at the MCG. I shared this joy with my sister Luisa and my brother William. Like many, my passion for the Collingwood Football Club is deeply rooted in my family's migration story of war, hunger and grief. It is in this context that my grandparents migrated from northern Italy to Collingwood. They ran a wine shop just near the intersection with Gertrude Street. I am a generational Collingwood supporter, colour-coded by birth. The suburb of Collingwood's history over the centuries is rooted in working-class pride – a culture of valuing community and helping each other often in the face of adversity and discrimination, and it is these values that I have seen refreshed at Collingwood Football Club in recent years: the inclusion of a women's team and the progress on their reconciliation action plan. I note that the Wurundjeri word for magpie is 'barrawarn', which is the name of the club's Indigenous programs. I want to congratulate the club and especially board president Jeff Browne, Craig Kelly, Craig McRae and club captain Darcy Moore. Perhaps it is time for us to establish a parliamentary friends of Collingwood.

### Armenia–Azerbaijan war and Middle East conflict

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (09:51): This morning I want to speak about empathy and human understanding. I want to thank my constituents for their countless emails – people who have Palestinian families and friends in Gaza and who are grieving and angry at this time. I also grieve for the people of Palestine, who have no way out should they wish to leave and decimated homes and loved ones lost. My thoughts and deepest sympathies are with you too. I have received concerns about the comments I made from my observations about the border town of Goris, Armenia, as thousands of Armenians fled their homeland. Armenians have spoken about atrocities: door-to-door raping, abductions, cruel killings and torture of parents and children. These were videoed and posted to terrorise others. These cruelties are strikingly similar to the terrorist images in Gaza and Israel. I am absolutely not accusing Azerbaijan officials of these violations of human rights, but that does not change what has happened. There is no place in this world for such human cruelty and violation of human rights. I send my deepest sympathies and thoughts to the Armenians and the Israelites, who have suffered and are suffering, and I think of the hostages and harmed people and the fear of the Jewish and Armenian people in our state at this time. I grieve with you.

**LGBTIQ+ community**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (09:52): On being sensitive and kind: to my colleagues across the chamber and on the crossbench, some of you misread the room yesterday, with people from the LGBTIQ community in your midst who were deeply hurt because they are detransitioning. Please rethink your militant, hurtful approach on this important issue.

**Cost of living**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (09:52): The big supermarket giants are investing millions in tracking shoppers' every movement inside the supermarket. It is something I find deeply concerning. The surveillance includes multiple overhead cameras, body cameras, cameras on the check-outs, trolley locks and even automatic gates that literally lock you in like a criminal. I am sure we have all packed our groceries at those check-outs. We know how reliable the technology is – I am saying sarcastically. They say they are worried about theft, but apparently not the privacy of the everyday person just trying to buy some milk at the shops. Where is that data even going? Who will be able to access it? It has been reported that the current rise in theft is closely linked to the rising cost of living – surprise, surprise. People cannot afford food due to supermarket price gouging. So it only makes sense that if the supermarkets were so worried about theft, they would simply make food affordable. They are making a billion dollars in profit after all. I am concerned about the high surveillance of shoppers and the lack of transparency around that data, but more importantly, I am concerned that seemingly nothing is being done to make sure that food is affordable so that people do not have to worry about whether they can afford to feed themselves and their families.

**Dairy industry**

**John BERGER** (Southern Metropolitan) (09:54): I rise to stand in unity with the 150 members of the Transport Workers' Union taking protected industrial action in regional Victoria. The negotiations between the parties broke down last week as they could not agree on job security, safe rates and entitlements. It has been a long path to here. Murray Goulburn was a co-op owned by the farmers. It had a reasonable approach to industrial relations. Wages and conditions through enterprise bargaining achieved good outcomes for both parties. However, since Murray Goulburn was bought out by a multinational entity, it has become Saputo, a Canadian-based company that knows nothing about rural and regional communities. It has not grasped the concept of good-faith bargaining. Members of the TWU in this industry have rarely taken strike action and in fact have a great relationship with the dairy farmers in their respective regions. But the decision-makers 16,000 kilometres away, on the other side of the world, are making decisions on regional Victorian jobs and their longevity, something I am sure those on the other side would not find acceptable. It was great to join the Deputy Premier, the Deputy Speaker, the member for Kororoit, the member for Lara, the member for Yan Yean, my friend Mr McIntosh and the member for Ripon yesterday in a show of unity. I encourage anyone in this chamber who wants to show their support to come and have a chat with me.

**Political debate**

**Renee HEATH** (Eastern Victoria) (09:55): This week we have seen a crucial debate on race and our constitution reduced to name-calling; an unprecedented attack on Israel by terrorists that saw women raped and murdered, babies beheaded and children burnt alive – another opportunity for the Greens to call out an end to the so-called Israeli occupation of Palestine; two women who sat in the gallery misdiagnosed and mistreated for transgenderism speaking out about the devastating and irreversible outcomes of these treatments; and a motion designed to protect children from harm called hateful and voted down. Hundreds of women at the candlelight vigil in memory of Celeste Manno, a young woman murdered by a stalker, heard her mum talk about the desperate need for legal reform and how our former Premier and former Attorney-General told her to just be patient. It is obvious that politics does not serve people anymore, it serves political elites and activists. We have lost the art of debate, and we have exchanged it for cheap shots and name-calling. Our job is to secure better

outcomes for Victorians, and we do not do that by stifling debate. If we have an argument, it will stand up to scrutiny, and it is time that we face those things for the Victorian people.

#### **Electric vehicle tax**

**Katherine COPSEY** (Southern Metropolitan) (09:56): We had a big win for our climate yesterday with the High Court delivering its ruling that Labor's tax on electric vehicles is unconstitutional. This is a victory for climate-friendly transport, and it sends a strong message that state governments should not be making it harder and more expensive to switch to cleaner, greener ways to get around. People want to make the switch, but this ridiculous tax was holding them back, punishing those who chose to reduce their transport emissions. When Labor passed the tax in 2021, it was widely condemned as the worst electric vehicle policy in the world. The Greens fought it tooth and nail, and we are glad to see this outcome for our climate and community.

Transport is Victoria's fastest growing source of emissions, so we need to get petrol cars off the road and move to electric cars and increase walking, cycling and public transport. The Greens are calling on the Labor government to refund electric car users, reinstate electric vehicle purchase subsidies and finally deliver a proper integrated plan for sustainable climate-friendly transport across Victoria, a plan that also includes more public transport, better planned cities and safer streets for pedestrians and people on bikes, because ultimately to avoid the climate crisis we need to do everything we can to reduce transport emissions every chance we get.

#### **Republic of China national day**

**Trung LUU** (Western Metropolitan) (09:58): Last week I had the opportunity to attend and celebrate with the Chinese community in Melbourne's south-east their Double Ten Day festival. The event symbolises the national day of Taiwan and commemorates the start of the Wuchang Uprising on 10 October 1911, which ultimately led to the collapse of the imperial Qing dynasty and the establishment of the Republic of China on 1 January 1912. It is universally recognised as the first country in Asia to implement a republican constitutional system. The national day is celebrated by many overseas Chinese communities. Despite much adversity, the Republic of China, Taiwan, has continued to be a beacon on the continent as a place that is free, fair and democratic. On this occasion it was staged by host Tom Huynh, the president of Springvale Chinese Ethnic School, a school that for the last 40 years has helped the Chinese community to pass on their history, language and traditions to the next generation. It is a real testament of the community's ability to thrive in and integrate into Australian society while still retaining their distinct language, heritage and culture to pass on to the next generation. I thank them for the invitation, and I wish the community well.

#### **Retail workers**

**Michael GALEA** (South-Eastern Metropolitan) (09:59): The silly season is nearly upon us – and no, I am not talking about another place in this Council. I am of course talking about Christmas, which is almost around the corner now, and as shops and shopping centres start to get busier in the lead-up to Christmas my mind turns to frontline retail workers and their health and safety. Christmas lead-up is a very stressful time of the year for many, and often frontline retail workers bear the brunt of customers' frustrations. Often young people with little or no previous work experience are employed during this period, and it will be their first time engaging with customers. This time of year does bring great opportunities for young people and others seeking employment or extra hours, and we need to ensure their experiences as frontline workers are positive ones that lead to continued employment in retail. I call on customers to ensure that respect, patience and tolerance are provided to workers when they are shopping or purchasing food, keeping in mind that as we are shopping during extended hours often the people behind the counter are still working and not able to be with their family or friends. I also call on managers and businesses themselves to prioritise the safety of their staff by ensuring that they have the tools and support to remain safe at work.

**Cr Ruth Gstrein**

**Bev McARTHUR** (Western Victoria) (10:00): Today I would like to pay tribute to Corangamite shire mayor Ruth Gstrein, who was recognised at the Municipal Association of Victoria annual conference for her 20 years of dedication. She received the Councillor Service Award. I served on council with Cr Gstrein, and I can attest to her great contribution to the Shire of Corangamite and to the people of Corangamite. She has worked diligently over 20 years to ensure that the right thing is done for all constituents. She was a central ward councillor and was first elected in 2002 and re-elected in 2004, 2008, 2012, 2016 and 2020, and she has served two three-year stints as mayor, between 2007 and 2009 and then again from 2020. She also served on the Municipal Association of Victoria board as a director for 10 years, including as deputy president rural. Cr Gstrein is a lifelong servant to the people of Corangamite and the Shire of Corangamite, and I congratulate her on her award and wish her well in the future.

**Sprite**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:02): I rise to again mention our campaign to return Sprite to Parliament, and I want to commend Dr Bach for his earlier comments in support of returning our dear little Sprite.

**Matthew Bach** interjected.

**Sonja TERPSTRA**: Yes, and a fantastic and well-received contribution I might add. I note that our campaign to have Sprite returned to the halls of Spring Street was well covered in the media last night. As part of that media coverage it was very clear the strong bipartisan support to have Sprite returned to the halls of Parliament. I might add, and I note Ms Purcell talked about this and continues to talk about this, the mental health benefits of having animals in the workplace is well known and well documented. As I said yesterday, it makes us all kinder and gentler people in the halls of Parliament, and goodness knows we need that. So I hope everyone will continue to join the campaign to return Sprite – or #FreeSprite, as the hashtag is now trending – to the halls of Parliament, and I call on the Department of Parliamentary Services to review their decision and reverse the ban immediately in order that we can have Sprite returned to the halls of Parliament.

***Business of the house*****Notices of motion**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (10:03): I move:

That the consideration of notices of motion, government business, 171 to 205, be postponed until later this day.

**Motion agreed to.**

***Bills*****Education and Training Reform Amendment (Land Powers) Bill 2023*****Second reading***

**Debate resumed on motion of Ingrid Stitt:**

That the bill be now read a second time.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (10:04): I rise today to continue the debate about the Education and Training Reform Amendment (Land Powers) Bill 2023. As we know, this bill seeks to amend the Education and Training Reform Act 2006 to expand the state's powers to acquire and develop land or to take on or grant other interests in land for the purposes of providing early childhood education and care and other associated services as part of the government's Best Start, Best Life reforms.

We are very supportive as a coalition of making sure that our young people are provided with the early childhood education and care that they deserve and need. But according to the Minister for Education:

Specifically, this Bill will amend the Act to:

- a) expand the minister's powers to acquire land, either by agreement or compulsorily, or to take on or grant other interests in land, for the purposes of providing childhood education and care and certain other services associated with ECEC, such as maternal and child health services and community spaces, and
- b) expand the purposes of the ETR Act as they relate to
  - a. the acquisition, use and development of land by the Minister, and
  - b. the provision of ECEC and associated services,
- c) expand the principles of the ETR Act to recognise the importance of access to education during early childhood and state support of early childhood education where there is insufficient provision.

This is giving the minister an enormous amount of power. The purpose of the bill is to amend the education and training act to make further provision for the acquisition, use and development of land for the purpose of early childhood education, and whilst we are incredibly supportive of childhood education and understand the need to have this provision placed in there, it is incredibly important that I also stress that there is a sense of hesitation and there is a sense of concern that I wish to express on behalf particularly of the residents of Narre Warren North.

Also, in terms of Liberal Party policy, we do not really like governments coming in and telling people where they can live, how they can live and what they can and cannot do, and we certainly do not like the idea of them being able to take over people's properties, which are their homes. We would all be very familiar with the movie *The Castle* and the struggle of these ordinary Australians to hang on to their own home, their castle. Commonly, landowner rights are affected by compulsory acquisitions when an authority seeks to acquire an interest in private land by compulsory process. I think everyone has the right to a quiet and uninterrupted enjoyment of private land by the owner, and this should be the cornerstone right of any owner of property. Having said that, that does not mean that we are going to oppose this particular bill, but I think it should be understood that as Liberals we do have a hesitation at the acquisition of people's homes.

We also believe very firmly then that if you are going to take people's homes they have the right to a very fair compensation and assurance that a proper process is followed. At the time the government acquired 130 residences; now it looks like that is in excess of 40 homes in surplus, which they are now trying to resell at higher prices. What a waste. You have taken people's homes, and now you are having to re-look at how you are doing that. I just think that there needs to be genuine consideration in how people go about this process.

When it was initially announced, this policy was very much focused on the fact that the government was looking to co-locate these new childcare centres at school sites with government schools, which benefits parents and creates an educational precinct. I have seen this in operation in Narre Warren North, where there is a childcare centre near a primary school, and it does work well, although I must say many of the parents that use it do not necessarily send their children to the school that is next door – but many do. And I think that the opportunity for choice is incredibly important in this, and obviously that is something that as a party the Liberals advocate very strongly – the element of choice.

Whilst I understand that the \$14 billion Best Start, Best Life childcare, free kinder and pre-prep policy looks at putting in place 50 childcare centres across Victoria, I understand that 30 locations have been expressed but only four specific sites have actually been identified by the government to date, despite the fact that this was announced some time ago and these childcare centres are proposed to be delivered by 2028. It would be remiss of me to be standing up here if I did not once again advocate on behalf of the people of Narre Warren North, who are in my electorate, and raise once again the property at 154 Drysdale Avenue, Narre Warren North. So many local residents have protested against it, because they have genuine concerns – number one, because there are not the number of children in the area at all for a childcare centre, and yet this childcare centre will go ahead. Of course we all know that Casey

council is under the administration of this government and that people have now been put into a position where they do not even have any ability to actually prevent this from happening. Their concerns are very genuine. I do have concerns about acquisition when it is not done properly. I have seen a number of government projects in the south-east take place where people have not done proper consultation with the residents, have not done proper consultation with the local stakeholders and have seemed to have just looked on a map and gone, 'Oh, this'll do.' And I have seen that with the level crossings – 'Oh, we'll just block the road here.'

**Sonja Terpstra:** On a point of order, President, I do not think Mrs Hermans is being relevant to the bill. The level crossing removal authority and projects related to the level crossing removals are not relevant to this bill.

**The PRESIDENT:** I call Mrs Hermans back to the bill.

**Ann-Marie HERMANS:** The point is that making good decisions when it comes to locations is incredibly important. The development proposal for 154 Drysdale Avenue, Narre Warren North, located within the Highgrange estate, with plans for a \$2.9 million early childhood education facility at the site, is to accommodate 110 places. Now, I can actually say right now: there are not the children available for a childcare centre like that in this area, and of course it will be offering kinder. There are major concerns.

Some of these concerns are that this area is residential; the proposed location for the centre is on a corner block intersecting a single-lane carriageway, Belgrave-Hallam Road, and Drysdale Avenue, which is one lane each way; and it is the only entrance and exit point for the Highgrange estate. Residents fear Drysdale Avenue, which has minimal on-street parking, does not have the capacity to accommodate the traffic congestion the centre would bring, calling it an accident waiting to happen. There is no public transport access along Belgrave-Hallam Road or Drysdale Avenue, so the access is going to have to be by vehicle.

Although we have understood the importance of being able to make available childcare centres in areas where there are not enough of them, a great deal of thought and care needs to be given to acquiring people's homes – their castles. In regard to this particular bill, even though the principle of it remains good, if it is not delivered well by a government that is willing to actually do the hard yards and speak to the people who are genuine stakeholders, whose homes are at stake, then it is not going to be a really functional opportunity for many people, and it is going to bring heartache. Whilst we do support the concept of allowing the government to have this extra opportunity, it is the way that it will be delivered that I will be watching particularly in the south-east. I have no further things to say on this bill.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:14): I rise to make a contribution on the Education and Training Reform Amendment (Land Powers) Bill 2023, and I will actually combat some of the things that Mrs Hermans said in her contribution. They were quite outrageous, some of the scare tactics and misinformation that were presented. But I am actually going to be relevant to the bill and talk about what the bill actually does, and then I will return to addressing some of those misinformed comments.

This bill is an important bill. It is about the ability of the minister to acquire land to deliver kindergartens and the 50 government owned and operated early learning centres. What might be lost on those opposite is that we talk about early learning centres, but there is child care, and we are talking about kinder and pre-prep. So child care is generally for ages nought to two, then kinder is three – the three-year-old kinder – and then pre-prep is for ages four to five, and then the kids go off to school in prep. That is an important distinction to understand, which is probably lost on those opposite. We have been talking about the fact that there are some areas within Melbourne that are called childcare deserts. Those opposite say, 'Let's have the free market do everything,' because the free market wins everything –

**Lizzie Blandthorn:** Yes, because that works so well.

**Sonja TERPSTRA:** Yes, because it works so well. But the bottom line is the market has failed a number of areas in Melbourne where there is just no availability of child care. So what is the point, then? The point is, what, that those people are meant to miss out, or the kids are meant to miss out – and that is why the government recognises that there is a failure in the private market to provide that and the government is stepping in to address that failure.

To try and couch this bill as some kind of swooping in and picking up of property – the reality is that that is going to be highly unlikely. I was just talking to the advisers in the box and reading through these notes about what might happen in terms of land acquisition. Some of these places will be in growth areas where there are new communities developing, but also you might have a situation where there are infill developments happening. We know this is happening as part of our proposal to develop and have more housing, that you might have intensity in housing and infill development, and there may not be the capacity to accommodate children in those areas. But things are done by agreement, Mrs Hermans. You may not understand that. Things are done by agreement; where we can get that agreement, that will happen. So the idea that we are just going to be displacing families is completely ludicrous.

This bill is about supporting the early childhood education reforms so that we can build the infrastructure we need, because I might add there are now a number of councils who are adding to the market failure to be able to provide access to government-run kinder, because they are opting out of providing. They are saying, ‘You know what, we want to get out of early childhood education now.’ Some of these councils have historically owned much of the infrastructure for the provision of early childhood services, kinders in particular, and they are opting out. They are privatising, they are getting out of it and they will sell those assets. So again, they are adding more pressure into the system, not making it easier for parents to access early childhood education locally for their children. That is what parents want; parents want locally available early childhood education.

This ridiculous Kennett notion of choice and competition: I have never heard anything like it that applies to kindergarten. It is usually when parents are looking at sending their kids off to school. I am glad to say that the Victorian government has implemented a policy where children should go to their locally zoned school, because what we know is local schools are great schools. What happens when you have choice and competition is it residualises perfectly good schools. You do not go around choosing your local emergency department when you are having a medical emergency, do you, Mr McIntosh? You go to your closest local emergency department if you are having a medical emergency. What we know is choice and competition is bad for schools. It is bad for public education.

Returning to the bill, what we know is that the change that the minister will deliver –

**Ann-Marie Hermans:** On a point of order, President, I do think that the speaker is currently off track when she is talking about free will and choice for people in terms of their everyday life. I do not see how it is relevant to this particular bill.

**Tom McIntosh:** On the point of order, President, she is clearly talking about early education within that context – 100 per cent clearly talking about early education in the context of availability and proximity of education services and facilities.

**The PRESIDENT:** I will call everyone to the bill.

**Sonja TERPSTRA:** I will continue on this point about the availability of early childhood education services. This bill is actually germane to us being able to provide and increase the capacity for parents to send their children to early childhood education, because we are increasing the hours for three-year-old kinder and four-year-old kinder, which will now be called pre-prep. We are increasing those hours, so we need to ensure that we have the infrastructure to provide those services. I know those opposite hate anything with the word ‘public’ in it. ‘Public education: bad’ – always from those opposite. Again,

the bill is straightforward. It will enable the minister to deliver the infrastructure needed to deliver the Best Start, Best Life reforms, including free kinder, which is so important. We know how important it is that children get access to quality early childhood education and the impacts that it has on their life outcomes, their education outcomes and their health outcomes. For every dollar we invest in early childhood education we get \$17 in return in savings to the healthcare system and in savings to the juvenile justice system. These things are very well documented, but again, they are lost on those opposite.

It is critically important that we have this infrastructure, as I said, because a number of councils are looking to privatise and get out. They want to capitalise on the opportunity to sell their assets, and then by doing that they are limiting the availability of early childhood education. This is a critically important reform. Another part of the government's policy on this is for co-location of early childhood education centres where that can happen, where there is already an existing school. These centres can be built on existing grounds, where there are public schools and they can accommodate that. But where there is not, there is a need to access more infrastructure and to develop that. As I said earlier, there are a number of areas in Melbourne – they are called childcare deserts – where there is no childcare provision. Child care is generally nought to two; then you have got early education, which is three-year-old kinder; and then pre-prep, as it will be called, is four-year-old kinder.

This goes specifically to where people have not been able to access child care or early learning. With the 50 government owned and operated early learning centres which we announced we would implement, what we have found is that child care has not been working for some families – so this is specifically about child care. The fees are high, and families have been weighing up the financial impact of going back to work. So of course this does not work for all families; sometimes they find they are paying very high fees. That also impacts women's workforce participation. They are making decisions, and they think, 'Well, I can't afford to send my child to either child care or kinder.' I know myself when I sent my children to three-year-old kinder I was not working at the time, and it was a decision we had to make as to whether we could afford it. We decided to send our kids, because it was the right thing to do for them.

We also know there is a shortage of places, and that is why we are establishing these 50 government-owned affordable early learning centres where there is the greatest unmet demand. The 50 centres will be up and running by 2028. The first four sites will be operational by 2025 and will be located at: Eaglehawk North Primary – guess what, no acquisition of land there, I am assuming; there is an established school – Moomba Park Primary School, Murtoa College and Sunshine Primary School. Amazing. The next 26 locations for centres have been announced as the following, and this is not in reference necessarily to townships, but when I go through this list you will be able to see and hear that there is unmet demand and need there: Creswick–Clunes, Dandenong, Foster, Frankston North, Glenroy, Golden Plains, Hallam, Heidelberg West in my region – and absolutely early childhood education and care is critically important in that part of my community in Heidelberg West, as it is right across my region – Kings Park, Lalor, Loddon, Maryborough, Melton South, Mildura, Noble Park East, Portarlington, Portland, Reservoir, Rochester, Rockbank–Mount Cottrell, Seymour, Shepparton, Hampton Park–Lynbrook, Numurkah, Werribee, and Yallourn North–Glengarry. Twenty more locations will be selected based on need.

The other important thing, might I add, when we talk about establishing these centres is that not only are we making available local, quality early childhood education and care, we are also creating jobs. There will be locally available jobs for people to go and work in these centres, whether you are a kindergarten aide, a teacher or a childhood educator. These are amazing opportunities for women as well, and men, to be able to work locally in these centres. That is a great opportunity. People want to be able to work locally, and especially if you have got young kids – it just makes your life a lot easier. So we are creating job opportunities along with this bill as well.

I know there are many grandparents. I remember when my kids used to go to kinder, we would often have special people come and volunteer. There is an amazing interaction between kids and the elderly.



I know there is a really fantastic program at Maroondah Pre-school where the kids are brought to one of the aged care centres there, and the interaction between the kids in kinder and the elderly is absolutely beautiful to watch. I was really pleased to go and visit that program and see that in operation with Minister Stitt when she was the Minister for Early Childhood and Pre-Prep.

The opportunity is there to make sure that quality early childhood education is going to be a feature and a fixture of this government and its policies going forward. It is critically important. As I said earlier, we know that the benefits are demonstrable, and they show the economic benefits as well. As I said, for every dollar that we invest in early childhood education, there is a \$17 return. So these things are critically important. We know that it just makes such a difference to young children; you can tell. When my children started prep I could see the kids that had been to kinder. You can see them developing throughout three- and four-year-old kinder, and you can see when they become school-ready as well. Once they start prep they are able to listen to instructions and they are able to sit on the floor and keep still and all those sorts of things. That is what kids get when they get quality early childhood education that is delivered by the government. You get that quality aspect so that kids are school ready, and it is critically important.

I might leave my contribution there. As I said, this bill enables the acquisition of land, and it is critically important that this bill passes in this chamber as it is a very important part of that to facilitate the rollout of our early childhood education reforms.

**Melina BATH** (Eastern Victoria) (10:26): I am pleased to rise to make a contribution on the Education and Training Reform Amendment (Land Powers) Bill 2023 today and to provide some context in relation to my Eastern Victoria electorate. There is a very interesting and good study produced by Victoria University, which was a nationwide research paper in 2022. That research paper looks into access to quality child care. We know that is very important. This is a universally agreed position: that quality child care, quality early intervention and quality early education can put our young people on the pathway to success and also enable parents who wish to return to the workforce, contribute to the economy and contribute to their region to access that to provide that flexibility and that choice. These are very important and really cornerstone services that need to be right across our nation and indeed Eastern Victoria Region.

The report identifies that 9 million Australians live in neighbourhoods that are classified as childcare deserts, defined as three children for every one childcare place. Unfortunately the Eastern Victoria Region is certainly part of that childcare desert landscape – three children for every one place. We are seeing there that demand is certainly outstripping supply. If you look at that, there is a scarcity that we want to drill down into.

There is not only desert but absolutely parched areas in Eastern Victoria Region. If I randomly look up some points of interest – some places of interest, some great towns – the number of places per child for Churchill in the Latrobe Valley is 0.131, so we are looking at almost five to seven young children needing child care for every one childcare place. If we look at Orbost – this is from the report – it is 0.0, so there is such a dearth, such a lack of childcare places in the wonderful town of Orbost, which is going through such turmoil at the moment with the closure of the native timber industry. In terms of Wonthaggi, another great region that is a growth area, people are streaming to that area to live, work and raise a family, but you are looking at 0.275, so you have got four children for every one childcare place there. We need quality childcare education for our later success in life.

What does this mean in terms of the workforce in our regions? If you look at, for example, Orbost, they have fantastic schools and they have a hospital there. They desperately need to have professionals who are willing to go to the regions. In attracting those professionals, whatever their capacity, whether it be a nurse, doctor, teacher or the like, they look to what services are there, whether there is good health care but also whether there are childcare places. And you can see the lack in – and I am just using this as an example – Orbost, and Omeo also is in that very clear classification of a childcare

desert. That is an impediment for people to come to our regions and fill those positions. They want to see that their child will have great access to child care and a great pathway for life.

A Traralgon constituent came to me – I have raised this in the house on her behalf before, her frustration – who had a newborn baby. She put that newborn baby on waiting lists for six different childcare places in and around the Latrobe Valley. That child is now over 18 months old, and she is no nearer to getting that child into a childcare place. She herself, unfortunately, is part of the solution, because she is an early childhood educator who wants to go to work but cannot find access to a service that would enable her to be part of that solution of providing quality childhood education.

Out of the last 24 years we have had 20 years of Labor controlling the levers in this state – 24 years of Labor policy and 24 years of Labor at the helm. Now we see that if you look at great swathes of Victoria – I have spoken about just a couple in my Eastern Victoria Region – there are childcare deserts, not only in the city, in Melbourne, as was stated before, but across regional Victoria, and we need to do something about this. We need to be able to let those professionals and other parents have that access.

I raised a point in this debate, and I will go through it in greater detail shortly. Back in October 2022 the Victorian government announced 50 government-operated childcare centres would be ‘up and running by 2028’. Then there was a big list, and the locations were defined – 30 of them out of those 50. I will drill down into the contents of the bill shortly. Sometimes it feels like either the minister is not being well educated or the department is doing a random stab. What I would like is to have some clarification about this. They list ‘Yallourn North–Glengarry’. For those people who live in the area and know the area, they are 20 kilometres apart. They are not joint, sister towns. Are there going to be two childcare centres, one at Yallourn North and one at Glengarry, or is this just that the government has looked something up on a bit of a table and chucked it on there to make sure that there is something there for the Latrobe Valley?

I will endorse two childcare centres – one in Glengarry. We know that Glengarry is a wonderful little town, as is Yallourn North. Glengarry has had 100 residential blocks open up in recent times. It is certainly close, as both of them are, to major centres for shopping et cetera. It is a wonderful town and a fantastic local community. The progress association does an amazing job to care for their town. We see that it is a growing town, but is there going to be a childcare centre in Glengarry or is it going to be in Yallourn North? I would argue both.

There is an education inquiry happening in this place, in the upper house. The Yallourn North Primary School principal does an amazing job, and again Yallourn North is a wonderful town. There are complex issues around many of the students. It is a known low socio-economic town, and the principal there is doing a fantastic job with his staff and with the budget that he has, but access to a childcare centre early in Yallourn North is important. We have heard 2028. Unless the Allan government has a defined time frame, there are concerns that that will blow out. I will let others give us an indication that it will not be blowing out any further than 2028. Those are some of the issues that I would like clarified in the course of the committee of the whole. I know that there will be a number of questions.

The other point I would like to raise in relation to both public and private entities – and we need both; there needs to be that matrix – is that unfortunately in recent times we have seen the closure of a very dear and valuable service in the township of Moe. There was a childcare centre, the Moe childcare centre, that had been in operation for the last 30 years by Mr and Mrs Mason. I also note from speaking with them in detail that they accepted children who were in out-of-home care, who were on the protective services list, and when they had to close last year due to workforce shortages – and they had some very real and important comments around how some of those could be solved – they were absolutely concerned about what would happen to those very vulnerable children who were in kinship care or on that protective services list, under child protection. They were worried because they had known that they were a go-to location for the services of the Department of Families, Fairness and Housing, as it is now called, in one iteration or another. They were the go-to place, and they were very

worried about those children, as are many of us here. It is a shame when the marketplace is getting squeezed and indeed there are not those solutions there. They had many solutions, and they had asked to have conversations with government to sort out some of these issues around workforce shortages. The government can come in and say ‘free TAFE’ and all of that, but there happen to be real channels of congestion, or lack of channels, and the importance of proper training. I feel sad for Mr and Mrs Mason, not just because they have lost their 30-year-old business but because it goes further to those childcare deserts that we see.

In relation to this bill, it amends the Education and Training Reform Act 2006 to extend the Victorian government’s current powers to acquire land, in addition to its operation of state schools, for state-owned kindergartens and childcare centres. We have heard some very valid comments from both Ms Crozier and Mrs Hermans, so I will not reiterate those, but I concur with the sentiments that they have. But I know from my own experience within my own family circle – that was the acquisition of land for the North East Link – that it can be very traumatic for people that have had to have their private land compulsorily acquired. The negotiations can be protracted and certainly create significant stress, and they can often feel that they have been ripped off in the process. I put on record that the government needs to ensure not only that compulsory acquisition will be fair and be expedited in a manner that serves those people from which land is going to be relinquished but also that it is done in the most minimal capacity. I know in speaking to some local CEOs of shires that there is often other public-owned Crown land that is available, and I would call on the government to certainly where possible – and I know it states ‘where possible’ – go to accompanying school land. That can be squeezed sometimes, but also look at reprioritising public land and coordinate that with the shire council.

Finally, with my last few moments, we see that this government has a track record of overpromising and underdelivering for Victorians. We see that with the Commonwealth Games, overpromising and now underdelivering – no longer is it on the table. We also see that there is an ever-growing list of burden and black holes in terms of the budget, and so we see those big budget blowouts. This government needs to keep on task in this. I have clearly said that there are childcare deserts in my region, and I could go on and talk about a whole raft of others, but we will not oppose this bill because we know that there is a need for future childcare centres. I would like some clarification about, as stated, Glengarry and Yallourn North. I would like to see that the next report from Victoria University certainly has far more green, rather than glaring red – parched childcare deserts – not only for Eastern Victoria Region but for all of Victoria.

**David LIMBRICK** (South-Eastern Metropolitan) (10:40): I rise to speak on the Education and Training Reform Amendment (Land Powers) Bill 2023. The Libertarian Party opposes compulsory acquisition of property by the state on principle, and therefore my position on this bill is very simple: the answer is no.

**Tom McINTOSH** (Eastern Victoria) (10:41): I genuinely love our Best Start, Best Life reforms, and I am going to be positive through my contribution. However, I do need to follow on from the barrage of negativity that we expect from the Nationals. I am going to talk through all the investment we are making in early education in Eastern Victoria, because Ms Bath failed to pick up on all that. She was talking about Orbost. I was there last week. She failed to mention the \$8 million investment we are making in the co-located primary and secondary college and the investment we are making in health services. I was up at Bonang and Goongerah last week. The services we are putting in for tiny communities – we do not forget them. Whether they are remote, rural or regional communities, we are not forgetting any of them.

I will go through all this, but I think it is important just to touch on the question: why is the state government stepping into this space? Because the federal National–Liberal coalition government for their decade in power – like everything else, whether it be housing or whether it be anything where the government should take some responsibility; Ms Bath talked about ensuring that there is staff to fill these, the skills and professional services – just typically again took their hand off the wheel: ‘Let’s

just let the free market do what it wants.’ The state government is stepping up and stepping in to fill the void with our 50 centres.

This investment in early education is so critically important. I am going to come back to the specifics of Eastern Victoria Region shortly, but I just want to talk about why it is so beneficial to us as a community for these investments to be made. First of all, for our children themselves, our future generation of Victorians, we are ensuring that we are setting up the 15 hours of three-year-old kinder and our 30 hours of four-year-old kinder. This is so important because we know this play-based learning develops our kids academically, emotionally and socially. There is just so much benefit to what we are rolling out. Importantly, by ensuring that this is available to kids across any economic background of Victorians, we are ensuring we are giving an entire generation equal opportunity to be their best, which sets our state up. As we invest and we roll this out, you are going to look down the track in 10, 15, 20 years and the wellbeing of this generation is going to be far enhanced, but the economic productivity of that generation will be too. There is just so much simply in what it is going to mean for our kids as they progress through their lives for this state.

What it also means for our families, our parents, to be able to get back to work is a double element on this which is just so, so valuable for families. When we look at this as a cost-of-living measure, we are reducing the cost burden on accessing early education, which helps kids get into early education, which brings all those things I was just talking through, but it also allows families to get back to work without having to worry: ‘If I go to work, I’m losing money before I even get out the door.’ So we are getting parents back to work, and of course predominantly we are getting women back to work, back in the workforce. We are ensuring they are getting their superannuation. They are not out of the workforce and being left behind while other colleagues pass them by in their career. I just cannot talk enough about what that means for our children and for our families. To the element of childcare centres, as I touched on before, there was a void left and the state is stepping in. This reform in its entirety – yes, there is kinder, but there is also child care – will make sure that everything I have just discussed can occur. I am so, so proud to be part of a government that does not just take cheap shots and point out problems. We have a set of values, and around that we form a set of policies. Then we drive that policy agenda, which takes time, but we are getting on with it, and over the next decade our three- and four-year-olds are going to be within the infrastructure, the early education settings that we are building, and we will ensure that those kids can get it.

It was fantastic to hear our two ministers, Minister Tierney and Minister Blandthorn, out yesterday talking about the investment we are making throughout TAFEs to ensure that we have a skilled workforce. It is a beautifully skilled workforce that is so important for our children. When you think of the relationship that is built between child and teacher over what could be one or two years of that period of their life, it is really something, as is having those educators being valued and respected as educators and having the training to be the best they can possibly be. Let us be honest, that can at times be a demanding job – it is amazing what they do – and for the government to support them and ensure that the workers are here just goes to the holistic vision of this government to ensure that everything is in place for that generational progress that we are committed to delivering. Of course the jobs are a fantastic element. We are going to ensure that more people have jobs. We heard about record low unemployment before. It is this investment in skills that ensures our future productivity.

I will come back to my region of Eastern Victoria, because there is so much good news to talk about. Every time I visit an early learning centre, talking to the committee, staff, parents and families, grandparents – everyone that is around it – it is such an important part of the community. I talked in a contribution I made yesterday about how, particularly in regional towns, building places of community is so important, supporting places of community – not having government seeing people as individuals and ripping services and those bases of community out but investing in them and putting them in. They are places like the Gumnuts Early Learning Centre in Sale, whose new building is open – I was there to open that a few months ago; the Korumburra school, which is going through its process at the moment, which I believe will be opened at some point next year; and the big facility at Leongatha,

which I went along and opened with our parliamentary secretary Katie Hall a few months ago, which is an incredible facility, and such a big crowd turned out to celebrate that.

In Mornington we have the Herd Intergenerational Learning Centre. Many of us would have seen the ABC program about bringing together people in aged care and young people – the aged care home for young people. In Mornington they were out in front and ahead of their time in co-locating these two facilities, even putting windows in between the two so the aged care residents can sit and see the young childcare students playing. It is just such a beautiful thing. On the opening day there were animals and food, and it was a great celebration to see the two generations at either end of the age gap coming together. There is investment at Mirboo North; at Yarram that build is underway; there is Lakes Entrance; at Foster we have got upgrades plus another childcare centre coming; and Lucknow. There is just so much investment we are making across regions where we identify the need.

I want to pick up on some of the comments that were coming earlier from the other side, just trying to muddy the waters, saying things like, ‘We don’t need it, kinders are pulling out’ – trying almost by sleight of hand to encourage kinders to pull out of delivering a community service. It is quite bizarre. You have to have a look at future population growth, but you have to also remember that what we are doing is ensuring more kids get more access to more hours. So as we project that out, that means we do need more services and more teachers, as Ms Bath correctly pointed out, and we have the plan to deliver that. Again, it is that holistic view of what we are doing which has seen this delivery right across Victoria and very much so in the regions.

I really want to touch on a point. I was in Orbost last week, and I was really saddened to hear that a young kid in the town is just hearing so much negativity that he does not even see a future for himself in that town. I think there is a constant barrage of negativity, particularly from the Nationals, where we run our areas down and we talk our areas down rather than seeing productivity. We have, across regional Victoria, record low unemployment. We have people moving to the regions. There is demand on building infrastructure, building houses and providing services, unlike – I am on the record in here many times talking about the 1990s – the Kennett government, which ripped out the infrastructure and removed the services, and private industry followed suit and left the regions to founder by themselves. Buildings literally rotted into the ground. Community groups, sports clubs and schools – numbers dwindled, and they were closed.

We have the opposite problem now, and the opposition cannot make up their mind. If we go to invest, they say, ‘Don’t invest, it’s hitting the budget too much,’ like the regional package of \$2 billion of investment across housing, across tourism and across community sports clubs. But then at the same time they are saying, ‘We’ve got a plan to invest in our infrastructure,’ which we are delivering. Many of the early education centres in Eastern Victoria Region I just spoke about are completed. More and more are being announced, basically, every day. Yet they are saying, ‘Will it be delivered in time?’ So on one hand we are being told if we build too quickly it is economically irresponsible – ‘Don’t invest in the regions’ – but on the other hand, ‘Quick, quick, invest more in the regions.’ It reminds me of the Greens when all they want to do is just find these little niches or toeholds for a social media grab to try and talk down long-term, sensible, sustainable measures. And I do worry sometimes, between the Nationals and the Greens, that it is really only the shade of green that is the difference for that constant negativity and talking of our people and our towns and our communities down.

Anyway, I think this is such a wonderful piece of work – that the government has made a long-term commitment and a long-term investment in our youth, in our families and in the future productivity of this state – I am very glad to have had the opportunity to speak on it.

**Jacinta ERMACORA** (Western Victoria) (10:53): I am very pleased to speak on the Education and Training Reform Amendment (Land Powers) Bill 2023, but before I start I would like to acknowledge the work of the former minister Ingrid Stitt, who is here in the chamber, on this bill and the whole reform strategy as well and congratulate Minister Blandthorn for taking the next step.

**Matthew Bach** interjected.

**Jacinta ERMACORA:** And I thank those opposite for the endorsement. This is about the little people of Victoria. Specifically, it is about three- and four-year-olds, who at this time in their lives are absorbing knowledge and experiences at an enormous rate through their daily lives and activities. We know that early childhood education emphasises the importance of providing enriching experiences that stimulate and nurture children's cognitive growth. Three- and four-year-old children have started to enjoy play with other children. They have started to clearly say what they want. They are often developing a sense of humour and realising that other people are real, but they often struggle to calibrate their energy levels. Interactive activities at this stage of development can profoundly enhance language, problem-solving and critical thinking skills, and I think this goes to the absolute nub of the purpose of our investment in Best Start, Best Life: child care and early development. Problem-solving, language and critical thinking skills are skills we all need as adults to be able to manage the challenges of life, the opportunities of life and also the disappointments of life. This is where playful exploration and guided instruction can play a huge role in enhancing brain and social development for our littlest Victorians.

We know scientifically from years of research and studies what I think parents know intuitively: early childhood care and education make a fundamental difference to the outcome of a young person's life and trajectory. UNESCO reported in April this year that the right to education begins at birth and that children's first five years of life are crucial to their development. During their first five years children learn at a faster rate than at any other time in their lives. Cognitive and socio-emotional skills that are fundamental for their future achievements in school and later on as adults are formed during these years.

With such clear and overwhelming evidence indicating the importance of early childhood development, I am very proud of the Allan government's focus on Best Start, Best Life reforms to early childhood education. This bill proposes an amendment to the Education and Training Reform Act 2006, empowering the minister to procure land for the establishment of kindergartens and the 50 government owned and operated early learning centres. This change will assist the minister to provide necessary infrastructure to implement the Best Start, Best Life reforms. This includes free kinder and pre-prep along with the establishment of 50 early learning centres, which will deliver affordable child care to communities most in need – and 'most in need' is what I would like to refer to in terms of regional communities as well. The bill provides authority to acquire land for educational purposes that already exist, primarily for school education. This will now ensure that the minister possesses the appropriate authority to develop infrastructure for early childhood education.

I would like to draw attention to clause 6 of the bill, which has the following two principles: (1) that access to education during early childhood is important for the wellbeing of children and the family; and (2) that all Victorians, irrespective of where they live or their social and economic status, should have access to education during early childhood. These principles embody the values of this government and demonstrate our commitment to early childhood. These are fundamental Labor principles and to my mind represent the very best of our government.

In Victoria the Allan Labor government is leading our nation in establishing the Best Start, Best Life reform strategy. This generational reform will fundamentally shape and profoundly influence early childhood education for decades to come. We want the best start possible for our children at the most important phase of their development, no matter the circumstances or where they live.

Research also shows that early childhood education investments yield substantial societal and economic returns. Specifically, for every dollar channelled into early childhood education in Australia, a return of \$2 is seen over a child's lifetime. The \$14 billion committed over a decade to deliver the Best Start, Best Life reforms include the continuing rollout of funded three-year-old kindergarten. This alone has already transformed the lives of children and their families, helping greatly with the cost of child care and enabling many parents, particularly women, to return to work. We know that free kinder

rollout for all three- and four-year-old children at participating services is doing just that. Over the next decade four-year-old kinder will transition to pre-prep, which will become a universal 30-hour-a-week program of play-based learning available to four-year-old children across the state. This will actually amount to a doubling of the educational opportunities available for children in their years before school. It will mean children have twice the amount of teacher-led, play-based learning time to develop critical social, emotional and cognitive skills that will set them up for life and for the following years of their education.

The Victorian government has also committed to opening 50 new government-owned early learning centres in the communities that need them the most. The first of these will be co-located on school sites at Sunshine Primary School, Murtoa College in my electorate, Moomba Park Primary School and Eaglehawk North Primary School and will be open before 2025, with remaining centres delivered by 2028. Portland in my electorate will also be receiving a new government-owned centre, with the department currently investigating site options to determine the optimal location for this facility. Which brings me back to the second principle in clause 6: that all Victorians, irrespective of where they live or their social and economic status, should have access to education during early childhood.

As I just mentioned, Murtoa College will be one of the first areas to have a government-owned early learning centre, located on the school grounds by 2025. I visited Murtoa recently and was impressed with the Yarriambiack shire councillors and chief executive Tammy Smith and the work that they are doing for their community. Murtoa is a small wheatbelt town in the Wimmera. The Murtoa Stick Shed website says that ‘murtoa’ means ‘home of the lizard’ in the language of the First Nations people, the Jaadwa language. Murtoa was a major historic grain receival centre, and today has a population of less than 1000 people, who are serviced by the Yarriambiack shire. Yarriambiack have advised me that they were listed among several other Victorian councils who face financial challenges. There is no doubt that our commitment to investing in the development of the littlest people in Murtoa is proof that we are governing consistent with our values.

The facility in Murtoa will provide long day care, three-year-old kindergarten and pre-prep programs. These programs will be delivered across three rooms, with space for up to 57 local children in the centre each day. It will also include a maternal and child health consulting room for local families – and of course a car park. We are locating the centre at the college to help parents avoid that dreaded double drop-off and to make child care and early learning accessible and convenient for working parents and carers. Getting rid of the dreaded double drop-off may not sound like a very big deal for some people, but I am quite sure any of us who have done the morning drop-off to kinder and then to school and then gone to work will appreciate that.

I would encourage everyone to visit Murtoa and in particular the Stick Shed. The Stick Shed, previously known as Murtoa No. 1 Grain Store, is the only remaining emergency grain store built during World War II. This structure is an enduring testament to iconic Australian ingenuity and a symbol of the growth and strength of the Australian wheat industry. It is a magical, almost cathedral-like space, and it was so good to visit it recently with passionate community members and committee members who manage that facility.

The Education and Training Reform Amendment (Land Powers) Bill 2023 will play a critical role in facilitating the delivery of our educational commitments. It will provide already existing land powers that are currently in place for the education portfolio to the early childhood and pre-prep portfolio and create a clear legislative power for other land arrangements, such as leasing. This bill will allow for the facilitation of this exciting and progressive change to our state’s education system. It allows children the same access to education no matter where they live. This is a fundamental equaliser for our society, providing equal access to public services, something governments have quite rightly provided in the past and what this Victorian government is taking to the next level with the Best Start, Best Life program. This bill is for the betterment of us all, and most especially it is for the betterment of our littlest, three- and four-year-old Victorians.

**Matthew BACH** (North-Eastern Metropolitan) (11:06): It is good to rise to also make a contribution on the Education and Training Reform Amendment (Land Powers) Bill 2023, which is necessary as a result of the government's ongoing kinder privatisation scheme that it calls the rather ill-named 'free kinder program'. It is good to follow Ms Ermacora, because I agree with so many of her sentiments. In particular I was pleased that she wanted to have a focus on clause 6, which spells out, quite rightly too, that:

access to education during early childhood is important for the wellbeing of children and their families ...

and that:

all Victorians, irrespective of where they live or their social and economic status, should have access to education during early childhood ...

It is partly for that reason, notwithstanding the fact that in many regards I felt Minister Stitt was a very good Minister for Early Childhood, that I was pleased with the recent changes made by the government to ensure that early childhood and child protection and out-of-home care could sit together now with Minister Blandthorn.

I note that Ms Ermacora said, undoubtedly correctly, that this clause embodies Labor values. I do not doubt that that is true. So I am heartened that those opposite now are seeking, as I understand it from her contribution and from the bill, to seek to raise access to kindergarten to the levels that Labor inherited when the last coalition government lost office. At that point over 98 per cent of Victorian children had access to kindergarten. That fell the year before last down to 83 per cent, which was very worrying, and thankfully levels of access have increased since then – however, not to anything like the 98.1 per cent that Minister Lovell achieved. So I do think that should be the benchmark.

There are many elements of what the government is doing in this broader space that I support and those of us on this side of the house support, and I do not doubt for one second the goodwill of both the former minister and the current minister. I have spoken previously in particular about my worries about a lack of access for vulnerable groups. Access in particular for children who have had experiences in the out-of-home care system have fallen significantly over recent years. But, according to the government, this bill and broader reforms, including recent ministerial changes announced by the new Premier, are at least in part designed to deal with those issues.

I also find myself agreeing not only with the previous speaker from the government benches but with previous speakers around this house about the immense importance of early childhood education. Some members of this house know that my daughter Phoebe currently goes to the local sessional kindergarten, and the educators there are so fabulous. I recognise Minister Stitt for the work that she sought to do, which I am sure will now be ongoing, to seek to raise the profile of early childhood educators in Victoria. I know that many early childhood educators – many kindergarten teachers, many other early childhood educators – have felt that for a long period of time, irrespective of who is in government here in Victoria or in Canberra, that the role that they play is undervalued in the community. I do not doubt that is true. Yet, as Ms Ermacora said, those who teach older children, as I used to do and as I will soon do again, actually are able to achieve far less significant benefits for those children than the teachers who work with children in their first five years. So, not wanting to talk down my former or future colleagues, if that is the way in which we look at these things, and I think it should be – regarding benefits for children – then all of us should continue to join together, as I think we have done recently in quite an effective way, to make sure that our early childhood workforce understands just how valued they are.

I have seen the immense benefit for my daughter through having fabulous kindergarten teachers. I attended my local sessional kindergarten in Princes Hill, and in my early years of primary school – despite a wonderful, stable family and despite excellent early childhood educators – I experienced real learning problems and was forced to stay down. But the specialists that I saw at that time were of a strong view that in actual fact there was a good base there for me because of the outstanding work of



early childhood educators who had helped me at my local sessional kindergarten. Their view, and my mother's view – she herself is a teacher – is that without that early childhood education at my local sessional kindergarten, I simply would not have been able to recover the lost learning that I experienced. So I am pleased by the comments of former speakers in this debate right around the chamber, pleased not only by comments made during Ms Stitt's tenure as minister but also by actions and by the new minister and pleased that a continued bipartisan effort to seek to bolster the standing of our early childhood workforce in the community is going to be underway.

Members have spoken about some of the very specific elements of this bill regarding land acquisition. Look, I do share some concerns, notwithstanding the explanation of the government as to why this is necessary. I would note that the government does have similar powers to those gifted to the government through this bill when it comes to schools. So on that basis, despite my misgivings and notwithstanding some issues that still need to be worked through from our perspective, and I dare say will be worked through in the committee stage, I am of an inclination to not oppose this bill.

I also think it is interesting that the government is seeking to put in place more kindergartens that are government owned, and I do not oppose that. Certainly constituents of mine in the City of Knox have been very troubled recently by the announcement of the local council that as a result of the government's botched funding model for its so-called free kinder program, as I understand it, every single council-owned kindergarten will have to close its doors, which then of course will have the effect of driving families to private providers. Now, there are some very good private providers, but I do not mind saying that on a personal level I have a predilection for our sessional kindergartens, so many of which are on council land and many of which are council owned.

That is a little bit of the backstory to some of the problems that we have experienced with this program, notwithstanding the fulsome support both through the election campaign when we heard of this initiative and also as we have learned more of the detail, as it has been fleshed out and as those in the sector have learned more of this detail being retrofitted to the slogan of free kindergarten. My hope still is that through this bill, through numerous elements of the program that Minister Stitt at the time announced, we will be able to see better outcomes for young Victorians and certainly an increase in the rate of attendance at kindergarten. I think it is a very good aspiration to seek to offer more hours. It is good to have former minister Lovell in the chamber while talking about access to kindergarten. As I said previously, Ms Lovell, under your tenure as minister Victoria topped out at over 98 per cent. That should be our aspiration, and I know it is the genuine aspiration of many members across the chamber and on the government benches to seek to reach those lofty heights again.

So I am willing to take the government and the minister at face value that elements of this bill will be important in seeking to do that again. I underscore once more the wholehearted bipartisan support on this side of the chamber for the importance of early childhood education and the dignity and respect that we all have for our amazing early childhood educators but also, for my part, how some good recent changes have been made in an effort to seek to ensure that, as has been the case previously, all children, coming back to Ms Ermacora's contribution and clause 6, on these values, and all Victorians, irrespective of where they live or their social and economic status, should have access to education during early childhood. I think that is an excellent statement. Ms Ermacora again undoubtedly rightly said that is a Labor value. On this side of the house we would say also: well, that is one of our values. When we were last in government and Ms Lovell had this portfolio, there were very high rates of participation from Victorians from culturally and linguistically diverse communities and Victorian children who very sadly had had experiences in the out-of-home care system.

So I think, notwithstanding some potential challenges that we see with this bill that we will seek to flesh out in the committee stage, that there are numerous elements where we can join hands with those opposite, continue to seek to build upon what has been done recently and also not so recently in previous terms of government and seek to deliver on these excellent statements that the previous speaker focused upon – that access to education during early childhood is important for the wellbeing

of children and their families and that all Victorians, irrespective of where they live or their social and economic status, should have access to early education during childhood.

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (11:17): I would first like to acknowledge all of the contributions of members to this debate. This is my first bill as Minister for Children –

**Matthew Bach:** First of many.

**Lizzie BLANDTHORN:** First of many, absolutely. Can I thank Minister Stitt and her team for the advice they have provided to me and my office on this bill during the ministerial portfolio changes. Can I also acknowledge the Shadow Minister for Early Childhood and Education in the other place Jess Wilson and the Greens spokesperson for education Aiv Puglielli for the constructive way that they have engaged with my office and I am sure Minister Stitt's office previously as well. Whilst this may indeed seem to be a small bill, it reflects the focus of this government on early childhood education and care. To take up some of Dr Bach's comments before, on this side of the house we are certainly very pleased that there has been the creation of a children's portfolio that does bring these issues around early childhood education and care together with maternal and child health and child protection and family services. If we can hopefully get right the first part of that – the maternal child health and the early education and care – then, as I know you know too well, Dr Bach, we can hopefully avoid too many children ending up in the critical end of that system.

I think it is really visionary of our new Premier Allan to bring these portfolios together in this way, and it provides enormous opportunity, again as Dr Bach pointed out, to put children above politics and to make issues that go to the health, the wellbeing, the education and the development of our littlest people in the state a number one priority. I think that will ultimately prove a great thing for the future of Victoria.

One of the proposals in this bill is to amend the power to acquire land in the Education and Training Reform Act 2006 to provide the minister with the ability to acquire land, either by agreement or as a last resort compulsorily, or to take on or grant other interests in land for the purposes of providing early childhood education and care and other associated services. Under the minister's current powers, they are only able to acquire land for the purpose of preschool programs and not for other types of early childhood education and care or associated services. These amendments are fundamental in recognising the shift in the focus of the importance of early childhood education and care since the Education and Training Reform Act was enacted in 2006, including through the Victorian government's landmark announcements of funded universal three-year-old kinder and pre-prep and of course the 50 government owned and operated early learning and child care centres, which have been spoken about at length this morning. Just one example of this shift is the amendment in the bill to remove the term 'preschool program' from the act and replace it with 'kindergarten program'. This new term and definition reflects commonly understood terminology and the educational program that is being delivered to children before they are of school age.

Throughout discussions on the bill there has also been a focus on services associated with early childhood education and care, and it should be said that this definition is deliberately broad so as to provide flexibility around the types of services that can be provided alongside an early childhood education and care facility where the land has been acquired and allow for programs such as maternal and child health, parenting programs, community spaces, supported playgroups, family counsellors and allied health. That is just to name a few, but it is obviously fundamental to the notion of bringing together maternal and child health, family and support services and education and care all in a place where families congregate. By providing a non-prescriptive definition the bill allows for community spaces to be conveniently located and delivered alongside early education and care facilities where land has been acquired for this purpose.

I also draw the attention of the house to the explanatory memorandum for the bill in relation to concerns that we may only acquire land for the purposes of the associated service:

Substituted section 5.2.3(2) will prevent the Minister from compulsorily acquiring land for the sole purpose of providing a service associated with early childhood education and care.

This power and the focus of the bill are to provide the ability for the acquisition of land to deliver integrated early childhood education and care facilities alongside associated services like maternal and child health and supported playgroups where there is a need for those in the area. I am very pleased to commend this bill to the house.

**Council divided on motion:**

*Ayes (36):* Matthew Bach, Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nicholas McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (3):* Moira Deeming, David Limbrick, Rikkie-Lee Tyrrell

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clause 1 (11:29)**

**Georgie CROZIER:** I have got a number of questions for clarification about this bill. As I said in my second-reading speech, we have seen the government acquire land and properties through the sky rail corridor that they did not actually need to be able to complete the project. It was very distressing for those families and people that were directly affected, and it was incredibly difficult at the time. As I said, acquisition should never be done at a whim. It needs to be carefully considered, and it did cause significant distress and disruption to so many Victorian home owners. So what will the government do at this time when they are going to be acquiring land or property from private individuals or entities around acquisitions to cater for the needs of what this bill is actually going to do?

**Lizzie BLANDTHORN:** Whilst your question does not fall within my ministerial responsibilities, I just would make the comment in relation to the acquisitions that you refer to in relation to the Level Crossing Removal Project that they were voluntary acquisitions, not compulsory acquisitions. Those properties were not compulsorily acquired but instead were acquired as part of the voluntary purchase scheme. I know in relation to some of the level crossing projects in my previous electorate of Pascoe Vale there were some similar occurrences there.

But I do take your point: compulsory and voluntary acquisitions should always be a last resort. We should certainly always explore other opportunities for where the most appropriate site is, whether it be for a level crossing project or whether it be, in this instance, for the early education and care facilities that we are talking about building. Certainly, while the bill does provide ultimately for that compulsory acquisition in the same way as in relation to other education facilities, it is very much intended to be a last resort after exploring the options, which is why in many respects we have announced, for example, those four sites for early learning centres (ELCs) and the other locations – suburb locations, if you like. But we are doing the work to work out where the best place for those sites to be is. So there is a commitment from the government to work with local communities about where the best place for these facilities is and for any form of compulsory acquisition to be our last resort.

**Georgie CROZIER:** Thank you, Minister, for that response and for clarifying that the absolute last resort is acquisition. But I think as we saw with sky rail – and as you mentioned, it affected your electorate too, and it is affecting Mr Mulholland’s in terms of the North East Link project in his area – there are many areas that are being affected currently by projects. So what community consultation will be conducted prior to any acquisition decision to determine beyond doubt that there is an unmet need for an early education centre in the area and that there is no alternative site available that would not require compulsory acquisition?

**Lizzie BLANDTHORN:** Certainly it is the government’s intention to work with local communities and our partners in the delivery of so many of our early education and associated services to understand both what the projected need is and where the best place is to meet that need. So it is absolutely intended that that work will be done to have that really thorough understanding of where these children are that need places and where the best place to build the centre is.

**Georgie CROZIER:** Minister, how will the government appropriately assess the opportunity cost of any site that they are considering for acquisition to establish beyond doubt that an early education centre is the best use of that land? I know that you have just said you will talk in consultation with partnerships and look at assessment, but apart from the talking, are there any other performance measures? What data will you use to identify the needs?

**Lizzie BLANDTHORN:** There are multiple criteria and multiple data sources that obviously go into informing these decisions, particularly in relation to where it is anticipated that there might be an inefficient supply of childcare places or relatively disadvantaged cohorts in terms of accessing childcare places as well. At a state level we are identifying locations of greatest unmet need through a data-driven process, which is a detailed exercise broadly looking at three things. Firstly, we will look at the availability of child care, the existing supply in communities. Secondly, we are looking at the estimated demand for child care in those communities and how much of that demand is not currently being met by the existing supply and, thirdly, the level of disadvantage in those communities as well. Obviously we know that two years of early education is better than one, and where we can support disadvantaged communities and be able to assist those communities by providing that opportunity is an important part of the decision as well.

**Georgie CROZIER:** Minister, how will the government ensure any landowners whose property is compulsorily acquired under this act are adequately compensated?

**Lizzie BLANDTHORN:** Obviously the cost of land acquisition for sites – and I know this does not go explicitly to the question that you have just asked, but it is partly related as well and potentially anticipates a question that I am thinking back to, having heard your speech yesterday. One, we are investing in the infrastructure, and the budget that was set in terms of the provisional budget that has been set aside for land acquisition does include the anticipated costs of that, but more broadly the overall framework for land acquisition also applies in the acquisition itself.

**Georgie CROZIER:** Just going on that line of inquiry about expected costs relating to the land acquisition program, the \$14 billion Best Start, Best Life childcare, free kinder and pre-prep policy looks at putting in place 50 childcare centres across Victoria, and you have already mentioned that there are four locations already implemented. Thirty of those 50 locations have been identified. You have identified those sites. You have got 50 in total. What I am trying to say is you have got all of these 46, and 30 of the other locations have been listed in that preliminary information that I think is on the government’s website, but what about the other 16 that are outstanding? What are you doing about those sites? This was announced some time ago, and you are wanting to implement these to be delivered by 2028. Acquiring land is very expensive, and we have got an enormous debt in this state, and we are paying a huge interest bill on the government’s debt, so can the government provide any estimate as to how many sites they will need to acquire and how much they will need to pay for them to meet the objective of their Best Start, Best Life program? You have got four identified, you have

listed another 30, but they are still outstanding, so how are you going to manage that in a budgetary sense?

**Lizzie BLANDTHORN:** Just to clarify, firstly, the number of sites and where we are in relation to delivery in I guess the three categories of them: so there are the four sites which will be delivered on land that is already part of the education portfolio, and they are the four sites that are these specific sites that we have announced. There are a further 26 locations which have been determined in a geographic sense, if you like – in a suburb, community sense. So we have announced those 26 locations, and currently there is further investigative work underway to determine the specific sites within the suburbs, the communities, including whether they can be delivered on existing landholdings. As I said in answer to I think one of your first questions, compulsory acquisition is absolutely intended to be a last resort. We are certainly looking at existing landholdings and other opportunities before we end up, as a last resort, at any kind of compulsory acquisition.

Then there are the remaining 20 locations, which will be selected through a rigorous process based on market and demography information, which we just talked through in the answer to your previous question about how we make those decisions, and that will be targeted to locations that have the greatest need. Advice about these remaining locations is expected to be announced by the end of the year, and we are confident that we remain on track for the completion of the program, of the 50 ELCs, by 2028.

**Georgie CROZIER:** I was trying to get the list in my previous question, and in answer to that you talked about the existing landholdings. Can I just have some clarification. You have got the four – Eaglehawk, Moomba, Murtoa and Sunshine – that have already been identified on existing landholdings. You said you were looking at the confirmed locations for the rest of those 30. So have landholdings been identified with those existing areas that you have listed? Am I correct in assuming that?

**Lizzie BLANDTHORN:** There are the four – Eaglehawk, Moomba, Murtoa and Sunshine – on existing landholdings, as in they are at primary schools for three of those and in the case of Murtoa at the college. In the case of the next 26, which takes us to the 30, we have identified the suburb and the community but the very specific location – the primary school or whatnot – has not been finalised. Then there are the remaining 20; we are doing further work to understand where in the Victorian community those ones would be.

**Georgie CROZIER:** Could I ask: the \$14 billion figure from the Best Start, Best Life program – is any of that inclusive of any land acquisition that will be required?

**Lizzie BLANDTHORN:** Bear in mind I have been in this portfolio for three weeks, but my advice is that the budget itself has within it any anticipated funding required for land acquisition.

**Georgie CROZIER:** So that land acquisition will be part of that \$14 billion?

**Lizzie BLANDTHORN:** Yes, that is my understanding.

**Georgie CROZIER:** The centres and kindergartens will need to be staffed with appropriately qualified teachers and educators, and we know that, like in many sectors, there is a workforce shortage. What is the government's plan to increase the numbers of teachers and educators to meet demand generated by the Best Start, Best Life program?

**Lizzie BLANDTHORN:** If I can just supplement my previous answer, Ms Crozier, if you look at budget paper 4, page 37, which references land as well, that might provide some further clarity on our previous conversation. Certainly in terms of workforce we are growing kinder and we are growing early education, so of course we need to grow the workforce – it goes without saying. Since 2019 the number of early childhood educators and teachers delivering funded kindergarten programs in Victoria has grown by 50 per cent, but we know that by 2032, with our ambitious plan for Best Start, Best Life, we are going to need an additional 11,000 early childhood educators and teachers. We have the

\$370 million investment in the kindergarten workforce strategy, which is about both attracting and training early educators and teachers as well as retaining them and continuing to develop them. Certainly more qualifications are available via free TAFE and financial supports, and early childhood I am advised has been in the top five courses in demand in relation to free TAFE. We have also provided opportunities to join the sector through pathways such as the Aboriginal pathway scholarship program. So there are specific programs like that.

Also, in terms of both retaining and developing educators and teachers, diploma-qualified educators who want to become bachelor-qualified can access programs that we are delivering in partnership with universities. We are investing in additional coaching and mentoring. Indeed just yesterday the Minister for Skills and TAFE and I were at Gowrie Victoria in Carlton North announcing grants from the skills and training portfolio that go to more than \$6.28 million for eight projects which are about upskilling the workforce in a number of different ways – the Early Learning Association Australia program, which was a pilot that will be delivered at Gowrie Victoria, for example. It is about innovative ways in which we help those educators train and develop. We need to attract more; we know that. It is an ambitious program – 11,000 by 2032 – but there are strategies underway, and we will continue to build on those as well.

**Georgie CROZIER:** Minister, the government's so-called free kinder program implies that the government is fully funding kinder across the state, but we know that that is simply not the case. I have raised many times in the house, and I mentioned them in my contribution yesterday, some of the not-for-profits and independent kindergartens. The funding amount provided under the program to kindergarten does not meet the costs of many kindergartens and early learning centres, and it is leaving them in a deficit position. So how will the government ensure the viability of existing services in its program that you are putting out with that date of 2028 to have all of these on the ground and up and running?

**Lizzie BLANDTHORN:** Obviously the delivery of our Best Start, Best Life reforms is a key tenet of this government, if you like. As you have correctly identified, from 2023 we have had free three- and four-year-old kinder at participating services. There are already 140,000 children who are benefiting from that, and the rate for that is \$2500 per child. The 15 hours of universal three-year-old kinder is currently in 2800 services between 5 and 15 hours. There is \$270 million invested in this free kinder initiative. It is benefiting up to 140,000 children at the current point in time. All funded kindergarten services in Victoria are eligible to participate, and approximately 97 per cent have opted in. All services are obviously encouraged to provide the free kinder, but it is not mandatory. But as we know, two years are better than one, and the opportunity to have free kinder does really help families, certainly saving them. As the parent of a kindergarten student, I understand certainly in our kinder community how that has made a big impact on low-income families who attend our kinder just adjacent to the Carlton Primary School.

**Georgie CROZIER:** You have got the experience of having your child at kinder, and there are many parents in my electorate that have got their children at kinders. They are absolutely over the moon and cannot praise highly enough the programs and the educators who are so dedicated, but they are going to be under huge financial stress because the \$2500 being applied does not meet their needs. The former minister knows this because I have raised it, and I raised it again yesterday. There are many families that are going to be disadvantaged, and those educators also, who provide terrific education. So either those kindergartens are going to have their programs cut or the educators will not be able to carry on the work that they do. How will the government help existing services meet the requirements for increased hours while also ensuring financial sustainability?

**Lizzie BLANDTHORN:** Free kinder is on top of the existing funding streams and means more money for almost all participating services. As I said, participation is not mandatory. All funded services in Victoria are eligible to participate and approximately 97 per cent have opted in, but they do not have to. So it is on top of the existing funding streams. That means more money for almost all services. The 2024 free kinder rate of \$2563 gives a sessional service around 30 to 40 per cent more

funding compared to average parent fees in 2022. For local government services, funding has increased significantly as well, going from an average parent fee of around \$1750 per child in 2022 to \$2563 in free kinder funding, which is an average increase of 46 per cent. Free kinder on top of other per-child funding means that the full funding offer is up to \$8041 per child in metropolitan areas and up to \$9208 per child in rural classified areas, plus significant school readiness funding for educationally disadvantaged children and other supports – inclusion supports and additional service level funding for local government and community-based early years managers. So we are in a number of ways delivering more services, more workforce and more funding to early education and care services and kindergartens than ever before. I know as a parent, as I am sure the parents in your community know too, it is having a really direct impact on the families within our communities, which we are here to represent.

**Georgie CROZIER:** You mentioned councils, and my next question relates to councils. We have seen two local councils indicate their intention to withdraw from service delivery. So how is the government planning to address the operating challenges faced by providers, particularly local councils, so that they can ensure continuity of service?

**Lizzie BLANDTHORN:** As you have mentioned, we have seen that two councils in particular have publicly made statements in relation to their kinders and the funding of those kinders. Ultimately both of those decisions are matters for those councils, and they will ultimately have to justify those decisions to their ratepayers, who expect that kinder will be something provided within their community. I would just clarify, though, for the record that in the case of Glen Eira council they have very particularly said that the free kinder reforms, the Best Start, Best Life reforms, are not what has impacted their decision, and in fact the mayor was quoted in the *Age* as saying the centres offered free kinder but it was not a factor in their decision.

As I said in answer to the previous question, we have invested in local kindergartens more than ever before, and again if you take the example of Glen Eira, in 2023 Glen Eira council received a kindergarten infrastructure and services plan support grant of \$82,000; between 2022 and 2023 Glen Eira council received equipment and information technology grants for the three services, totalling \$19,314; Glen Eira council operates a kindergarten central registration and enrolment scheme, and it received \$26,000 in grant funding to contribute to the cost of operating the scheme in 2022; and Glen Eira council is of course also eligible to apply for the Building Blocks improvement grants to upgrade, refurbish and renovate their early learning facilities that include funded kindergarten programs.

So it is very disappointing that councils like Glen Eira council and Knox have made the decisions that they have, but they are ultimately decisions for those councils, and those councils will have to justify those decisions to their ratepayers.

**Georgie CROZIER:** I understand that you have provided that, but I think what those councils are experiencing more councils will be experiencing too. The overheads are rising. There are just huge costs that they are expected to deliver services on, and as we know energy costs are skyrocketing, whether it is for families, whether it is for business or whether it is for local government programs and service providers that are providing these services. So there is a big issue around the costs and the maintenance issues. I have already raised with the Minister for Local Government what she is doing to assist councils on this very issue. Those two councils are under pressure, but I am sure there will be more to come. Does the government envisage local councils playing a role in operating new services built on the compulsorily acquired land? If so, how will it consult with local councils to ensure their existing concerns about the operating environment under Best Start, Best Life are addressed?

**Lizzie BLANDTHORN:** I think it is really important at the outset to acknowledge that kindergarten and early childhood education is very much a partnership in our community, and it does take local government and not-for-profit centres. For the school sites as well as for non-government owned and operated, local government, they do have first right of refusal. But to the extent that they want to be involved in these programs as well, we absolutely intend to work with all of our partners

across the early childhood and education sector, be they stakeholders, be they local government, and of course the schools themselves, about where these facilities are and the operations, the delivery of the free kindergarten programs and all of the other associated services and whatnot that happen around them. We know that the deliverance of early education and care is a partnership model, and we are committed to that partnership model.

**Georgie CROZIER:** Just in relation to schools, many of the schools are already under pressure and they have got increased demand; obviously as there is increased demand for earlier education, that is going to flow on to those local primary schools. So how will the government ensure acquiring land within or near existing schools does not create limitations or constraints on those schools for which demand may also increase in coming years?

**Lizzie BLANDTHORN:** Aside from ditching the double drop-off, we know that families who use co-located services, particularly disadvantaged and vulnerable families that have the option to use co-located services, often do better across a range of factors. Indeed one of the great things in creating this portfolio of children and bringing together maternal and child health with early education and care and with the family services and the critical services in the child protection space is that we are ensuring that there is that better connected service overall.

It is certainly the case that schools will be supported in the delivery of that as well, and they are a partner in both the delivery of the early education and care services but also then developing the relationship with those services to help ensure a better transition for the child that is going from kinder to school. That is not necessarily to say that every child at a particular kinder co-located with a particular school is ultimately going to end up going to that school. While we know in many respects it does create really good outcomes for the child to have that continuity, it is also not the decision that all parents will make. The choices about where they go to their early education facility and where they go to school are important choices in their family, and that will be maintained. So one does not necessarily equate to the other is I guess what I am trying to say. But of course it will increase demand. Our schools are demand driven, and we will continue within the schools to meet the demand that flows from those services.

**Georgie CROZIER:** Minister, regional Victoria faces several unique challenges when it comes to the delivery of early childhood education, so what if any planning have the government done under their Best Start, Best Life program to ensure the financial sustainability of existing centres in regional Victoria, support communities in regional Victoria to attract and retain early childhood teachers and educators and, finally, develop plans for appropriately located new facilities in consultation with regional communities?

**Lizzie BLANDTHORN:** We have probably traversed some of these topics across some of the previous answers by now. We have the four sites that are specific. We have the 26 sites by location – suburb, community – but we have not yet announced the specific sites. Many of those are rural and regional, and Ms Bath spoke to some of those earlier. There is work that has been done in regard to the delivery of new services within regional Victoria. There is also the investment that we are making in the operation and delivery of free kinder across the board and our Best Start, Best Life reforms, and there is also the work we are doing in terms of infrastructure, which of course is across the state.

In answer to your question before in relation to the workforce, we have also had an at-length discussion about the \$370 million investment in the kindergarten workforce strategy and the importance of attracting new workers, training new workers, retaining those workers and developing them. We went through at length the types of programs and services that we have, the initiatives that we have, from free TAFE through to, as I said, the grants that the minister for skills and I announced yesterday, which are about training and retaining our workforce across the board. Indeed one of the young workers that we met at Gowrie Victoria yesterday was from regional Victoria; she was doing further development and training with the view to potentially being able to take that back into her community further down the track. So that \$370 million investment in our kindergarten workforce strategy is very much



designed not just for metropolitan Melbourne but for how we can attract, train, retain and develop those workers across the state as a whole.

**Business interrupted pursuant to standing orders.**

*Questions without notice and ministers statements*

**Stalking law reform**

**Georgie CROZIER** (Southern Metropolitan) (12:01): (312) My question is to the Attorney-General. According to the ABS, stalking affects one in six women, with the latest crime figures showing that in the past year alone there have been 1100 non-family-violence-related stalking offences, which is an increase of 12 per cent on the previous year. Your government has been petitioned by the parents of Celeste Manno, who was tragically killed and a victim of stalking. Attorney, why has your government failed to act to overhaul laws that would protect victims of stalking, mostly women?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): I thank Ms Crozier for her question. It is a really important issue. Everyone, regardless of who they are, has the right to feel safe, and any behaviour that makes people feel unsafe is completely unacceptable. I have met with the family of Celeste Manno on a number of occasions. It is one of the most horrific circumstances that a family has ever gone through. I have met with a lot of people in a lot of harrowing situations, and this is one that will stick with me for some time. I have attended speeches that Aggie her mum has delivered along with other victims of family violence and stalking, and I have had regular meetings with her in relation to what the government is doing in response to concerns that she holds for other families or other victims of stalking. What we have seen is a practice change within police and a pilot in relation to risk assessment of stalking behaviour when somebody is granted a personal safety intervention order. We also had the Victorian Law Reform Commission look at this issue and provide advice to government.

You have asked a very broad question in relation to advocacy for particular legislative reform. As I know what Aggie has requested, I am assuming that you are referring to electronic monitoring, because that is a conversation that I have had with Aggie and others in relation to whether it is appropriate for the government to consider electronic monitoring for breaches of personal safety intervention orders. This is a matter that was looked at by the law reform commission, and it was not recommended for government at this time to have a scheme such as that. It is a very complex and sensitive area. Whether someone should be subjected to monitoring when they have not committed an offence is something that is open for different views. The sense of security, falsely, that victims might have if someone has electronic monitoring is a concern that family violence stakeholder groups have raised with me in particular.

I have said to Aggie that it is an issue that we are not convinced is the right policy approach at this time, but I have given her a commitment that I am very open to continuing conversations with her and others in relation to a range of measures that the government can do to ensure that our laws and our policies and our practices particularly in relation to Victoria Police are fit for purpose to respond to this dangerous behaviour. No stalking is acceptable, but when you have those high-risk signs, those red flags, we know that police are taking this very seriously and have adapted some of their practices as a result.

**Georgie CROZIER** (Southern Metropolitan) (12:04): Attorney, thank you for the response. The Victorian Law Reform Commission's report on stalking was tabled in September 2022, last year, but over a year later the government has yet to provide a formal response to the 46 recommendations, so I ask: out of respect to the family of Celeste Manno, when will the government finally table a formal response?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:05): There are 45 recommendations in the law reform commission’s report aiming to improve how the justice system responds to people who have experienced stalking in a non-family-violence context, and we are currently working through the report’s recommendations in the process of developing necessary reforms. Some of those I have articulated in relation to Victoria Police and their SASH trial, which is specifically responding to non-family-violence stalking incidents, which include the increased screening assessment for stalking and harassment, and this is a first in Australia. It is something that is proving to be a very useful tool and has been embraced by Victoria Police, and it is something that I am very interested in and hoping to expand across the state.

#### **Flood recovery**

**David ETTERSHPANK** (Western Metropolitan) (12:06): (313) My question is to the Minister for Water, and it relates to planning permits for flood victims in the Maribyrnong township. Some 600 houses were inundated in the October 2022 flood, with more than half of those houses yet to be reoccupied and many residents looking to rebuild better to address future flood threats. A Maribyrnong resident, the first one as far as we are aware, who is seeking a planning permit from the council to rebuild – and rebuild better – and modify their flood-ravaged home, is being required to enter into a section 173 agreement with Melbourne Water that would ‘indemnify Melbourne Water of the risk associated with flood damage of the property and its contents’. So this is a 173 agreement into the future, for the indefinite future, on title. It would appear on the face of it that this is almost certainly going to have profound effects in terms of insurance, in terms of mortgages, in terms of the prospect of resale, so I ask the minister: does she support Melbourne Water seeking to use section 173 in this way, possibly without precedent?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:07): Thank you, Mr Ettershank, for that question and for covering the concerns and priorities and positions of people affected by the Maribyrnong floods. It is just over a year since this occurred, and we know that in Maribyrnong and then more broadly right around the state recovery work does continue. People are looking to rebuild and are looking to mitigate risk against future flooding events. That is often really difficult work, and it is often work that involves a lot of navigating of a system that can be very, very complex, particularly where people live in areas – as much as anything else because of population growth and the history of development around the state – which are prone to flooding, and increasingly so as a result of climate change.

Melbourne Water has a standard indemnity clause which it uses when it is providing conditions in a planning permit, so that has been standard since before the October 2022 floods. Effectively the indemnity provision is a recognition of the acceptance of the condition imposed by Melbourne Water, and Melbourne Water looks at the planning permits on their merit and applies those conditions as they are relevant to any particular individual circumstances. Councils also often have equivalent mirroring positions, so they are back-to-back conditions on planning permits and in many instances will apply the same conditions, for example, as those that are applied by Melbourne Water. I am very happy to provide you with further information about the way in which this might be applying to the person that you have referred to in your substantive question, but these planning permits are made pursuant to the Planning and Environment Act and have been used, as I said, by a range of planning authorities. So there are councils, there is also Melbourne Water or other water authorities, and it is about setting out conditions or restrictions on the use or the development of land, and that includes flood or fire risk, for example. They are not exclusively used in Maribyrnong; they are used more broadly to achieve all types of planning objectives across Victoria.

As a referral authority, Melbourne Water has included a section 173 agreement since well before those floods, as I said, because there is a proposed use of land on an area which is vulnerable to flood risk. That can be used by Melbourne Water as a condition to mitigate measures on flood risk exposure on that land. The changes which are being proposed do not affect the nature of the risk; it is about how that will occur into the future. Melbourne Water advise me that they are not aware of any insurance

being denied to property owners because of the existence of a 173 agreement, but I am very happy to provide you with additional briefing and information.

**David ETTERS HANK** (Western Metropolitan) (12:10): Thank you, Minister, for that response. I think to put it bluntly – obviously this is not an opportunity to debate the merits of this question – there is I think a strong feeling in the community that this is Melbourne Water covering its arse, for want of a better term. By way of supplementary, I ask: does the minister have advice as to whether this use of section 173 agreements is permitted by the Planning and Environment Act, and specifically in this context is it in fact ultra vires?

**The PRESIDENT:** Before I call the minister, we have been subject to some fruity language this week, and I think maybe next sitting week we are not going to do that.

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:11): Mr Ettershank, I do not propose to offer an opinion as to whether there might be any situations involving an excessive use of power or power beyond the contemplation of an act in the terms of ultra vires that you have described. The Planning and Environment Act is in fact the framework by which the section 173 agreements are able to be activated. That is the legislative framework within which that operates. As I said, this is applied by councils and it is applied by water authorities, including Melbourne Water, and it is done so to provide, again, a measure of certainty about the way in which compliance with those really important planning conditions operates, and this is about reducing risks to property owners but also to their insurers. As I indicated to you in the answer to your substantive question, I am advised that Melbourne Water is not aware of insurance being denied to property owners where properties are subject to a 173 agreement as a consequence of or for reasons that include the operation of that 173 agreement. I am very happy to provide you with additional information in a briefing.

#### **Ministers statements: Anthony Calandro ACM**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:12): I rise today to again highlight the outstanding work that is being done by staff right across our corrections system. Yesterday I spoke about the achievements of Gabrielle Simmons, who was awarded an Australian Corrections Medal in this years King’s Birthday honours. Today I would like to congratulate Anthony Calandro, another Victorian recipient of the Australian Corrections Medal for distinguished service in our corrections system. It was a pleasure to speak with Anthony and meet his lovely family at the award ceremony at Government House. Throughout his career Anthony has shown a significant commitment to supporting people in the corrections system and keeping the Victorian community safe. I know this award means a lot to him, and his family are very proud of his contribution, as I am.

Anthony commenced his career with community correctional services in 2012. Since then Anthony has been a driving force in managing offenders on the post-sentence scheme. This scheme is critical in preserving community safety by supporting people who have completed their sentences but still pose some risk to our community. In this environment Anthony has provided leadership in embedding case management processes that create positive rehabilitative outcomes and support a safe transition to the community, which makes us all safer. I again thank Anthony for his continued dedication to community safety and congratulate him on receiving the Australian Corrections Medal.

Anthony is another example of the many people working across our corrections system, keeping our community safe. One of the great pleasures of this role is having the opportunity to meet the dedicated staff in our corrections system across our state. They are hardworking and committed to not only keeping the community safe but also allowing these people to turn their lives around. It is an honour for me to recognise their efforts in this place. Well done, Anthony.

**Water policy**

**David DAVIS** (Southern Metropolitan) (12:14): (314) My question is for the Minister for Water. Minister in answer to my question yesterday you said:

... the payment of a dividend – and let us be really, really clear about this – does not result in increases to customer bills or reduced service outcomes for customers. Nor will it affect water corporations’ investments in capital projects.

However, South East Water says in its corporate plan – this is what it says – that its total borrowings will increase by approximately \$1.4 billion from 2020–21 to 2026–27 to service dividends, capital repatriations and capital expenditure outlays. And I therefore ask: isn’t it a fact, Minister, that customers – ordinary Victorians – will pay for the additional \$1.4 billion in borrowings through their bills because your government is robbing water authorities to hide the nature of its debt?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:15): Thanks, Mr Davis. No, it is not.

**David Davis** interjected.

**Harriet SHING:** All right. Let me again break it down for you. Water corporations use debt to fund capital investment, so over the period of 2020 to 2028 South East Water’s average annual increase in debt is \$264 million and its average annual capital expenditure is \$295 million, so the difference is funded through cash from revenue. Debt and expenditure do not match on an annual basis, so decisions to take on debt depend on external factors, Mr Davis, such as the cost of the debt outlook and the entity’s treasury management and the profile and timing of the capital program. So as debt funds capital works, the assets are added to the asset value of the business. For South East Water, the debt and asset value increase in lock step shows that debt is actually spent in the interests of customers and the service they receive. That is entirely consistent with the answer that I gave to you yesterday, and in fact when you look at the information on South East Water debt versus assets you can see that South East Water is not in the dire straits that you would represent to the world at large. We have got in fact a situation for South East Water that you would seek to undermine, that you would seek to scaremonger on.

Mr Davis, just to be really, really clear – and I went through this yesterday – prices are determined by the Essential Services Commission, and they are set for a pricing period. I have outlined the operation of the debt and the capital investment overlay and the way in which they interact. I will keep telling you this as you need to hear this information, but, again, the assets are added to the asset value of the business. That debt and asset values increase in lock step shows that debt is spent, as I said, in the interests of customers and the service they receive. This does not result in increase to prices, and nor does it affect a water authority’s capacity to deliver on infrastructure.

**David DAVIS** (Southern Metropolitan) (12:18): It is clear the minister is in fantasy land. Let me just say: it is clear that, just like the Cain–Kirner government, the Andrews–Allan government is raiding so-called hollow logs through increasing dividends and capital repatriations on water authorities. And I ask, therefore, Minister: how much will families pay, under cost-of-living pressure, to service the interest on the debt of South East Water, or will the banks and international financiers loan the money for free?

**The PRESIDENT:** There were two questions, Minister.

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:19): Okay. All right.

**David Davis** interjected.

**Harriet SHING:** If this hurts my head, Mr Davis, I can only imagine how everybody else is feeling, because I have answered this question on numerous occasions now. If you think about prices as being

set by the Essential Services Commission and you think about the fact that dividends and capital repatriations do not affect prices, nor do they affect metropolitan water authorities' ability to deliver on capital infrastructure investment, and you think about the fact that we have the cheapest water bills in the country –

*Members interjecting.*

**Sheena Watt:** On a point of order, President, it is very hard to hear the minister from this side of the chamber. Can I ask that that be addressed by your good self.

**The PRESIDENT:** I uphold the point of order. The minister will be heard in silence.

**Harriet SHING:** Mr Davis, it is like rhetorical question time with you, because you do not actually want to hear the answers. If you have a look at the South East Water debt versus asset comparators, you will see that the basis for your question and your theory is entirely misplaced. *(Time expired)*

### Council swimming pools

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:20): (315) My question today is for the minister representing the Minister for Community Sport. Public swimming pools in our regional areas are major community hubs during summer. With projected power outages and the hottest summer in years, communities will no doubt be highly dependent on these within the next eight weeks. A great many of these pools have failed to receive any investment for rejuvenation in decades. In fact some of these were built in the 1960s and have received little more than basic maintenance since. Thankfully they were constructed to the highest of standards at the time. I understand that in the current economic climate these are not likely to be the government's top priority. However, there is a looming major upgrade expense on the horizon if we do not start to address this issue. Is there a plan in place to upgrade these vital pieces of community infrastructure?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:21): I thank the member for her question for the Minister for Community Sport. The first thing I would say is that swimming pools are council owned, and obviously in terms of their management it is a council matter, unless of course councils come to us with a specific precinct project. So I am sure that that will be contained within the answer that the Minister for Community Sport will provide you, and she will do that within the standing orders requirements.

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:22): My supplementary follows on from that reply. Can the minister initiate a discussion with councils to formulate a strategy for the future?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:22): Can I say that the discussions that the government is already having are in relation to pools that might have been damaged as a result of the floods, and I think that that is the correct priority at the moment. But I am sure that the minister will respond in a more fulsome way in respect of the issue that you raise.

### Ministers statements: multicultural story time grants

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:23): I rise to update the house on this government's new round of multicultural story time grants. I am very excited to be the Minister for Children, bringing together my existing portfolios of child protection and family services with early childhood and pre-prep and maternal health. I am especially happy to be standing in the chamber today to speak about this government's multicultural story time grants program, which will provide a range of benefits to Victorian children and families. Last Friday morning I was at the Chelsea Library with the member for Mordialloc in the other place to announce the opening round of these grants at a Spanish story time. I know how important reading and storytelling are for children, and I was very pleased that my Spanish lessons of some time ago did not

let me down, as I read *Azul el sombrero, verde el sombrero – Blue Hat, Green Hat* – to the young members of the Spanish story time at Chelsea.

Victoria is a proudly multicultural state, and its cultural diversity is one of its greatest strengths. Our linguistic diversity supports our economy, enriches our society and helps make Victoria such a great place to live, which makes using storytelling to help support young Victorian families such an important investment. That is why in the 2023–24 Victorian state budget we allocated \$6 million in funding over four years for the story time program. The program will use the power of storytelling to support Victorian children’s connection to their language and culture, improve the health literacy of Victorian parents with young children and provide culturally appropriate information about health services to those families. I was able to see for myself the benefits of multicultural story time last Friday morning. This investment demonstrates the Victorian government’s commitment to supporting all Victorian children and their parents, and I look forward to seeing new multicultural story times being established throughout Victoria and being made available to more young children and families who will benefit from the initiative.

### Housing data

**Wendy LOVELL** (Northern Victoria) (12:24): (316) My question is for the Minister for Housing. Minister, each year the department publish additional service delivery data for the housing portfolio as a supplement to the department’s annual report. This additional data is normally published on the department’s website. The additional data includes detailed information on social housing and homelessness services and information on acquisitions, sales, demolitions and the number of houses leased both by type and division, as well as a breakdown of housing locations by local government area, including the type of housing and bedroom numbers. Minister, this additional data should have been available by the time the 2021–22 annual report was tabled in Parliament on 21 September last year. However, the 2021–22 additional data has still not been published. Minister, why has the government failed to publish this important detailed information?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:25): Thank you, Ms Lovell, for that question, and I note your interest in this given your previous role and the way in which you had responsibility for housing in the former coalition government between 2010 and 2014. In responding to your question, I note that there is a record investment in housing across the state. We are working to reduce the housing register and the number of people on it, and we are investing, as I have said over a number of occasions, more than \$6.3 billion in social housing across the state.

**Wendy Lovell** interjected.

**Harriet SHING:** Come on, Ms Lovell, I am trying to provide you with information. What we are in the process of doing is making sure that we are addressing that need where it arises, and it arises across the entire state. I am very happy, Ms Lovell, to come back to you with some further information on that. There is a fair degree of detail in this portfolio, as you would no doubt appreciate, and what I will do is seek some further information and come back to you. I am also very happy to provide you with additional information in that report.

We are flat stick building and delivering houses, though, and that construction and that delivery continue across the state.

*Members interjecting.*

**Harriet SHING:** All right, what you have done now, Ms Lovell – I do not want to say that you have thrown a gauntlet, but there you go. We do not actually make it contingent on having the right sneakers or an iPhone in order to get access to social housing. We do not in fact let the register continue to escalate without making record investments – the largest reforms into social housing that this state

has ever seen, a partnership with the Commonwealth to the tune of \$500 million in social housing accelerator –

**Nicholas McGowan:** On a point of order, President, I would ask you to bring the minister back to the question, as the minister has strayed well and truly far from the question.

**The PRESIDENT:** I could not hear her. I was about to stand up – and you know I do not do that much – because it was getting out of control in here. But the minister has got 46 seconds, and I will bring her to the question.

**Harriet SHING:** Ms Lovell, we have a lot to report on, and the annual reporting process is a big part of that. I will see whether last year's data and this year's can in fact be brought together within the annual reporting processes. But what we know that data will show is that the largest ever investment in social housing that this state has ever seen is delivering record reforms, record updates and record alleviation of the challenges for people from across the homelessness space into crisis and emergency accommodation through to affordability and home ownership. Ms Lovell, I am looking forward to giving that data to you, including perhaps as part of the annual reporting process.

**Wendy LOVELL** (Northern Victoria) (12:29): Minister, during the PAEC hearings on 7 June my colleague Mr McGowan asked why this additional data had not been published. The interim CEO of Homes Victoria Camille Kingston responded by saying it was an oversight within the department that they had picked up recently and it would be published fairly shortly. When pushed for it to be released that day or the next, she answered, 'Yes, fairly quickly.' Over four months later it has still not been published, which indicates that the government is desperate to hide this data. Minister, will you commit to publishing this data today, given that Camille Kingston said it was available and it would be published fairly shortly over four months ago?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:30): Thanks, Ms Lovell, for your very belated interest in actually delivering something for housing. I note that that is possibly something that might be a little new to you.

*Members interjecting.*

**Harriet SHING:** That is right. It would be my expectation that last year's data and this year's data will be published in line with annual reporting processes.

**Wendy Lovell** interjected.

**Harriet SHING:** What I am happy to do, Ms Lovell, is give you a measure of comfort to assist with your new-found interest in housing and delivering on social housing reforms. What I will also do, Ms Lovell, is extend an invitation to you, if you are actually interested in finding out what is being delivered, to come out on the ground and to see the delivery of these projects in ways that are actually improving people's lives and making a big difference. You do not have to have the right sneakers or the right postcode in order to get that benefit, that amenity and that connection to community.

### Cost of living

**Katherine COPSEY** (Southern Metropolitan) (12:31): (317) My question today is to the Attorney-General. Price gouging by supermarkets is a key driver of the cost-of-living crisis, and we currently see the prices for food and other essentials are through the roof. The Cain Labor government in the 1980s tackled excessive price rises by setting a target ceiling on grocery price rises, backed by legislation, which allowed the prices minister to set prices on declared grocery items. This was credited with Melbourne going from the highest price increases in the country to some of the lowest in the space of 12 months.

*Members interjecting.*

**The PRESIDENT:** Ms Copsey, sorry. I could not hear your question, because of all the noise, and the Attorney-General is very close to me, where I am. Can we reset the clock, without anyone saying anything, so we can hear Ms Copsey's question.

**Katherine COPSEY:** Thank you, President. My question is to the Attorney-General. Price gouging by supermarkets is a key driver of the cost-of-living crisis. We see food and other essential costs are now going through the roof. The Cain Labor government in the 1980s tackled excessive price rises by setting a target ceiling on grocery price rises, backed by legislation, which allowed the prices minister to set prices on declared grocery items. This was credited with Melbourne going from the highest price increases in the country to some of the lowest within the space of 12 months. Given the harm and suffering the cost-of-living crisis is causing, will the government re-establish a minister for fair prices?

*Members interjecting.*

**Katherine COPSEY:** I am happy for the Attorney to take this in her capacity as Leader of the Government, if that is the concern.

**The PRESIDENT:** I ask the minister representing the Premier to take the question for the Premier.

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:33): I will pass the question to the Premier.

**Katherine COPSEY** (Southern Metropolitan) (12:33): I appreciate the Attorney might need to discuss that specific idea with her cabinet colleagues. Just a little extra context as to why it was directed to the Attorney-General: previous Victorian governments, as I said, stepped in to control egregious price rises. In the 1980s, the Department of Consumer Affairs had responsibility to deter excessive price rises, and in the 1950s in fact, Attorney, that function sat with the prices control branch of the department of laws, a precursor to your department. In the meantime, while you discuss that, we have heard from people who are struggling right now to afford the basics, with one community member telling us, 'I can't buy fruits, vegetables or even toilet paper.' Given the clear power that the government has to stop unfair price rises, why does the government choose not to use it?

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:34): Ms Copsey, I would go as far as to say this is an abuse of question time. You have got many avenues to raise these types of views, but you have put it in the context of a question for a minister that has no responsibility for the topic that you have raised in the way you have raised it. I do not know whether you are doing it for a social media grab or why you are doing it, but to use this as an opportunity for me to try and answer in a minute about what this government is doing about cost of living, what this government is doing in relation to supporting Victorians and to respond to these issues in the way you have framed the question is actually quite shameful. I will pass the question on to the Premier, but, President, this is not even remotely trying to fit a question within the remit of the responsible minister and therefore I would not like to see a practice such as this continue.

**The PRESIDENT:** I will take it into account. I think the obvious place for a question like that as far as a new portfolio goes would be the Premier, who sets the portfolios. That was the first question. But I will take it into account.

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

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:35): I want to take this opportunity to address some of the misinformation being peddled by some in this house and indeed across the Parliament about the redevelopment of the 44 housing towers announced as part of the housing statement. It is very easy to comment from the sidelines. There is an awful lot of pride and connection, often across many generations, for people who have lived in and have called these towers home. It is also, however, very, very easy to be nostalgic and to romanticise the idea of social housing when you do not live in it yourself.



Our older public housing high-rise towers are coming to the end of their operational life, and it is no longer feasible or cost-effective to continue to repair these buildings to the standards that renters need and the standards that they deserve. Independent advice from structural engineers and from an assets and facilities management consultant has estimated that it will cost \$2.3 billion just to keep 42 of these towers in a habitable condition. That is a habitable condition for 20 years, and that is to maintain the status quo and not to improve them in a way that improves disability accessibility, the capacity for people to get to their homes without needing to take two lifts and issues associated with ventilation, with insulation, with energy efficiency and with the amenity that people really do deserve no matter where they are living and no matter the circumstances in which they live. We want to make sure that we have built upon the ongoing upgrade program of the last 20 years but also that we face the reality that, with these towers coming to the end of their lives, the investment we are making is not only sensible and necessary but a vital part of managing growth now and into the future.

### Flood mitigation

**Wendy LOVELL** (Northern Victoria) (12:38): (318) My question is to the Minister for Water. Minister, once again the farmers and residents living below the Eildon Dam have been flooded, despite pleading with you for most of the year to direct Goulburn–Murray Water to manage the dams under its control in accordance with the statutory framework under the Water Act for flood mitigation and the guidelines issued by your department in April 2022. As you know, in recent weeks those living on the Goulburn downstream of Lake Eildon were once again subjected to avoidable flooding. Why did the minister choose not to make such a direction to Goulburn–Murray Water?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:38): Thank you, Ms Lovell, for that question. This is part of a series of issues around the management of our water storages and the mitigation of flood risk. I note that Lake Eildon as at today's date is 99.3 per cent full. It has got 24.2 gigalitres of airspace in it. I also note that following record floods last year the work to make sure that landowners, that licence-holders and that communities have the information that they need goes on. This includes the engagement that we have with Goulburn–Murray Water, with the Bureau of Meteorology, with the SES and with local councils. We have daily inflows into the reservoir that are expected to continue to recede slowly over the course of the week.

But, Ms Lovell, we also have a situation – and people across our catchments understand this, notwithstanding the tension around mitigation of flood risk on the one hand and increasingly dry conditions on the other – of using our water storages to store water and not for flood mitigation. This is a situation that also requires planning, mitigation, assistance for communities to develop flood management plans, the work of modelling and making sure that we have up-to-date information on the impact of flooding, particularly with increasingly volatile climatic conditions. We know that off the back of a record dry August and September it is a very different scenario that we are looking at now, with the declaration of an El Niño weather event, which is typified by those hotter, drier conditions and less frequent rainfall. Floods are, without a doubt, incredibly distressing for communities impacted by them. I am keenly aware of the distress and of the anxiety faced by people who live downstream from those flood-affected areas.

I am also really determined to make sure that Goulburn–Murray Water continues to work with landowners and continues to work with councils, the SES, the Bureau of Meteorology and others, but again we need to make sure that we are striking that balance between the adequate management of water for those people who own it and who hold it, those licence-holders, and making sure that we are managing risk, including by way of controlled releases. GMW will continue to adaptively review its releases and to adjust them accordingly as conditions evolve across the Goulburn catchment, and that is something that is being done in direct discussion with landowners and with communities as that situation evolves, including by way of providing regular updates and information on storage operations.

**Wendy LOVELL** (Northern Victoria) (12:42): Minister, that same answer went down like a lead balloon in Rochester earlier this year. Minister, earlier in the year in discussion with local residents around the Eildon dam wall, your chief of staff stated that you would visit Molesworth to meet directly with those impacted by the October 2022 floods. This meeting has never taken place. Now that there has been a second flooding, with some farms actually hit three times, will you now commit to visit Molesworth and meet with locals to hear their stories and, more importantly, for them to hear how you and the Allan government will support them?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:42): Thank you, Ms Lovell, for that question. My office and the department and Goulburn–Murray Water have been in constant contact with community members from Molesworth. Again, the impact of last October’s floods was devastating for residents in Molesworth, including those in and around the riverbanks and in particular people in the caravan park. I have indicated to my office, in coordinating visits, that Molesworth is an important part of that itinerary. I have been working my way around the state, Ms Lovell, meeting with flood-affected communities. It is really important that those visits and those conversations continue into the future. Recovery, as you know, is a long-term proposition, and when we talk about the impact of floods, the engagement between the department, my office and Goulburn–Murray Water continues, including with communities like Molesworth.

#### **Wildlife rescue**

**Georgie PURCELL** (Northern Victoria) (12:43): (319) My question is for the Minister for Environment in the other place. The severity of the Black Summer bushfires was unprecedented, destroying extensive wildlife habitat and countless animals’ lives. Wildlife rescuers were blocked from fire zones, despite undertaking the department’s own bushfire training, and by the time they were deployed it was far too late. Following this, the government undertook extensive consultation with the wildlife sector to better understand what went wrong and, critically, how to prevent it from happening again. The Wildlife Emergency app was developed as part of the bushfire response action plan, but it is unclear what action is taken after a report has been made or if any trained wildlife rescuers are affiliated with it. Can the minister advise how many animals have been reported, responded to or rescued via this system since the Wildlife Emergency app was launched?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:44): I thank the member for her ongoing interest in these matters and particularly wildlife rescue. I will refer this matter to the Minister for Environment for a response.

**Georgie PURCELL** (Northern Victoria) (12:45): Thank you, Minister, for passing that on. On top of the app, the wildlife emergency reporting tool was also developed in response to consultation with the wildlife sector. Unlike the app, this online tool invites members of the public to call in wildlife emergencies all year round, not just during a bushfire, directing them to independent local wildlife shelters by their postcode. Wildlife shelters are entirely volunteer led. Many do not have rescue or transport capacity, and in almost all cases injured native animals require immediate veterinary treatment. As the government is encouraging Victorians to call them, can the minister advise what ongoing support is provided to independent shelters to ensure they are able to maintain this life-saving work?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:45): Again I thank the member for her supplementary question, which will be put to the Minister for Environment for a response.

#### **Ministers statements: Victorian Seniors Festival**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:46): I am really pleased to make this statement in my capacity as the Minister for Ageing. Earlier this month I had the pleasure of joining Her Excellency Professor the

Honourable Margaret Gardner to present this year's Victorian Senior of the Year Awards. These awards recognise the valuable contribution to their communities that so many of our senior Victorians make. Awardees were recognised across a range of initiatives, including veterans support, promotion of multiculturalism, community participation, and healthy and active living.

Mr Andrew Suggett, recipient of the Premier's Award for Victorian Senior of the Year, is a dedicated leader in the Warrnambool community, and he is also a dedicated leader of the Warrnambool Parkinson's Support Group. When someone in the community is diagnosed with Parkinson's, Mr Suggett calls them personally. He supports them through their experience and of course through all of the emotional responses people have to such a diagnosis. Mr Suggett and all the recipients set an amazing example for every Victorian, regardless of age, and I congratulate them all on their achievements.

The awards are part of the 2023 Victorian Seniors Festival, a program of events and activities that run throughout October. There are more than 1 million people aged over 60 who call Victoria home. The Victorian Seniors Festival is one of the ways that as a state we can support and celebrate their diverse contributions, and I encourage everyone to check out the program for the last week of the festival. There is definitely something in there for everyone. I am very proud to be the new Minister for Ageing and to continue to support events and programs that support our senior Victorians to live connected and fulfilling lives.

### Written responses

**The PRESIDENT** (12:48): That ends ministers statements and questions.

**David Limbrick:** On a point of order, President, I would like to request an explanation for a non-response to a question without notice asked on 3 October and due on 5 October – question without notice 278, to the Minister for Education, please.

**Lizzie Blandthorn:** I will follow that up with the Minister for Education.

**Nicholas McGowan:** On a point of order, President, at the conclusion of the Attorney-General's response to Ms Crozier's question today, as the minister sat down she made a comment, but I do not know whether it was part of the answer or captured by *Hansard*, and that was, I think, that they would not be making a response to the Victorian Law Reform Commission's report. Is that correct?

**The PRESIDENT:** I do not know if that is a point of order, and it would be better if the point of order was made in real time.

**Nicholas McGowan:** I am just trying to clarify that that actually formed part of the question and will be included in *Hansard*.

**The PRESIDENT:** I do not know the answer in real time, so that is not a point of order.

As far as today's questions go, I thank Minister Tierney, who will get responses from the Minister for Community Sport for both questions from Mrs Tyrrell in line with the standing orders, and also, Minister Tierney, Ms Purcell's ones to the Minister for Environment. Minister Symes is going to get answers from the Premier for the two questions that Ms Copsey asked. Thank you for that. I thank also Minister Shing, who offered to get a response for Ms Lovell's first question on housing.

### Constituency questions

#### Southern Metropolitan Region

**John BERGER** (Southern Metropolitan) (12:50): (478) My question is to the new Minister for Mental Health Minister Stitt. Today I pay tribute to the Allan Labor government's commitment to funding a new mental health and wellbeing service in Malvern. This service will provide support and treatment for adults aged 26 and older experiencing a mental health issue or psychological distress. No GP referral or onerous eligibility criteria will be required, and that means people will get the

support they need sooner while staying in their communities, close to their families, carers and supporters. It is all part of the overall budget package worth \$95.7 million. I am proud that the Allan Labor government is delivering every recommendation of the Royal Commission into Victoria's Mental Health System and has invested more than \$6 billion into the system in the past three budgets alone. That is why my question asks the minister to provide me with an update on the delivery of this important service.

#### **Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (12:51): (479) My constituency question is to the Minister for Roads and Road Safety. Like most Gippslanders, having a roadworthy vehicle is essential to accessing work, social interaction and the provision of necessities. However, this government does not ensure that our country roads are carworthy. Recently, travelling from Fish Creek to Yanakie, Jake Staley struck, as he called it, an abomination of a patched and disintegrating pothole, in the process causing \$1000 worth of damage to his car tyre and rim but less than the \$1500 threshold for reimbursement from VicRoads. Also a frustration are the speed reduction signs at Koonwarra saleyards and at Ruby. The road conditions have not changed in the last few months, even years, yet motorists are being forced to drive at 80 kilometres. Noting successive road maintenance budget cuts, will you fix the South Gippsland Highway to be roadworthy and stop wrecking cars that belong to my constituents?

#### **Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (12:52): (480) My constituency question is for the Minister for Agriculture in the other place. Northern Victoria is home to several critical microbat and flying fox colonies, including an iconic one in Bendigo, but many vets across Victoria are not treating them due to the risk of contracting lyssavirus. Instead their care, including emergency euthanasia, is forced upon vaccinated rescuers whose only legal option is to use blunt force trauma. These deaths are inhumane, and it is driving the expert volunteers away from the rescue workforce. It is no secret that Victorian vets are feeling undersupported. Last year a motion was passed in this house for a stronger framework for wildlife vet care. It is clear that a lack of resources is the only thing preventing vets from working with these remarkable keystone species. My constituents want to know if the minister will support the vaccination and training of vet staff at 24-hour clinics in Northern Victoria to help end the prolonged suffering of bats.

#### **Eastern Victoria Region**

**Tom McINTOSH** (Eastern Victoria) (12:53): (481) My question is for the Minister for Prevention of Family Violence in the other place. Recently I met with the CEO of Gippsland Women's Health Kate Graham. Gippsland Women's Health, like women's health organisations across the state, is an incredible advocate for gender equality and family safety. It is critically important to guarantee that women and children are safe in their own homes and communities. Kate and her team have compiled a snapshot report that includes the unfavourable statistic that Gippsland has some of the highest rates of family and gendered violence in the state population. Three of the top five LGAs for police call-outs due to family violence are in the Gippsland region. This government led the landmark Royal Commission into Family Violence and this year announced the implementation of the final recommendations of that royal commission, meeting our commitment to implementing all 227 recommendations. Minister, what work is the government doing to support people affected by family violence, specifically in the Gippsland region?

#### **Northern Metropolitan Region**

**Evan MULHOLLAND** (Northern Metropolitan) (12:54): (482) My constituency question is for the Minister for Roads and Road Safety and Minister for Local Government. Today my residents in Pascoe Vale are shocked and disappointed that Merri-bek City Council have backflipped and overturned their decision to remove the botched Kent Road bike lanes. I have stood outside Kent Road. You stay there for half an hour and see no cyclists going past while cars have to weave in and out and

play chicken through a dangerous road while getting through to the medical centre or childcare drop-off. By making the decision to make the bike routes permanent, the council have voted against the expert advice of their own officers after extensive community consultation. Given the Labor member for Pascoe Vale has called on the council to go back to the drawing board and redesign Kent Road in a manner that better balances the needs of local residents, will the Allan government intervene by any means possible to force the council to make this road safe for local residents and reverse this purely ideological Greens decision?

#### Western Victoria Region

**Sarah MANSFIELD** (Western Victoria) (12:55): (483) My question is for the Minister for Mental Health. Last week I was contacted by a family who went through the heartbreaking loss of their son Jye to overdose. In the wake of his death, the family are asking local members of Parliament: why don't we have a medically supervised injecting room in Geelong? Our government's harm reduction response for people who use drugs is not going far enough. Measures like safe injecting rooms save lives, and we know they are effective in areas of high risk of overdose like Geelong. Jye's death was preventable, as were the deaths of so many others. Overdoses are increasing, and the current situation demands immediate action to ensure the welfare of all community members. Minister, will you ensure that people who inject drugs can do so with medical supervision in Geelong?

#### Southern Metropolitan Region

**Ryan BATCHELOR** (Southern Metropolitan) (12:56): (484) My question is to the Minister for Multicultural Affairs. Can the minister outline what support the Labor government is making available to showcase multicultural groups in my electorate of Southern Metropolitan? Recently I attended the inaugural Melbourne Bhangra Cup at the Alexander Theatre at Monash Clayton. Bhangra is a traditional folk dance that originated in the Punjab area of India, and the Melbourne Bhangra Cup was a hugely successful first event with more than 350 performers, including teams from Australia, New Zealand and Hong Kong. It was great to meet with the organisers and watch some of the spectacular dancing. I am very excited that they have got great plans for the cup to be back, bigger and better, next year. Multicultural events like this are vital to the social fabric of our communities. Not only do they provide a point of connection for community, but they also create a sense of pride in the culture of various multicultural communities and have a great long-term social and economic benefit to all here in Victoria.

#### Western Victoria Region

**Joe McCracken** (Western Victoria) (12:57): (485) My constituency question is for the Minister for Government Services in the other place, and it relates to accessibility of Births, Deaths and Marriages Victoria. I have had this raised with me by a number of constituents in the Ballarat area. It is particularly difficult to get access to births, deaths and marriages to access vital documents. Quite often they will call up early in the morning and be told to go to the website, which is a bit difficult to use. The operating hours are from 8 till 2, so they do not really suit many people that can actually get there outside of work hours. And get this: wait times on the phone are over 3 hours. So how is anyone who works or has different commitments meant to work around a 3-hour block of their day? It is just completely bizarre. So I ask the minister to look into this and make sure it is actually solved so that more people can access this vital service when they need important documents or other things.

#### North-Eastern Metropolitan Region

**Matthew BACH** (North-Eastern Metropolitan) (12:58): (486) As I ready myself to leave this place, I find myself making some new friends across the aisle. One of these new friends is Mr Pakula. I want to go back to some of the things Mr Pakula said some years ago about major projects and Infrastructure Australia in the other place. He said that the government would be committing 'economic vandalism' – his exact words – if it were not to submit a business case for a major project to Infrastructure Australia. That is noteworthy because the first stage of the so-called Suburban Rail Loop, which is almost entirely

in my electorate, has no business case, and that non-existent business case has not been submitted to Infrastructure Australia, a creation of Mr Albanese – a very good creation of Mr Albanese. The Grattan Institute, when we first saw former Minister Allan ascend to the premiership, said that her first action should be to scrap the Suburban Rail Loop. I am not going to ask the new Minister for Transport Infrastructure to do that, but what I will ask is: will he compile a business case and then submit it to Infrastructure Australia for the first leg of the so-called Suburban Rail Loop, given that is what senior members of this Labor government had previously committed to doing for all major projects?

#### **Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:59): (487) My question is for the Minister for Energy and Resources. Victoria has relied on the native timber industry for its wood and paper and crucial machinery and manpower during bushfires. This week a timber industry worker contacted me. He has repeatedly emailed the minister for energy to ask for evidence to support her media release claims from 7 November 2019 attacking the timber industry. Among other things, the minister's media release claims that banning the timber logging industry would reduce the amount of carbon in the atmosphere by a level that is equivalent to taking 730,000 cars off the road annually. So my question is: can the minister provide the evidence to back this claim that closing the native timber industry will be equivalent to taking 730,000 cars off the road?

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

#### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (14:02): (488) My constituency question is for the Minister for Emergency Services, and it concerns the standing instructions given to the fire services in Victoria on firefighting in the proximity of transmission lines. The proponents of the Western Renewables Link and of the VNI West interconnector have repeatedly stated that in the event of fire, transmission lines would be powered down. This is clearly a requirement for any firefighting to take place in the area. But as the royal commission into the Black Saturday bushfires heard, there is significant and perhaps understandable unwillingness to turn power off given the consequences for communications, water supply et cetera. The CFA is aware of this and has standing orders not to fight in the proximity of these powerlines. So, Minister, why are you allowing AusNet and the Australian Energy Market Operator to give the public a false sense of security in their claims the switch-off would be immediate and automatic?

#### **Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (14:04): (489) My question is to the Minister for Transport Infrastructure and is in regard to providing certainty of Commonwealth funding for the Swan Hill Bridge. The Swan Hill Bridge was constructed in 1896 and is a key border crossing between New South Wales and Victoria, but the old bridge is no longer fit for purpose. Anyone who has driven over it will agree that a new bridge is needed. It is a single lane, and there are load limits that restrict transport throughout the region, particularly heavy transport vehicles. Three years ago \$60 million was allocated by the Commonwealth government for a new bridge, but that funding is now at risk, caught up with the federal government's 90-day infrastructure review, which is now close to 180 days. What is the minister doing to advocate for Victoria and provide certainty of funding for this key piece of infrastructure? The region has expanding agriculture and horticulture industries, and a new bridge is desperately needed to create more efficient transport routes and improve the supply chain between the states. After 50 years it remains a priority, and locals are tired of waiting. It costs more than \$1 million a year to maintain. I call upon the minister to help secure a new bridge for Swan Hill.

#### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (14:05): (490) My question is for the Minister for Roads and Road Safety, and it concerns the current condition of the road surfaces at two locations on the VicRoads-controlled A300 Midland Highway. A constituent has reported to me that the road surface

of the westbound lane of the Midland Highway near Hosie Road in the township of Shepparton East has many large potholes that are a dangerous hazard for road users. The same constituent reported to me that the road surface of the left-hand northbound lane of an overtaking section of the Midland Highway near Lake Nillahcootie at Barjarg is in a terrible condition. This part of the highway carries a lot of tourist traffic travelling to nearby lakes in the summer or to Mount Buller during the snow season and Mansfield all year round. The government requires motorists to maintain their cars to a roadworthy standard, but this government is not delivering roads that are carworthy. Will the minister order the immediate repair of the road surfaces of these two locations on the Midland Highway?

#### **Southern Metropolitan Region**

**David DAVIS** (Southern Metropolitan) (14:06): (491) My matter is for the attention of the Minister for Transport Infrastructure. It concerns the bus stop in the Surrey Hills–Mont Albert level crossing removal project, and it relates to the bus stop in particular in Windsor Crescent. I ask: will the new Minister for Transport Infrastructure meet with Mr Dowel, who is my correspondent, and the Friends of Lorne Parade Reserve to explain why the bus stop has been moved without consultation with the local community? Importantly, I note that the 766 is a slow, snaky bus, and they have changed the location of some of the stops here from Windsor Crescent to further away. The community wanted it there, and there has been tremendous damage done to Lorne Parade and the area around that. It is time that the government actually faced up to some of these changes – changes that have been made without consultation, changes that impact severely on the community. Enough is enough.

#### **North-Eastern Metropolitan Region**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (14:07): (492) My constituents in the electoral district of Bundoora have a question for the Minister for Transport Infrastructure too, and they would like to know what it is they have done wrong. Essentially, they would like to know why it is those also in my electoral district of Ivanhoe can have, for the North East Link Program, a cut and cover with a significant portion of that cover covered by playgrounds and open natural space, whereas in the seat of Bundoora we have what is equivalent to an open-cut mine. In fact we will have 13 lanes that directly dissect two different communities. This has been an issue that has been raised with me by traders in the area. I note there are also public submissions now open from 9 October right through to the 20 October. I encourage any member of the public, certainly those in Bundoora and Greensborough, to make a submission to the government to ensure that local voices are heard. This is a significant development and it will cause significant divide, and we must try and avoid that to the extent possible and also encourage the government to adopt a pedestrian crossing overpass.

#### **South-Eastern Metropolitan Region**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (14:08): (493) My question is to the Treasurer. Given the recent 42 per cent increase in WorkCover premiums for Victorian businesses, leading to concerns about businesses leaving the state and the closure of business in the South-Eastern Metropolitan Region that I represent, my question to the minister relates to the government's assessment of the potential impact on tax revenue and the broader economy. Business groups in the south-east and I would like to know what measures the government has taken or plans to take in the south-east to assess the potential loss of tax revenue resulting from businesses downsizing, relocating or closing down due to increased WorkCover premiums, payroll tax and other taxes.

*Bills***Education and Training Reform Amendment (Land Powers) Bill 2023***Committee***Resumed.****Clause 1 further considered (14:09)**

**Melina BATH:** Minister, your government has identified a number of locations where childcare centres are said to be put – the first 30. My interest lies with the Yallourn North–Glengarry statement. I am interested to understand what the government is intending. They are two separate towns about 20 minutes apart. What work has the government done to see if it is going to go in Glengarry township or Yallourn North township or if there will be one in each? Could you provide some clarity there, Minister?

**Lizzie BLANDTHORN:** That is right. We have said that there will be a service in Yallourn–Glengarry. As we discussed a number of times earlier today, there are four sites, as you said, where we have very specifically said where those sites will be. There are 26 where we are looking at the areas, the communities and the townships, and Yallourn North–Glengarry is one of them. As we talked about earlier, the department is working with the local councils, the community, the data and the other information available to understand where the best place to have that service would be, and that work is currently underway.

**Melina BATH:** So just for clarity, there will be one childcare centre at either of those locations or at Tyers in between if Tyers is deemed to be the best location. Is that correct?

**Lizzie BLANDTHORN:** Yes, Ms Bath, that is right. It is within the statistical area level 2 that is identified as Yallourn–Glengarry and based on the factors that we have talked about previously.

**Melina BATH:** Just in relation to the township of Foster, does the minister have any parameters or time line for that childcare centre to be built? Is there anything slated on the development to a pathway time line?

**Lizzie BLANDTHORN:** No, it is the same situation.

**Clause agreed to; clauses 2 to 23 agreed to.****Reported to house without amendment.**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (14:13): I move:

That the report be now adopted.

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

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (14:13): I move:

That the bill be now read a third time.

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

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



**Triple Zero Victoria Bill 2023***Second reading***Debate resumed on motion of Ingrid Stitt:**

That the bill be now read a second time.

**Georgie CROZIER** (Southern Metropolitan) (14:14): I rise to speak on the Triple Zero Victoria Bill 2023, and at the outset I want to put on the record that my thoughts are with all of those Victorians and the family members of those who have lost their lives because of the failures of this system overseen by this government. I want to say to those people that have been impacted that I was concerned at the time and I remain concerned about the cover-ups, the lack of detail and no responsibility being taken for these massive failures that have led to dozens of deaths, unnecessary deaths in many instances – well, they were all unnecessary but in terms of the failures in the system causing these unnecessary deaths. That is what concerns me. I have got so much to say about the failures that I suspect I will not have enough time for my contribution. We know that Victoria has seen significant failures in the system.

What this bill does is establish Triple Zero Victoria, a new statutory authority, to replace the Emergency Services Telecommunications Authority, ESTA. The government is going to paint this as it is going to be closer to the minister, that it is a branding exercise in terms of changing names – taking full responsibility for the failures. I have got to say that as this bill has come closer, or as the minister will have greater oversight, does that mean they will actually take some responsibility for the failures when these failures occur into the future?

I have just been provided with government amendments that have been emailed to me a few minutes ago, which largely take in the amendments that the Liberal–Nationals were going to put forward. It is about greater transparency and accountability in reporting. If the government is bringing these house amendments into the house now, because they do not even have the foresight, capability or understanding about true accountability and reporting, then I do not know that I have got an enormous amount of faith in what this bill is trying to achieve. This is just a cover-up for the ongoing failures and lack of accountability. I am just staggered – staggered – that you would not put proper reporting processes in a bill when you have made such a song and dance about how you are fixing up the system, a simple measure about greater accountability and more data that we have been asking for not just for months but years.

I wanted to know the true numbers of deaths, and I still want to know how many people have died – in this sentinel event report. The government will not tell me. So I will be asking the minister, and I expect the minister to have the answers. With the latest sentinel event report these are captured by these 33 deaths from the failures of 000. I want to know how many children were part of that. So I am giving you plenty of warning to get the answers. I want to know how many adults, and I want to know the time frames.

These failures should never have happened. In 2015 your government was warned about the need to resource ESTA properly, about the failures in the IT system, about a whole range of issues that you ignored. When COVID hit, you just blamed it all on COVID. No-one took any responsibility. The former Premier has nicked off. He promised Victoria he was going to stay until 2026 and then upped sticks and went. The lack of accountability with that man just astounds me. No-one has lost their job for the deaths and the destruction because of the failures and policy decisions by the Andrews–Allan governments. Those people that were affected – many of them I have brought up in this house and raised. The minister knows who they are. The minister would not pick up the phone and speak to them, her own constituents. David Edwards in Swan Hill – his family tried to get through to 000. The poor mother found the father dead on the front lawn.

Then there is this blame game with Canberra. What a disgrace in that inspector-general for emergency management (IGEM) report to even say that it was the federal government's problem when Paul

Fletcher, the then minister, was writing to this minister – to you, Minister – stating the facts about what was going on here in Victoria. You had the audacity to blame the federal government. We are so sick of you blaming everybody else for the mismanagement and failures. What has happened is that people have lost their lives, and those families' lives have been destroyed because of the failures. There are so many more cases that I could recount – too many.

Graham Ashton did his report, and he has got his findings about what happened. The *Emergency Services Telecommunications Authority Capability and Service Review: Final Report of 2022* is absolutely littered with failings. It states:

AV expressed concern regarding the error rate in the classification of ambulance calls, and the impact this has had on their qualitative approach to patient care.

...

For many years ESTA's CTD service has experienced challenges with recruitment and retention of staff and fixed-term funding for CTD staff. As a result, the capacity and capability of this service has eroded ... From a service delivery perspective, a lack of experienced CTD staff has resulted in ESTA's CTD service being driven by workforce availability, rather than by Victorian community's demand for its services.

There are so many issues in this report – so many – that just demonstrate the gross mishandling of this area and the subsequent failures that have led to tragic deaths. This report also has other points about call taking and dispatch:

The initial assessment can be crucial to patient outcomes and therefore must be accurate. In practice, AV can reclassify events when they have been assigned an incorrect priority and this occurs through AV's physical presence in the dispatch area at ESTA ...

There is a lot that happens – I understand that – but there is a lot that should have been fixed by the government, and they ignored it. The storm asthma event of 2016, when tragically too many Victorians lost their lives because of the failures was precipitated by the lack of planning and the failures through COVID. And yes, we all know COVID put pressure on the system; nobody is denying that. But it was putting on pressure around the country, and it was Victoria that had the worst outcomes, despite the harshest of restrictions. I have said it so many times: the restrictions placed on Victorians because of COVID, because the government were telling us they needed to prepare the health system, made no difference. It was shocking. But what it did was put more pressure on the system, because more people got sicker. There were a whole range of issues around inability to access health care, and as a result we just got terrible outcomes for so many Victorians.

I made reference to Paul Fletcher's letter to the minister on 8 October. I have raised this in the house, but I want to read this letter in because it showed at that time what they were concerned about. I raised it with the minister: 'Oh, we're putting on 400 staff' or 'We're doing this or we're doing that'. It shows exactly what was going on. The then federal Minister for Communications said:

Dear Minister

I write regarding Triple Zero delays that are occurring in Victoria.

My Department oversees the contractual arrangements between the Commonwealth and Telstra for the delivery of the Triple Zero Emergency Call Service. Under these arrangements, Telstra is responsible for answering calls to Triple Zero and transferring them to the relevant State or Territory emergency service organisation (ESO).

Telstra has advised me that there have been significant delays in Victoria's Emergency Services Telecommunications Authority (ESTA) accepting the transfer of Triple Zero calls from Telstra's Triple Zero operators. The delays are most acute for calls requesting ambulance services.

The ESTA call answer times are impacting Telstra's ability answer calls from anywhere in Australia as delays to transfer calls to ESTA are utilising most of Telstra's staff.

Telstra has provided the following data for delays on 6 October 2021:

- 2 calls held for over 30 minutes
- 20 calls held for between 20 and 30 minutes

- 37 calls held between 15 and 20 minutes
- 53 calls held between 10 and 15 minutes

He went on to say:

I write to seek your urgent advice on what the Victorian Government is doing ...

He had to write follow-up letters about what was going on, and clearly there was no action coming from this government – or the Andrews government, but the same minister – because they were trying to cover up and fudge and get themselves out of what has been a disgraceful period in health service delivery in this state, with unnecessary deaths that could have been avoided. I say that because I am just stunned that no-one will take responsibility for those failures.

As I said, what this bill does is it establishes this new entity and gives it a new brand name – ‘Move on from the old ESTA, let’s call it Triple Zero Victoria and hope that all is well.’ Then we go through to what else it will do: it will give the minister more oversight. But I say I am not overly confident with that, because of the lack of accountability and responsibility taken over the last four years – actually longer than that, since 2016, so the last seven years – in relation to this really important area of health.

These reports that have been provided to government do highlight – whether it is IGEM’s or whether it is the Ashton report – some very severe failures in the system. At the time budget resources were required, and the government needed to provide them. It was not just those two reports that highlighted the failures; there had been Victorian Auditor-General’s Office (VAGO), ESTA and IGEM reports prior to that that had also been raising concerns about the funding model, and they had been raising that for years. So the government was aware of the very perilous situation that ESTA was in and did nothing. As a result, we have had these tragic deaths here in Victoria.

What this bill will do is it will change the fee-for-service model to direct funding, and that is to supposedly allow a greater financial certainty for the organisation. But as I said, there are still issues around how the government applies the funding and what will happen about resourcing and IT systems. The IT systems have been a big issue. We know that from people that have worked in it and said, ‘They’ve been warned about it for years, they’ve done nothing, and as a result we really don’t have the infrastructure in place.’ Staff attrition happens routinely. The government will say ‘we’re putting more staff in’, but they are not telling you how many they are losing.

We know that through COVID everybody was stretched. But I am saying that it was set up to fail so badly because of the lack of the attention that it deserved, after VAGO and ESTA had been saying that to government for years – way before COVID. So you cannot blame COVID for these failures. Government must take responsibility, and that is why it is so frustrating that not one person out of the Andrews government lost their job after these shocking failures. Not one of you. Minister, quite frankly, you should have resigned after 33 people had died. You should have gone. You should have said, ‘I’ve failed this, I’ve failed these Victorians, and I resign from the position,’ but not one of you has taken any responsibility.

As I said, the IT systems have got massive problems. The Ashton report highlighted that the computer-aided dispatch system is not fit for purpose to meet future needs. So the government is acting on that, and that is what this bill is supposedly addressing as well. In 2018 it was highlighted that there were deficiencies all through the system. That is what I am saying. They cannot blame COVID. Whether it was after the thunderstorm asthma event in 2016, after the VAGO report, the 2018 dispatch system, where there were known deficiencies, where call takers were resorting to pen and paper, turning screens off to reboot computers – I mean, it is just Third World stuff, and we saw that time and time again.

Sadly, I think our health system is not getting any better. It is really struggling. Ambulances are still not arriving, code orange events are still occurring and people’s health is still being put at great risk,

but we do not have that transparency or accountability from this government because we cannot get the facts or figures out of them. We do not know the true details of what went on because the government knows it is so unpalatable. The Victorian public know that there were massive failings. So this issue needed to be addressed.

It is October 2023 and we have got this bill in this house at the moment. As I said, the bill contains provisions that bring the new entity closer to the government with increased oversight by the minister and the justice secretary. It establishes an operational committee that includes representatives from ESOs as well as relevant government departments, and its role is to provide strategic advice to the board. I do want to delve into this operational committee in the committee stage, because you have got the normal operating structure – the CEO and those that are under the CEO – you have got the board, you have got this operational committee and then you have got an ability to put in delegates to improve the performance of the board if the minister is not happy. I do not know why you do not just sack the board. If you are not happy, sack the board and get people in to do the job.

This is going to require lots of scrutiny, because I think the Victorian public has lost trust in the government's ability to manage this critical system. It is not actually just about throwing billions and billions of dollars at it, as they throw at everything; it is actually about what you do. So, yes, you are giving it supposedly greater oversight in setting up subcommittee after subcommittee, it seems to me, but we want to see that actual improvement in the delivery of this system to be able to take that call-taking system, because we were told by the Department of Health and others that spring is here and of course thunderstorm asthma can be an issue for some people who have asthma. If there is another critical event like that, will it cope? Well, I do not know. There was a code orange last week. People could not get an ambulance last week – they were told to wait. A 94-year-old was stuck on the road with a fractured pelvis – 'Sorry, no ambulance is available.' What a disgrace in October 2023 that they cannot get an ambulance. Our system is still under pressure, and it is still letting down Victorians. In fact it is verging on being Third World in many areas because of what people have got to do.

This government think they know best about health care. Well, they have failed Victorians dismally. On so many levels they have failed Victorians, and they continue to fail Victorians. So this bill, after years of under-resourcing and mismanagement, which have led to the tragic deaths of dozens of Victorians, of children, is a reminder to us all: when things fail, take some accountability, take some responsibility. Do not hide behind excuses. Do not hide behind an unwillingness to even pick up the phone and speak to people. All these people wanted was just to hear the government say, 'I'm so sorry. I'm sorry this happened to you. There were problems. We must fix it.'

As I said, I have got a lot of questions. The opposition will be moving some amendments because we want to have greater accountability, we want to have greater transparency and we have concerns around the data – the hidden data that is a hallmark of this government. They never, ever provide proper data so that we fully understand what is going on. The amendments that the coalition are proposing will ensure proper management time lines when the reporting system fails or folds and establish a 14-day time frame in which reports are to be made publicly available from the moment they are tabled. That is about greater transparency and about greater accountability, and I see that the government is taking up that suggestion. They are saying they are going to amend their own bill because of this oversight, because of this very necessary requirement. I do not know who drafted this bill and did not put in those basic things so you could put trust back into the community, but clearly the government are now so panicked about our amendments getting up, because even the crossbench agree with us, that they are bringing in their own house amendments.

Our amendments will also have a schedule for mandatory monthly data reporting. We actually do not trust what you are providing, because this report does not say a goddamn thing. It says a couple of things, and we have got blank pages and we have got unnecessary pieces that are not even relevant to what we are talking about. We want greater transparency, and we think our amendments will put trust back into the community through having that greater transparency. It establishes categories in which data is to be collected – that is, the number of calls received daily, the length of time between taking a

call and the dispatch of an emergency service and any disruption to call taking – because if we do not have that data, then we cannot improve the system if it is not working. We really need to have that data and be fully abreast of what is going on so that we can see that actually the government's legislation is working how they expect it to work. We think that is a very important amendment, and I hope that the government do also, as they are supporting our other amendments in their own way by introducing their own amendments to usurp ours, around reporting. We hope they also support ours because of the clear requirement for greater accountability and understanding.

I want to make a point, and I am a bit loathe to say this, but I am going to have to. I cannot understand how the government were saying that they have the best interests of Victorians but they were not going to include as much data as we need. We know that they hide data. I do not really want to raise his name again, but when the former Premier had his accident – and I am glad he recovered, as everyone is – they rang an ambulance. His wife said he was navy blue. That is code 1 – lights and sirens. But then the ambulance report came out, and it said: 'No, there was no need to rush to the accident.' So something is not quite right there. I do not know if it is a failure of the 000 system when she said, 'My husband's navy blue.' Ms Andrews went on *60 Minutes* and said he was navy blue: 'I thought he was going to die there in Sorrento.' That is code 1. That is a respiratory or cardiac arrest. That should have been lights and sirens. Yet the official ambulance report came out, and it said, 'Oh, no, there was no need for lights and sirens.' So something is really wrong in the system or in this story perhaps – I do not know. But what we do know is that there have been failures all throughout the entire time this government has been in power, and the outcome has been the tragic deaths of far too many Victorians.

I will have more questions in committee around some of these issues. As I said, I hope the minister will be able to provide that information, seeing as I have given the government plenty of notice that I am going to ask for it, but I will also be asking about other aspects that do need to be clarified around this operational committee and the delegates. But I say again: what a devastating period it has been for Victorians that have not been able to rely on a first-class health system, when tragically so many Victorians have died because of government policy and government decisions and cover-ups.

**Michael GALEA** (South-Eastern Metropolitan) (14:41): I rise to speak today on the Triple Zero Victoria Bill 2023. I do have some points from listening to Ms Crozier's speech that I wish to come back to. I appreciate when we can have a debate on the substance of a bill, but what a low blow – what a low blow. Here we go again, going back to the Premier's accident last year – or was it the year before? It is absolutely shameful, despicable and typical.

**Jaclyn Symes**: Yes, it's unsurprising.

**Michael GALEA**: Unsurprising. Ms Crozier says she has more questions. Who does she have questions for – the step? Who does she want to speak to? It is absolutely shameless and absolutely typical.

It is a very disappointing note on which I rise to speak today on this bill, on what is a very good bill, a sensible and progressive reform to our 000 service. As Victorians, whenever we have a time of crisis, whenever something is wrong, the first instinct for us all is to call 000. I am sure each member in this place could give an example of when they have had to use it. I only a couple of months ago had to call it when a car in front of me had veered off the road and off an embankment, and we were not sure if the people were okay. Fortunately, they were. But whenever you need support, whenever you need them, our very, very hardworking staff at ESTA, the Emergency Services Telecommunications Authority, are there for us.

I do want to also start, moving on from that rather low note that we were left to pick up on, by thanking our emergency services workers, obviously our entire range of emergency services workers, who do an incredible job. ESTA staff are often forgotten by a lot of people when they think about emergency services, but the work that they do is so critical. I have had the pleasure of knowing a few and working with a few people with various community groups who have also for their day jobs worked in ESTA.

The work and the pressure that they deal with are remarkable, so it would be remiss of me not to highlight that in this contribution. I will refer back to ESTA staff at some point later in my speech if I do have the time to do so. Our ESTA staff have been an absolute pillar of strength for us all.

I also reflect on a contribution made earlier this year, a very moving contribution, in the Legislative Assembly by the member for Pakenham, who as some members may know is a stroke survivor. It is a very inspirational story that the member for Pakenham has. She spoke of the importance of 000 when she said how her daughter, her child, called 000 when she had that stroke. It was a very, very moving and very powerful speech, and I would encourage all members to glance at it when they do have the time. But it is a very important and very busy service. In his contribution on this bill in the other place last sitting week the member for Narre Warren South outlined how in the last financial year 2.7 million Victorians called 000 at some point. It is a vital service for us all, and it is important that these reforms provide support to our emergency telecommunications staff and improve and inform where we can make this organisation better, and that is what this bill does.

In doing so I would also like to acknowledge the very hard work of the Attorney-General herself, who has worked tirelessly to bring this bill to a point where we can be here today, and I sincerely hope we will be able to pass this bill today as well. It is critical for us as legislators to ensure that when Victorians call 000 they receive absolutely the best response. Victorians ought to be able to continue to trust and rely on this new Triple Zero Victoria to act reliably and effectively, and that is what I believe this bill does.

Several objectives are achieved through the reforms in this bill. This will establish a replacement of the Emergency Services Telecommunication Authority. It will replace that with Triple Zero Victoria as a new independent statutory authority, which will be governed by a board with an operational committee and led by a CEO. It will ensure accountability and fiscal responsibility to the Minister for Emergency Services for all aspects of the business of Triple Zero Victoria. It will also provide transparent administration and oversight through the appointment of board members by the Governor in Council on the recommendation of the Minister for Emergency Services, which will be done in consultation with the Minister for Ambulance Services and the Minister for Police. Additionally, the CEO will be appointed by and report to the board and be accountable for the management of this new agency.

Creating a new operational committee of the board to bring together representatives of our various emergency services is a very important part of this too. It will bring together Ambulance Victoria, the CFA, Fire Rescue Victoria, Victoria Police, the SES and other relevant government departments and agencies, and this is another measure of this new structure that will provide a strong and resilient body.

In mentioning ambulance services, it would be remiss not to briefly touch upon the incredible investment we have seen in our ambulance services, and I was particularly pleased recently to visit the site of the new Clyde North ambulance station with the then Minister for Emergency Services Gabrielle Williams along with some other colleagues in the south-east. That is going to be an absolutely fantastic facility for a very big and growing outer suburban community in Clyde North and in the broader south-east. That is going to be a fantastic asset, and I cannot wait to see that up and running.

In terms of these reforms, ESTA has faced numerous challenges, particularly during the pandemic. I appreciate that Ms Crozier – I believe at one point – did at least acknowledge that the pandemic did place quite unusual stresses on this system and quite severe stresses on ESTA at the time. Again, it really does underscore the tenacity, the hard work and the professionalism of those ESTA staff that I again wish to acknowledge. We also have a growing population, growing cities, growing suburbs and growing regions, and we have already invested \$363 million to help ESTA meet the overwhelming demand that it has seen in the last few years and to make sure it is able to meet its responsibilities and deliver at its best.

Even under pressure, the institution consistently met and, in many cases, exceeded core statistics and benchmarks. This success is not a result of luck. It reflects the dedication of the ESTA staff as well as the commitment of the government to invest in this important service. So much of this bill deals with the establishment and governance of the new Triple Zero Victoria agency. This marks a transformative step towards delivering high-quality and prompt call-taking and dispatch services and the various modern operational communication requirements for Victoria's emergency communications sector.

This change stems as well from the inspector-general for emergency management's, IGEM's, review, which emphasised the need to strengthen governance, accountability and service delivery, especially with the peak demand periods, and those peak demand periods have increasingly changed over the last few years as well. In addition to the IGEM review, another review also highlighted the importance of organisational adjustments, further cementing this need that we have for change. It did become clear that our emergency services needed to align with the organisation's structure, functions and, yes, even name, to meet the public expectations placed upon it. Additional funding has been allocated for system upgrades, which demonstrates that this approach is not just a rebranding or renaming, as some might portray it; these proposed reforms do address past concerns and pave the way for a stronger system moving forward.

At the heart of any effective organisation, especially in emergency services but in any field, is a clear organisational structure. This understanding underpins these changes, with the new agency first and foremost acknowledging that operational autonomy is essential and is preserved. This approach of course is not new. Much like Ambulance Victoria and the other emergency services we have in this state, we believe that Triple Zero Victoria's status being that of a statutory authority will solidify and protect the autonomous role that it has to play, especially when it is needed most.

This new governance structure is designed for clarity and also efficiency. Triple Zero Victoria will have a comprehensive legislated governance framework, underscoring our commitment to timely and effective call-dispatch services. It is not just a structure, it is also an embodiment of our commitment to the community of what this new organisation will be able to do. As mentioned, this will also involve having a new board for this agency. The board will consist of officials and individuals with rich experience in public administration, and critically in health and in emergency services. This mandate that they will have will require that service is at the front of what this new agency delivers. Obviously hand in hand with those things we will have things such as relationship building and appointments which will be made, as I outlined earlier as well.

Victoria's unique position is quite evident. Unlike most regions, where emergency services manage their call taking independently, Victoria has a unified central approach. This bill makes amendments to establish an operational committee which is informed by the insights from the ESTA capability and service review. This committee will be a blend of senior leaders from various emergency sectors and will act as Triple Zero Victoria's strategic compass, ensuring that Victoria's emergency needs are met with unparalleled service.

The Department of Justice and Community Safety, DJCS, will take on a more pronounced role, which will ensure more stringent financial oversight and proper resource allocation. This partnership also symbolises the dedication to fiscal responsibility and clear communication structures. Additionally, the direct reporting structure for the CEO of this new agency will enhance accountability. The streamlined approach really does promise faster decision-making and reinforces the significance of the CEO's role in the emergency services framework.

In her contribution Ms Crozier was delving a little bit into history. In researching for this debate I happened across the remarks of the member for Melton in his contribution in the other place just last sitting week, when this bill was presented through there – and quite an informative contribution it was too. ESTA was established as an agency in 2004 following quite significant issues and in fact a royal commission following the privatisation of the emergency call-taking services by – yes, I am going to say it; it is another example – the Kennett government in the 1990s, when it was franchised out. It was

privatised and given to an outside American operator. I think we have heard this story before, and here we have it again in emergency call taking – here we go. It was a previous Labor government under Premier Steve Bracks who fixed this disastrous situation.

Ms Crozier was happily quoting all sorts of things to us before, and, well, I could quote some absolutely horrendous things that happened under the privatised model. Indeed at the same time – and I referenced the Clyde North ambulance station before – in the 1990s we actually had a privatised ambulance service in this state. Yes, they actually even privatised the Cranbourne ambulance station, and it went so badly that this privatised service had to beg public ambulances for basic medical equipment. The public system was donating basic things like bandages to this privatised ambulance service – an absolutely atrocious situation, once again representative of those opposite and what they wish to do and what they would do most likely with their blatant disregard for what is an essential community service. You cannot just privatise everything, and emergency services are probably chief amongst the things that you cannot and should not privatise. It was a very good thing that that was reversed by a previous Labor government. We are not in that position today; we are in the position that we have a wonderful bill here before us which will continue to reform our emergency call-taking system, and for those reasons I do commend this bill to the house.

**Jeff BOURMAN** (Eastern Victoria) (14:56): I rise to speak in support of this bill. Mr Galea went into a little bit of the history of ESTA –

**A member:** You can go back further, can't you?

**Jeff BOURMAN:** I can go back further, sadly. At the risk of saying, 'Once upon a time there I was,' originally the emergency services ran their own 000. Ironically, whilst I was in the police they changed over to Intergraph, an American company, and it was not the case that it was painless. There were a lot of changes, a lot of politics – not this sort of politics but the internal politics, the politics of one organisation losing its complete control. In the end there was a royal commission held into the awarding of the contracts and some of the behaviour. To this day I am still a bit dubious about whether that royal commission was value for money for the simple reason that, if I recall correctly, one person was charged with perjury for around 20 million bucks, but here we are. Out of that eventually came ESTA, when the government took it back. It has not been without its problems, and none of these things are without their problems.

I guess from my own personal perspective the system maybe has not grown with society. As Victoria has gotten larger it has become harder and harder to keep up. It is a system that is kind of feast or famine. You will be sitting there one moment doing nothing, and then next thing the world descends on you and you are busy for the next 4 or 5 hours before you can actually take a break, and it makes it hard to allow for that. But in the end – I am going to cross parties here – as Ms Crozier more or less said, when you pick up the phone, you want an ambulance to come, or you want to be able to talk to someone and get an ambulance to come, or a fire engine or police or whatever.

I have had a look through this bill. There are quite a few changes. I hope that they do attend to the issues. I will be supporting the reporting amendments from the opposition, but I just hope we are not back here again as a Parliament trying to do things and the government of the day, whoever it will be, just has to budget to invest more money. Keeping up with society is the best we can hope for, but we also need to try and get those numbers down. I think 16 minutes is the maximum time for an ambulance, and having waited 5 minutes for an ambulance once, not for me personally but in a critical situation, 16 minutes seems like a lifetime. So in closing, I do hope that this moves towards a faster system. I do hope this helps streamline it. Time will tell, but we will get it through in this house, and I do believe we will find out.

**Gaelle BROAD** (Northern Victoria) (15:00): I rise today to speak on the Triple Zero Victoria Bill 2023, a bill that will attempt to address at least part of the crisis in health care that has affected residents right across Northern Victoria. The state government has known there have been flaws in the



000 system since 2016, and every report has said the same thing: fix it. The Triple Zero bill will establish Triple Zero Victoria and repeal the Emergency Services Telecommunications Authority Act 2004. The Emergency Services Telecommunications Authority, ESTA, will cease, and the new entity will be known as Triple Zero Victoria. It is hoped that this new body will have stronger governance arrangements and increased accountability and oversight.

This bill has been introduced following some extremely damning findings in the *Emergency Services Telecommunications Authority Capability and Service Review: Final Report*, a series of failures in the 000 and ambulance response systems and the tragic deaths of 33 Victorians. My staff have spoken with dedicated, caring, professional ESTA staff who were so traumatised and frustrated with the system that they left the role altogether. Clearly change is needed, and this bill contains a range of provisions as to how the new Triple Zero Victoria entity will work and how it will replace ESTA. The detail includes their powers, objectives, functions, administrative matters and staffing. We hope this control will also come with accountability to fix this broken system.

Within Northern Victoria there have been a range of failures within the 000 system and calling an ambulance service. It is struggling. I met a man who told me of a case in Castlemaine where his daughter's friend had been left to wait for 2 hours on the side of a road after a fall that broke her arm, despite the ambulance station being very nearby. Earlier this year a man from Kerang could not get an ambulance dispatched after a motorbike crash. His mum had to take him to hospital herself, and then he was airlifted to the Alfred hospital with a serious spinal fracture. Just recently Kerang locals told me of a case where an ambulance was called but none was available. Thankfully, one of the people at the scene knew a paramedic and called them for advice over the phone as to what to do. Visiting Beechworth in the Indigo shire, locals raised concerns about the slow response time for ambulance services there, amongst the highest in the state.

Our cross-border communities are also under pressure. On 4 October the ABC reported that Victoria–New South Wales border residents are at greater risk of ambulance delays due to a communication glitch. According to the ambulance union, unnecessary delays are putting lives at risk in 38 communities on the border of New South Wales and Victoria, as residents may not get the closest ambulance when they call 000 due to call-routing issues. These include towns in the electorate of Northern Victoria like Mildura, Swan Hill, Yarrawonga and Corryong. The ambulance union said they have been raising concerns about cross-border responses for 12 months and have been trying to get some traction with Ambulance Victoria management about the desperate need for some action, but nothing has happened. An email from Telstra to New South Wales and Victorian ambulance representatives said the issue could be simply fixed by an email agreed to by both parties.

These are just some of the shocking stories that have emerged, and it would be remiss of me as I talk about ambulance services not to mention how disappointed I am at this state government's decision to demolish the old ambulance station in Inglewood. Locals have been fighting to retain that building. The Minister for Health had given the impression that the building was riddled with asbestos, but there has been no asbestos found in that building, so I am waiting on a response.

On this bill the Liberals and Nationals will put forward some commonsense amendments that I hope will be supported in this chamber. Instead of providing reports as soon as practicable, which could be never, we recommend a time frame of within 14 days. We have also included key information to be included in the monthly reports to be published on the Triple Zero website for transparency, and I want to thank Georgie Crozier for speaking further about those amendments earlier.

I do want to note that this bill brings the entity much closer to government, and it is clear from the clauses in this bill that the Minister for Emergency Services will have close control of the new entity. Clause 16 states that Triple Zero Victoria is subject to the general direction and control of the minister

and must comply with the direction issued by the minister. In clauses 19 and 19A the membership of the board and the interim board is determined by the minister. Clause 32 states:

The Minister may appoint not more than 2 delegates to the Board if the Minister considers that the appointment will assist the Board ...

Clause 40 says:

The Minister or the Board may remove the Chief Executive Officer from office at any time.

Clause 67 says:

The Board must submit a corporate plan each financial year to the Minister for approval.

I am concerned given this government's track record of political appointments within the bureaucracy and other board positions. In setting up this new entity it is vitally important that the minister chooses people with the skills and experience to carry out the roles. We have had enough of the jobs for mates. We need people in these roles who are qualified and equipped to deliver world-class emergency response services.

These issues with ESTA come on the back of major problems within the wider healthcare system. Our regional health services are struggling. I was very concerned to read reports just this week of St John of God doing a current review of programs like their maternal health and obstetrics program. If that closes, that is going to put a huge amount of pressure on Bendigo Hospital, and it is already under significant pressure. Problems include ballooning surgery waitlists and cuts to essential health services. Earlier this year we saw cuts of up to 15 per cent to our grassroots preventative services, including programs to address chronic illnesses. Last year we saw \$2 billion cut from the health budget, on top of cuts to preventative health services. The strategy to cut funding for preventative health care while allowing surgery to continue being deferred has been a double blow for Victorians. There are ongoing issues with dental care as well. In Bendigo we saw funding come to an abrupt end for the stroke support centre, despite significant need for support in the major regional centre of Bendigo. It was a relatively small amount of money in government terms, but it was a massive blow to the support centre and those in need of support in the region. They were quietly doing invaluable work, helping people to live well after stroke and reducing the dependence on our health system. But it is clear that the financial mismanagement of this government has left us with the highest debt of any state and a soaring bill of \$22 million a day in interest payments alone. So they are now scraping the barrel, looking for ways to cut funding from local services in regional areas and introducing tax after tax while they continue to waste our taxpayers money.

All Victorians, regardless of where they live, deserve quality health care. We rely on 000, and we need a modern, effective and reliable ambulance service in regional Victoria as well as Melbourne. This bill has been a long time coming, and with our proposed amendments, I trust that it will help resolve a key element of our struggling healthcare system.

**John BERGER** (Southern Metropolitan) (15:08): I rise to speak on the Triple Zero Victoria Bill 2023, a brilliant piece of legislation to modernise our 000 service system in Victoria and ensure the effective delivery of our state emergency responses from here on in. Over many years we have been talking about reforming our 000 system for the better, and today I am proud to stand here in support of this new step forward. The bill entrenches a reform of the state's emergency response system by establishing a brand new entity, Triple Zero Victoria. Triple Zero Victoria is a new entity collating the workings and operations of numerous emergency service organisations under a single roof to improve outcomes for all of us. It was born out of a series of independent reviews into our 000 system which oversaw and scrutinised our 000 capabilities, capacity, service delivery and finances. The new body will be under the responsibility of the emergency services portfolio, overseen by Minister Symes.

So what is Triple Zero Victoria? In effect it is a new statutory body built to enhance our existing 000 operations beyond their current abilities. It is not a mere successor to the ESTA board or advisory committee, it is a total reorganisation of the internal mechanisms of emergency response. Instead of the advisory committee and ESTA board that exist now, Triple Zero Victoria will have an internal board with an operational committee spearheaded by the new chief executive officer, which will in turn directly report and be accountable to the Minister for Emergency Services. That accountability extends to the board, which focuses on not just capabilities but Triple Zero Victoria's financial state and its performance in tune with agreed standards. The operational committee will act in effect as an advisory subcommittee of the board, with senior officers, commissioners, executives and select board members tasked with specific goals, as opposed to the old advisory committee, which operated within the vague guidelines of the old legislation and gave advice. This new piece of legislation is specific, directing the new operational committee to set sector-wide priorities and produce annual reports, taking part in the strategic planning processes of Triple Zero Victoria. The committee will still continue to give advice to what will become Triple Zero Victoria, and the CEO and board can continue to act on that advice. The board itself will be appointed through a consultative process with the Minister for Police and the Minister for Ambulance Services. By doing so we can ensure the minister's responsibility for the various emergency services in Victoria – namely, police and ambulance. They can have direct oversight of this new board and hold it to account as it also ensures its efficacy through a rigid selection process.

The bill also strengthens the power of the Minister for Emergency Services by requiring the new Triple Zero Victoria to comply with the minister's directive, which where appropriate will again be done in consultation with the other ministers overseeing our emergency response organisations – namely, the Minister for Ambulance Services and the Minister for Police. That way we can ensure that, when required, Triple Zero Victoria can listen to the direction called upon by the Minister for Emergency Services and simultaneously the body can be held to account through the board, comprised of members appointed through consultation with other emergency services ministers. This newly reformed system reimagines how our 000 service will operate, restructuring the emergency services response to improve not just efficiency but oversight and accountability as well. It is simple, really – the board will be appointed through a joint consultative process with relevant ministers. That board will report to the Minister for Emergency Services and will be led by a new CEO.

Do not worry, the staff over at ESTA and the advisory board will be looked after. We will be keeping them on their enterprise agreements and transitioning them over to Triple Zero Victoria on the same terms and conditions of employment. That way we make sure they keep their jobs and their hard-fought-for labour rights. Nobody in ESTA ought to be uncertain about their future. We are not dismantling the system, we are modernising it through the creation of Triple Zero Victoria, which will integrate the various bodies under a single roof over time. To the staff and advisory board now at ESTA: you work hard, and I not only recognise it but thank you for it. Without your hard work the whole system comes crashing down. You play a vital role in keeping it all going. That is part of the reason why we are going through with Triple Zero Victoria. It is to make your job that little bit easier, organised and efficient.

In effect we are entrenching a reform which ought to be uncontroversial. There are no losers, there are only beneficiaries – our countless dedicated emergency response workers and the good people of Victoria, and how good is that. We cannot reasonably stand here and dismiss the importance of this move. We are bringing our emergency services under closer supervision of the government while improving outcomes, accountability, capability and efficiency. In my book, I call this one a no-brainer.

Anyone who knows me knows that whenever our government puts forward an important bill I talk about consultation. The more we listen to people who know what they are talking about the more likely we are going to push out something worthwhile. With something this important, it is not just about due diligence, but it is of utmost importance that we get it right. We cannot do that without proper consultation, and I am happy to say we have done just that. Consultation is important to any

reform, and I believe we have drawn on input from a wide range of organisations. We have spoken to Victoria Police, Ambulance Victoria, Fire Rescue Victoria, the CFA, the Victorian SES, the emergency management commissioner, Safer Care Victoria and ESTA itself. Together we have drafted this piece of important legislation cooperatively to ensure that Victorians can get the best delivery and our emergency services can operate at their very best. It was important to listen to our state's great emergency service providers and operators directly to make sure we heard from all quarters of the system before we went ahead and reformed it, and we did just that. It was a robust process that will benefit us all through the cooperation of all the emergency services we met with, not to mention the many government departments involved in this process. The Department of Health, the Department of Transport, the Department of Planning, the Department of Treasury and Finance and the Department of Premier and Cabinet were all great contributors to this legislative piece. I am also proud of the hard work they have done.

When we work together, we not only draw on each other's strengths, we get something new and something effective, and that is what Triple Zero Victoria will be – effective. With a bold new step into the future of emergency services delivery in Victoria, we are bringing together and pooling talent and letting everybody do what they do best, cooperating like never before to deliver outcomes Victorians have been asking for.

When the capability and services review for ESTA came out in 2022 it recommended various things, including internal organisation restructuring to meet the community's expectations. The same can be said for the *Review of Victoria's Emergency Ambulance Call Answer Performance* following and during the COVID-19 pandemic in Victoria led by the inspector-general for emergency management. Among other things, they recommended ESTA be rebranded, with the board replaced and responsibilities and emergency service delivery outcomes vested in the body and compared to performance standard targets. This bill will not just do that but also create a whole new statutory body tying the new Triple Zero Victoria closer to government, giving direct oversight by the relevant ministers and a more effective role for the ministers responsible for various emergency service organisations and the board of Triple Zero Victoria.

It acts on the recommendations of the review, bringing accountability and oversight to emergency services operations, while restructuring the organisation and ushering in a series of operational changes which should improve efficiency and provide better outcomes for all Victorians. Whilst I am on that, let us talk about accountability. It is important that we get it right as well, and I am pleased with what we have done and what we have come up with. We have always had a degree of reporting and accountability with ESTA, but I am sure you have noticed that we have been bringing up the vagueness of the old legislation time and again, and this bill is specifying how we can hold these operations to account. Under this legislation our expectations of Triple Zero Victoria's operations are spelled out in black and white, with ministerial approval and consultation for strategic plans and endorsements from the justice secretary to ensure financial stability throughout the new organisation.

We are laying out our expectations and processes as clear as day, and that way we can assure accountability and oversight. We know who is doing what, what everyone is responsible for and who to answer to. Those recommendations were born out of the independent reviews conducted with the intent of improving emergency services delivery, and these reforms will help do just that. By strengthening the collaboration between the various emergency services organisations we can tackle any inefficiencies and shortcomings in the existing paradigm, and by having staff that currently operate relatively decentralised across the sector now cooperating under a single roof, we can hasten the process of call taking, dispatching services and communication between emergency operators. The reviews called for these very reforms, and we are listening to those recommendations.

The government has agreed in principle with all of the recommendations in the independent reviews, and now we are acting on them, tackling the shortcomings of the existing system and pushing forward with the creation of Triple Zero Victoria. Our emergency services have been under significant strain for some time, even before the devastation of the COVID-19 pandemic hit. When the Andrews Labor

government was first elected in 2014 we were quick to tackle the ambulance crisis and restore the level of service everyday Victorians expect out of their emergency services, and today we are proud to help our emergency service providers again. With the number of 000 calls for fatal conditions rising rapidly during the pandemic, the system was becoming overwhelmed. Our emergency service times were creeping upwards as the same system came under enormous pressure. In that vein I would like to take this moment to thank our state's great first responders for all the work that you do that has gone unnoticed. I hope I speak for everyone here when I say: we cannot thank you enough for all the work you have done for us.

The government is committed to driving down emergency response times, and this bill can do just that, not just delivering better outcomes for ordinary Victorians but ensuring our first responders can get where they need to be faster in the time they are needed the most. If we want to be serious about bringing down these times, we have to get serious about organisational reform, and the Allan Labor government is proud to put this bill forward, which can bring us closer to accomplishing this feat. Victorians are demanding better response times and we are delivering. It is the right thing to do, and it just makes sense. In bringing all these various groups together to cooperate and draw on each other, you get the best of all of worlds; it is common sense really. We have a track record of investing in our emergency services, particularly ambos, and now we are turning our eyes onto the caller network – the entity that sits between you and the first responder on the phone communicating and directing everybody. We have all at some time or another in our lives relied on the good work of the emergency services providers in Victoria. For many of us it is deeply personal, and we are forever thankful for the work done in those moments. It is why this legislation is so important and why we have worked hard to make sure we get it right.

It does a whole range of things I have already touched on, but in summary, it is modernising our system by introducing a new statutory body to oversee and manage operations. It brings together the various emergency services operators into Triple Zero Victoria, whose roles, tasks and functions are spelled out clearly in legislation. We spell out the internal structure of operations and the chain of command in clear language so that we know who is responsible for what and who is accountable to whom. We will have the minister as a last input to direct and ensure interdepartmental agreement and cooperation as well as efficiency in the highest chains of command in the new body. With a board of agreed-upon appointees, an operational committee comprised of senior and respected members in the field and ministerial responsibility under the emergency services portfolio, we are making the system more accountable, efficient and effective and boosting its capabilities and capacity to tackle the pressure of the workload. We are bringing together talent under a single roof, and the great thing about that is that it is not at the expense of anyone. Everybody at ESTA will keep their jobs and terms. It benefits everyone and harms no-one.

I am proud of this legislation, and it is another step forward for the ambitious reform agenda that has defined the Andrews Labor government and now will define the Allan Labor government. I am excited to see Triple Zero Victoria at work when the legislation passes, because acting on these recommendations is important. It is vital we work together to reform the system and bring response times down so Victorians can get the service they expect in a timely manner, as they will be demanding.

With the detail present in this bill I am optimistic for the future. It is modernising, improving upon and reforming our emergency services providers. It has been done with a wide range of input and consultation across the sector. I trust my good friends the Minister for Police, the Minister for Ambulance Services and the Minister for Emergency Services in their judgement, and I have no doubt they will excel at the task before them. Overall, I am happy to stand in support of this, and I commend the bill to the chamber.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (15:22): I rise to address the Triple Zero Victoria Bill 2023, and first of all I also wish to send my deepest sympathies and to express my concerns for the many families, individuals and even former workers who have been impacted by the

failures in this government with ESTA that resulted in at least 33 deaths over a small period of about six months during the COVID pandemic.

I understand that the bill has been designed to give the government far more control and authority. It is not just about bringing it closer to government. It is about actually being able to control what messaging is given out to the public and to everyone else. Now, we know that the change is necessary. Obviously if you have tragic deaths there has to be some sort of review that results in change. The government has introduced this bill in response to the findings and recommendations of, firstly, the *Emergency Services Telecommunications Authority Capability and Service Review: Final Report*, which was conducted by the former Victoria Police commissioner Graham Ashton, and secondly, two reports prepared by the inspector-general for emergency management (IGEM), namely the *Review of Victoria's Preparedness for Major Public Health Emergencies, Including Pandemics* and the *Review of Victoria's Emergency Ambulance Call Answer Performance*.

These reports were prompted by the well-publicised failures in the 000 and ambulance response times. These 33 deaths might just look like a number on a page, but they have severely impacted families. It is not just the deaths of the 33 people but the number of people that were left waiting who were also traumatised. I can say that in the area that I live in, in the south-east, I have actually personally met with people who have been impacted, and I have heard stories of people, just like some of my colleagues, where people have had to take their own family members to the hospital because waiting for the ambulance was simply taking too long. It is important to note that such tragic results and poor performance at ESTA in recent years occurred despite the outstanding work done by ESTA call takers and other employees in what was arguably one of the most difficult and challenging times in Victoria's modern history. I also wish to thank our tireless workers who work in the area of emergency services, particularly those call takers who have to deal with such stressful calls and are such essential workers that they are helping all Victorians when they answer those calls.

There are a number of issues with this bill, and the coalition has worked hard to address them. I do want to mention too that we have had a number of recommendations that came out of committee and advisory meetings, and it is good to see that some of those recommendations have been put together in this bill. However, there are a number of concerns that I have and some little alarms that went off when I was reading it and going through it carefully.

The IGEM report 1 was very insightful. It resulted in 30 observations, 41 findings and seven recommendations. It had a number of very important points, and some of these are included here.

During the initial stages of the COVID-19 pandemic response, the arrangements and priorities established under the State Health Emergency Response Plan (SHERP), including pandemic influenza plans, were not used.

That is right, they did not use their own plan. Here is another one:

The ongoing reorganisation of governance arrangements, including the elevation of governance and decision-making to ministerial level for six months in mid – to late 2020, was a further departure from the emergency management preparedness arrangements.

And this one too:

Ministerial decision-making effectively elevated control to government.

I can say that in this bill we are also once again effectively delegating more control to government. In fact if you have a look at the fine print and the details in this bill, you will see that the minister signs off on basically everything but that there are ways that the minister does not have to be accountable or completely transparent. While the government have only just released – and I am only seeing these for the first time – a draft of their amendments, I am pleased to see that they have considered what the coalition has proposed, at least in part, and that is that they would consider a 14-day publication of the reports in schedule 1. That is going to be a huge improvement on 'as soon as practicable', because 'as soon as practicable' is open to interpretation and could leave people without the information that they

do need. We want to have the Triple Zero website also reporting any changes that are made, and that, at this stage, is not yet included in the same way in the government's amendment. At the moment I would like to have circulated, if we could, please, the coalition's amendments.

#### **Amendments circulated pursuant to standing orders.**

**Ann-Marie HERMANS:** There are a number of other things that I do want to bring to the attention of the house. One of those things is the fact that having public information was not timely, and that is why these amendments are so important. The Victorian government brought together a team of communication professionals from different agencies and departments to form the Department of Premier and Cabinet COVID-19 communications team. This provided additional oversight for executive government but arguably also created problems in the timely accessibility of public information. We found also that lengthy daily media conferences included inconsistent, incorrect and complicated messages.

We also can see from the way things operated that the way the government's structure was with ESTA caused a lot of confusion during the time of the pandemic, and that is very relevant in the IGEN report 2. The IGEN report 2 had nine observations, 42 findings and eight recommendations. It found:

The Emergency Services Telecommunications Authority (ESTA) did not meet the primary ambulance emergency call answer speed benchmark in any month from December 2020 to June 2022 ...

not in one single month.

Call volume increases from December 2020 to June 2022 alone, did not lead to the Emergency Services Telecommunications Authority's non-compliant performance.

In fact what resulted was that patients did not survive, and we were not getting the information that we needed to be able to look into this matter. We cannot blame this all on the pandemic, as has been said in this house already. The report states:

The Victorian Government was aware of ESTA's precarious financial position as early as 2015 after it received the Victorian Auditor-General's Office *Report on Portfolio Departments and Associated Entities: Results of the 2013–14 Audits*.

...

The ad hoc nature of the supplementary funding arrangements ... limits ESTA's ability to recruit to meet demand. It also limits ESTA's ability to plan beyond 12 months ...

This has translated into genuine consequences for our community, and that, as I said, has tragically resulted in the loss of life.

My concern about bringing this entity closer to the government in the format of Triple Zero is with the number of changes that are in the bill. As I went through it with a fine-tooth comb, I was able to outline a whole lot. I will not go through all of them but just give you a couple of examples in this opportunity. Clause 17 is 'Minister may issue directions to Triple Zero Victoria'. Clause 11(1) says:

... the Minister may confer any additional function on Triple Zero Victoria that the Minister considers is necessary.

Clause 16 says:

... Triple Zero Victoria –

- (a) is subject to the general direction and control of the Minister; and
- (b) must comply with a direction issued by the Minister.

I know that I have asked questions in this house in question time and been told that the minister is not involved in the daily operations of things like emergency services, but clearly from this bill we can see that the minister is going to be very involved. In fact everything is going to be signed off by the minister, including the CEO, who can be sacked by the minister. The minister can recommend to the

Governor in Council the removal of a board member under clause 23. Under clause 19 the membership of the board and the interim board is determined by the minister. Clause 32(1) says the minister may appoint not more than two delegates. Clause 38 says the minister must approve any appointment that is more than two months. Then there is clause 40, and it goes on and on and on and on.

I understand that the board has to report to someone, and that is quite rightly the minister and the justice secretary, for the performance of Triple Zero Victoria. I think it is important that there is a restructuring. I think it is important that there is clarity on who people get their information from, and that was one of the issues that we can see obviously unravelled during the time of COVID-19 – that there were a number of people all saying different things in different committee meetings and people were getting confused as to who they were supposed to listen to, how they were supposed to perform and what they were supposed to do.

I also am aware that there was a period of time when a number of the ESTA workers, the people who would be working on the phones, had not received triple vaccination, and they were dismissed in that six-month period – very experienced workers – allegedly, from the workers that have spoken privately, so there were people who were no longer there with their experience and expertise. They warned that there could be a loss of life, and that is exactly what happened. To me that is negligence. But of course finding that sort of transparency in this government is just not going to happen. These are just some of the issues. I have got so many things that I could talk about in terms of this bill.

I am pleased that this bill is here and that we are looking at how we can change things. Victorians need to know that when they make a call, the ambulance is going to come, that they are going to call 000 and they are going to have an emergency service response and it is going to be in a short period of time so that they can actually save lives. This is incredibly important, so I am pleased that the government has addressed this, but the delays in the past are incredibly concerning, and it remains to be seen whether this will change anything in terms of the governance. We want that transparency and we want that accountability, and that is what we are asking for, because people's lives are at stake. And it is our job to keep looking at that and to make sure that governance is working; that is what the role of an opposition is. It is not because we are trying to be mean or unreasonable but because we are here to make sure that government is doing its job and doing it well so we can save lives.

In the remaining time, I do hope that the government takes the necessary action and does not stall in fixing this mess. I do hope that it looks at our amendments and supports them. We only need to be reminded of the inadequate funding and resourcing that was outlined in finding 22 of the IGEM report, where it was stated that:

The Victorian Government was aware of ESTA's precarious financial position as early as 2015 ...

I also know that we have brought up the issue with the Public Accounts and Estimates Committee, in this house and in our papers for PAEC that the funding for ESTA was not provided in the budget papers, and I still have tremendous concerns, given that there are so many cuts and so many additional taxes being added, about where we are going to get the money to make sure we have these improvements. This is something that we cannot scrimp and save on, because lives are at stake.

So while I commend the bill to the house, I ask that the government consider supporting our amendments which have been circulated, because a lot of time and effort has gone into going through all the reports. I commend the bill to the house.

**Jacinta ERMACORA** (Western Victoria) (15:37): I too rise to make a contribution today here on the Triple Zero Victoria Bill 2023. This is an incredibly important bill. Indeed anyone who has ever had to call 000 understands just how much it matters. I know firsthand, as do many Victorians, what it is like to have to make that kind of call and what it means to have that cool, calm, reassuring voice at the other end of the phone. I once had to call 000 because an elderly woman had fallen over onto the road. She must have become unconscious, because she landed on the road headfirst. She came to with a cut on her head and some confusion as to what had happened. I called 000, as I happened to be



walking along the footpath when she fell, who were calm, and once they clarified where exactly in Warrnambool we were, they advised me to keep her resting on the ground. She kept trying to stand up, but she might have fallen over again, so once the ambulance arrived I felt enormous relief and thankfulness that the people on the other end of the line were so calm and practical and reassuring. This story is relatively minor in terms of the scheme of issues that 000 services people have to deal with, but it was not minor for the elderly lady involved, and I must admit I was a bit nervous for her wellbeing myself.

Whether it is in the wake of a fire or a flood, a road accident or a loved one in desperate need of care, every day our state's 000 staff speak to thousands of Victorian families, often in their most distressed moments. This bill is ultimately about them, Victorian families, making sure they continue to have the strong, reliable, responsive emergency response service that they deserve.

There is another group of Victorians that this bill matters to as well – our amazing emergency services workers. In my past roles, and now in my current one, I have had the immense privilege of seeing the work of our emergency services up close. I am a former volunteer member of the Warrnambool Fire Brigade, and during my time as a CFA volunteer I did experience communicating with the ESTA team on what we might be facing as we travelled to an incident and reporting back on the situation as it progressed and changed. From that limited experience I have observed how closely ESTA and each of the emergency services work together. Each is a vital cog in the chain in response to an emergency. Day in, day out the CFA, Ambulance Victoria, Fire Rescue Victoria, Victoria Police and our state's SES display the most incredible professionalism. That same sense of professionalism extends to our Emergency Services Telecommunications Authority – or, as we call it, ESTA – those who in the face of every imaginable emergency are there to answer the call. These workers deserve an emergency response system that is up to the task.

As others have said, this bill responds to the recommendations laid out in the *Emergency Services Telecommunications Authority: Capability and Service Review*, led by former Victorian Chief Commissioner of Police Graham Ashton, and the inspector-general for emergency management's ambulance call answer review. Both of these reviews set out the ongoing demand for ESTA's services. Just to put the demand into perspective, between 2022 and 2023 ESTA answered close to 2.7 million calls for assistance – that is more than 7300 calls per day, around five calls a minute and equivalent to one call every 11 seconds. Each and every year ESTA saves, supports and welcomes thousands of Victorian lives. Despite this overwhelming demand, ESTA has consistently not only met but exceeded the 90 per cent ambulance call answering performance benchmark. This is testament to our emergency response workers' remarkable dedication and their commitment to making sure that every Victorian has the care they need when they need it. But as these two reviews both noted, demand on these services is only expected to increase. This in addition to the need to bolster the governance accountability and oversight of Victoria's 000 service forms the basis of this bill.

Both independent reviews provide government with an honest and informed framework. Twenty recommendations from the capability and service review will transform ESTA's governance, call-taking and dispatch service, technology and managed services, intelligence services and performance standards to address the systemic issues within the organisation. A further eight recommendations, 42 findings and nine observations from the inspector-general for emergency management provide us with the necessary guidance to strengthen the sustainability of ESTA's operations for the future, improve patient outcomes and ensure confidence in these important services.

In action this bill will repeal the current Emergency Services Telecommunications Authority Act 2004. ESTA, its board and its advisory committee will cease to exist on the commencement of this act. In its place our state will have a brand new and dedicated entity, Triple Zero Victoria, an independent statutory authority that has the framework and oversight that means Victorians can continue to be confident when they call 000. Maintaining Triple Zero Victoria as a statutory authority will ensure its operational autonomy but also its ability to respond rapidly to emergency situations. Importantly, these reforms will bring the authority closer to government. Under the changes Triple Zero Victoria will be

led by a CEO and a board that are directly accountable to the minister and secretary. At the same time these changes will help ensure genuine partnership across the emergency services sector, another of the key expert recommendations. Triple Zero Victoria's operational committee will encompass senior leaders from our emergency services, including those that I mentioned earlier: Ambulance Victoria, police, fire, VICSES and other relevant government departments and agencies.

The bill includes a number of other important measures to ensure Triple Zero Victoria's accountability and responsiveness. Robust reporting requirements will enable the authority to quickly escalate and resolve issues that could affect emergency services delivery. The Department of Justice and Community Safety will be required to endorse Triple Zero Victoria's annual financial planning and operational budgets, and of course the inspector-general for emergency management will continue to monitor and provide assurance on the performance of this vital service.

ESTA's current workforce will also continue in their important role, transitioning to Triple Zero Victoria to ensure continuity of service for all local communities. This bill builds on the government's existing commitment. I am proud to say that over the last two years our Labor government has invested more than \$363 million to help ESTA meet its growing demand, employing more than 400 additional staff, building better support and surge capacity during the busy times, strengthening mental health support for workers and investing in vital technology upgrades.

Without wading too much into the detail, I would like to put this commitment into contrast. There are those in this chamber who prefer not to remember, but as a regional Victorian and as a representative of a regional community it is much harder for me to forget. It was Premier Jeff Kennett who privatised our emergency services communications and the Liberal Napthine government who went to war with paramedics. I disagree with Ms Crozier – our emergency services are not Third World and do not deserve to be run down and criticised by the coalition. In contrast to Kennett and the current opposition's attitude to emergency services, our government is supporting on-the-ground services that Victorians rely on, including in my electorate.

As my colleague Minister Tierney so eloquently described in this chamber this morning, we were delighted to open the new facility for the Port Fairy SES a few weeks ago. I would suggest that the role Ms Tierney played in responding to the dire need for a new home for the Port Fairy SES unit was quite understated by her in her ministers statement this morning. Former unit controller Stephen McDowell described in detail the advocacy and hard work of Ms Tierney in achieving an urgently needed new facility so quickly, and I congratulate Minister Tierney, Stephen McDowell, the new unit controller Hannah Morris and all Port Fairy SES unit members for this wonderful community outcome. I have also in recent months had the great privilege and pleasure of opening the Warracknabeal and Dimboola fire stations, and also the Casterton fire station. As I said earlier, I am profoundly grateful to the workers and volunteers who make up our state's emergency services.

I would like to take this opportunity to thank those individuals from across western Victoria: our dedicated paramedics who care for and about our local families; our local police men and women, who work tirelessly to help keep our communities safe; and our SES workers and volunteers, who respond to floods, storms and everything in between. I must say, in the recent strong winds a tree went over on my parents' farm, where my mother lives alone. She is 83, and that tree blocked her into her property. She had occasion to call the SES and is very, very thankful. And of course Fire Rescue Victoria and our local CFA volunteers – I made some great friends, some dear friends, in the CFA in Warrnambool and surrounds during my period as a volunteer firefighter. They are still friends of mine today, and I am very grateful for their continuing volunteer work in our community. Many members of our family, including my father, my uncle and me, and others, have served our community as volunteer firefighters. It means I know well the hard work and commitment that go into it. Ash Wednesday was a big day for our family, as have been most of the other large fires over the decades. It is these emergency services workers that this bill is all about, the Victorians who serve our state and who deserve a responsive, cohesive 000 service. And it is about Victorian families, who deserve to feel confident, like I did the day that I called 000 on the side of the street in Warrnambool, that if they

ever need to make that phone call, they and the people they love will have the help they need. I am proud to support this bill and the Victorians it matters to.

**Wendy LOVELL** (Northern Victoria) (15:51): I rise to speak to the Triple Zero Victoria Bill 2023, which is a bill for an act to establish a new entity called Triple Zero Victoria, to repeal the Emergency Services Telecommunications Authority Act 2004 and consequentially amend other acts. This bill will result in the cessation of the Emergency Services Telecommunications Authority, known as ESTA. The government has introduced this bill in response to findings and recommendations of, firstly, the *Emergency Services Telecommunications Authority Capability and Service Review: Final Report* conducted by former police commissioner Graham Ashton, and secondly, two reports that were prepared by the inspector-general for emergency management, namely, the *Review of Victoria's Preparedness for Major Public Health Emergencies, Including Pandemics* and the *Review of Victoria's Emergency Ambulance Call Answer Performance*. These reports were obviously prompted by the well-publicised failure of the 000 system under this government.

I take up Ms Ermacora's contribution and also one that I was listening to earlier by one of her male colleagues, which talked about all of the problems in the ambulance services being the fault of the Liberals, being the fault of the Kennett government, which was not just 24 years ago, not just last century, but last millennium. This government is still blaming Jeff Kennett for everything that has been wrong. This government have been in power for 20 of the last 24 years. The failures in these systems rest solely and squarely on the Labor Party in this state. Not everything that went wrong in this state happened last millennium or happened in the four years of the Baillieu–Napthine governments, but according to Labor of course that is the truth – but we all know that it is not the truth.

We know that Labor have a very cosy arrangement with the unions, and yes, the ambulance union did work very hard to assist them to get back into government in 2014. And then, once they got into government, the union took exactly the same offer that had been offered by the Napthine government for their EBA. They took that from a Labor government but created all hell in the community when it was offered to them by the Liberal government. But what we know is failure after failure after failure has happened in Victoria, and people have died because of this government's mismanagement of our ambulance services and of our health system.

I would like to talk about a particular case in my own electorate, that of baby Lawson. I was horrified when his parents Ashley and Tamika contacted me in 2022 to talk about what had happened to baby Lawson. At about 5:30 in the afternoon on 12 May 2022 Lawson actually suffered a seizure. He was 15 months old. He suffered a seizure at his home in Girgarre. His parents had to drive him to the hospital in Kyabram, and as they did they were dialling 000. 000 rang out three times. While this family, whose child had had a seizure, was driving to the hospital, the 000 number rang out three times. Finally, on the fourth attempt an operator did answer, but they got cut off, so they redialled it again, and on their fifth attempt they actually connected and stayed with that operator for about 12 minutes, because that operator was actually unable to transfer them to the ambulance service. You know how they say, 'It's 000; do you require police, ambulance or fire?' They were unable to transfer them from that person to the ambulance.

As they arrived at the Ky hospital the operator then said to them, 'Look, I'll try and get onto ambulance and send an ambulance, but I'm not sure if one's going to be available or if one will arrive.' Lawson had stopped breathing and was turning grey, so the Kyabram hospital, which only has an emergency care centre, were unable to care for him as well. They rang for an ambulance. That took about 30 minutes – to get to a hospital ringing because a baby had stopped breathing and was turning grey. They obviously resuscitated Lawson, and the ambulance arrived about 30 minutes later. But when the ambulance got there the paramedics were not comfortable to transfer him. They did not think they were qualified enough to transfer Lawson from Kyabram to Shepparton. They wanted a MICA paramedic present. But Lawson had stopped breathing twice, so they eventually did load him into that ambulance and they started on their trip. They did stop just outside Kyabram and they waited for the MICA ambulance to meet them there, and Lawson stopped breathing four more times before they

reached Goulburn Valley Health. That was six times that the parents or the hospital had rung before an ambulance even attended and seven times by the time the ambulance also called for a MICA service. Anyway, finally Lawson did receive the care that he needed from MICA paramedics. No-one criticises our paramedics – our paramedics and our MICA paramedics do a tremendous job. The criticism here is with the government’s failure to manage these services properly.

I think everyone here would understand the stress and the anxiety that Ashley and Tamika, Lawson’s parents, felt as they repeatedly dialled 000 while their child had stopped breathing and their child was turning grey. Remember, this baby was only 15 months old. Fortunately, once Lawson was in MICA care and he was transferred to GV Health, he finally did receive the care he needed, and his parents are very, very grateful. But then, to add insult to injury, the government sent them a bill – a bill for \$2000 for an ambulance that they called that never arrived. This received a great deal of attention by the media. Lawson’s parents were absolute media stars for a couple of days. They were on breakfast TV, they were on the evening news and the *Sunday Night* program, and eventually the government, due to the pressure that the media coverage attracted, did waive that bill. What an insult – call an ambulance, it does not arrive, ‘But here’s a \$2000 bill for that ambulance.’ What a disgrace.

I had another constituent of mine contact me just a couple of weeks ago to say that she had called an ambulance at 5:45 in the morning because her husband had collapsed on the floor of their kitchen. That ambulance took almost 2 hours to arrive. Fortunately the husband has recovered from the incident that he had, but 2 hours – it could have been too late. It is just a disgrace. Then just last week I was sent pictures from people in Wodonga of the ambulances ramping at the border health service. Every single ambulance in both Albury and Wodonga in the middle of last week was ramped at the border health service. This has been an absolute disgrace, the way the government manages health services and ambulance services in Victoria.

I am going to also talk about an article that appeared in the *Bendigo Advertiser*, something that has not had a great deal of media attention considering just how serious it was. This is an article that was actually driven by the Victorian Ambulance Union. They raised that on grand final night:

Victoria’s regional emergency control centre was forced to close due to staff shortages ... one of “the busiest nights of the year” ...

The ambulance union said that, and I can certainly believe that. They warned that:

... understaffing at the Ballarat centre risked placing paramedics in dangerous situations without co-ordinated support from police, the CFA or SES.

What was the reason for its closure? It was personal leave by staff. Surely you would know it is one of the busiest nights of the year. You know that many people want personal leave on that night. The government and the people who operate these services should have rostered accordingly. It is not good enough if people are just calling in on the day. They need to roster accordingly for those days. We have these trials in all of our health services for things around special events. Whether it be the grand final, whether it be Cup Day or whether it be Christmas, staff do want those times off. And we feel for people who work shiftwork: nurses, doctors, paramedics, our fire services and other emergency services – our volunteer services. I have known my own brother to get up from the Christmas table, leave his Christmas dinner and go to a car accident, or other friends who have gone to fires on Christmas Day – because that is what they do. If you are being paid to do a job and you are rostered, then you turn up. The government need to make sure that they adequately fill those rosters to keep these services operating. Obviously they did not do that on grand final day in Ballarat, and the service closed down. Danny Hill from the ambulance union said that emergency control centres are:

... vital because they’re almost like our flight air traffic controllers, they control every ambulance resource in rural Victoria ...

But on grand final night they were not there to control the ambulance resources. They were not there to make sure that ambulances that were dispatched by the centre in Melbourne had the backup, whether

it was fire services or police services, so the paramedics may have been put into dangerous situations because these services just did not operate under this government.

But does this government care? No. As long as this government has power, it has control over people. That is all they care about. They certainly do not care about the day-to-day lives of ordinary Victorians. They do not care about the hundreds and thousands of people who are on waiting lists for health services in the state. Whether it be waiting lists for elective surgery or emergency surgery, whether it be waiting lists just to see a mental health professional or whether it be waiting lists to get into a doctor, this government does not care as long as it has power and control over people. That is all that it cares about: the Labor Party first, the Labor Party second, the Labor Party third, the Labor Party fourth, the Labor Party fifth. I could go on and on and on. At the end of a very long list of the Labor Party and their own personal interests, then you might get an 'Oh, we might care because we want to keep control of power,' but they do not really want to deliver anything that will improve the lives of Victorians and the economic prosperity of our state. As long as the Labor Party is in power and as long as the Labor Party has control, that is all that they care about.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (16:05): I rise to make a contribution on the Triple Zero Victoria Bill 2023. At the outset I want to acknowledge all the fantastic work that our emergency services people do on behalf of Victorians in keeping us all safe but of course also our call takers at the Emergency Services Telecommunications Authority, otherwise known as ESTA, because I could not imagine a more challenging job than being a call taker, responding to people who call in at times of extreme distress and under extreme pressure. I note that at times they are even taking calls from children when their parents have become seriously ill. Trying to remain calm in those circumstances and trying to extract the relevant information from people who are calling the emergency services is extremely challenging, and I just want to thank those people for the amazing work that they do and for being part of that really important chain of workers that keep Victorians safe. As I said, it might start with the call takers at ESTA, who then patch it through to the emergency services, whether it be the police, the fire, the ambulance or the like. I am really grateful for the work that our emergency services do on behalf of Victorians. It is a very challenging job, and I think it is becoming even more challenging these days. I just think it is very impressive to dedicate your life to these sorts of services as an emergency services worker. It is something I am forever grateful for, so I just want to give that shout-out to our emergency services personnel.

This is an important bill. I have listened to the contributions from the government benches over here but also from the opposition benches. Wow, what a picture of doom and gloom has come from over there – a whole grab bag of unsubstantiated, crazy information which really does not even warrant responding to in a lot of cases. It seems that all the opposition want to do is talk doom and gloom but also use examples of situations that have been quite dire to muckrake the human tragedy from them. That is completely inappropriate, because we know that we have got bodies that are charged with investigating when things actually go wrong. From what I understand, I know there have been situations where people have unfortunately died whilst waiting for an ambulance, but they are matters for the coroner to determine. It is really inappropriate to come in here as part of a contribution in regard to this important bill and talk about those things without the foundation of an inquiry backing those claims. We get these sorts of inflammatory, overblown remarks and claims from those opposite, which is really unhelpful and shows the reason why they should never be in government.

I might talk about how they went to war with our paramedics as well. The war with the paramedics that the Liberals embarked upon was unprecedented, uncalled for and completely irresponsible, and it took a Labor government to resolve that. It takes a Labor government also to fund our emergency services and to make sure we have the appropriate frameworks in place, because what we know about those opposite is all they did when they were in government was cut, cut, cut, go to war with workers, go to war with paramedics and completely undermine these important services – and attack the workers, by the way, who were so fundamental and critically important to these services. Everyone

knows that there is no credibility on that side of the chamber when they talk about these things. No-one is listening; they are talking to themselves anyway.

I just heard a whole grab bag, so I am just waiting for the interjections and interruptions from those opposite. They will come thick and fast, I am sure, as I keep working through these notes today, because that is all they have got. It really has been an embarrassing display from those opposite today. Their contributions have just been appalling. There have been no alternatives, mind you, put forward. You would think if you were going to put yourself forward as an alternative government you might have something – policy, maybe – but they have nothing other than rhetoric, which no-one is listening to other than them.

Importantly, this Triple Zero Victoria Bill 2023 will reform the Emergency Services Telecommunications Authority – ESTA, as we know it – to bring it closer to government, ensuring greater oversight and providing clear and transparent accountabilities for the organisation, board and chief executive officer. The bill will establish a new statutory authority called Triple Zero Victoria, which will be led by a new board and CEO directly accountable to the Minister for Emergency Services. Triple Zero Victoria will draw on expertise from across the emergency and health services sector, and the legislation marks an important step forward as the government delivers on its commitment to create a stronger, more resilient 000 service for Victorians following the findings of the ESTA capability and services review led by former Victoria Police chief commissioner Mr Graham Ashton in 2022. Obviously that is what we do as a government. If there is a review undertaken, we listen to the findings of that review so we can continue to improve on the services that I know so many Victorians rely on in their time of need. As I said, they are an amazing service with amazing stories. I know that throughout very challenging times – I mean, you can think about all the ways in which our emergency services and first responders respond to emergencies. For example, if it is the 000 service, of course they are responding to medical emergencies and the like. Or it could be fire and then of course police where there is some sort of law and order response required.

It is important to make sure that we continue to review these things and refine things where that is necessary, and so this bill will, as I said, bring in some important reforms, which will mean that the board and the CEO will be directly accountable to the Minister for Emergency Services. Greater accountability is always a good thing, and we do not shy away from that as a government. We are very happy to embark upon those sorts of reforms. We know Victorians rely on these services heavily, so it is critically important.

The inspector-general for emergency management's *Review of Victoria's Emergency Ambulance Call Answer Performance* following the COVID-19 pandemic-related 000 demand surge also identified a number of opportunities to strengthen governance, accountability and service delivery, including in peak times of demand. What we know is, as we saw during the pandemic, there were peak times, obviously, that resulted in a surge of demand on those services and there are other times where you notice surges in capacity being put on our services – things like, and I often reflect back on, the thunderstorm asthma event that we had a few years back now. I note that some of the apps that are available can actually give you prewarning if there is a thunderstorm asthma event that might be pressing, because that means that people who may suffer from asthma can take action to manage their condition and perhaps act more quickly if they feel they are going to be impacted by such an event. I know that was just another example of when our emergency services had a demand surge placed on them. As an emergency call taker, responding to those things is critically important. They get excellent training as well. 000 call takers are very well trained in being a worker on these services, and it is critically important. You need a very cool, calm pair of hands in taking those calls. They are amazing people with the contribution they make to our emergency services.

Just returning to the IGEM review: this review also identified a number of opportunities to strengthen the governance, as I said, accountability and service during and including in times of peak demand. Both reviews recommended organisational change to ensure that the organisation's structure, functions and name aligned with community expectations of the services to be provided. That is why

'Triple Zero' makes sense, because we all kind of know that in times of emergency you ring 000. Although some people like to quote 911. I think they have been watching too many American TV shows. But we get told these sorts of things when we are at school. I can remember learning about 000 as the number to call in case of emergency, so it is good to make sure that our framework and the organisation that these people work for reflect what people understand.

The bill is establishing Triple Zero Victoria as a new organisation that will provide high-quality and timely call-taking and dispatch services and operational communication services for Victoria's emergency services. It is critically important to make sure that the organisation that will employ our call takers and still does employ call takers has a name that reflects the emergency nature and status of what people need to do when they are calling for emergency assistance. The bill marks a new era for Victoria's emergency call-taking and dispatch service, and it will ensure Victorians can continue to have confidence that when they call 000 they will get the help they need when they need it. The bill will ensure that Triple Zero Victoria can deliver an effective, sustainable service to the Victorian community now and for decades to come. As I said, this review is timely and it is an important review that has informed the reforms that we are making. We do not shy away from ensuring that when there are recommendations made we act on those recommendations to improve those services as well.

I will just talk a little bit about the organisational structure and the new organisation. It is a unique service that will maintain Triple Zero Victoria. It is a statutory authority, and it will preserve its operational autonomy and its ability to respond quickly to emergency situations. This is similar in arrangement to how other emergency services operate, like Ambulance Victoria, so again aligning the organisational structure to make sure it is reflective of the nature of the emergency services that it participates in and understanding that that is part of that broader function.

In the 2023–24 Victorian budget an additional \$2 million was included to support the 000 reform program so that we could roll out these reforms. Our government is continuing to invest in the emergency services. In the 2023–24 Victorian budget we also included additional funding for ESTA to procure a new computer-aided dispatch system, again making sure we have the most up-to-date and fit-for-purpose technology to assist in making sure that these services can operate effectively.

In 2022–23 ESTA answered almost 2.7 million calls for assistance, which represents a call every 11 seconds, or 7350 calls every day. That is a staggering amount of calls, and you can see why we need to make sure that the service has the appropriate amount of resources, and fit-for-purpose resources, in order for them to carry out their very important function. Despite this unprecedented demand, ESTA has consistently exceeded the 90 per cent ambulance call answer performance benchmark since last August. In large part that is a massive credit to those call takers who very efficiently and effectively deal with these calls as they come in, being able to get the information they need in a timely way but also being able to dispatch those calls to the emergency services. Again, it is an amazing statistic: 2.7 million calls for assistance, representing a call every 11 seconds. That is so incredible and a very impressive result for those call takers to manage that volume of calls. 7350 calls every day and one call every 11 seconds; that is staggering – a very impressive record by the ESTA call takers. Our government has made sure that we have resourced ESTA, which will now be Triple Zero Victoria, to be able to perform the very important function that it serves as part of our emergency services response.

In terms of bringing the entity closer to government – and I touched on this earlier – under the legislation the Department of Justice and Community Safety will be required to endorse Triple Zero Victoria's annual financial plans and operating budgets. This will make sure it is financially robust and gives greater transparency to the organisation's financial position. The bill also requires the CEO to report directly to the minister and the Secretary of the Department of Justice and Community Safety on significant risks on matters of significant public concern affecting Triple Zero Victoria. So again, there is more opportunity to get more transparency and accountability into the system.

I might leave my contribution there with about 30 seconds on the clock and just note that this is an important bill. It brings in some important reforms ensuring that our emergency call takers will be able to undertake their very important role and function as emergency call takers. I think it is a great reform. Triple Zero Victoria will also signal to the Victorian public that it is an emergency organisation, bringing it into alignment with all of our other emergency services, and I commend this bill to the house.

**Trung LUU (Western Metropolitan) (16:20):** I rise to make a contribution to the debate on the Triple Zero Victoria Bill 2023. This bill will abolish ESTA and rebrand the Emergency Services Telecommunications Authority as Triple Zero Victoria. The bill will create a new entity, Triple Zero Victoria, which will replace ESTA and perform the functions that ESTA used to perform. It will take emergency calls from the general public and connect them to the particular emergency service that they need.

It is good to keep in mind that the core function of 000 simply is to connect members of the public to the emergency service that they need. When people call 000 it is an emergency, and by definition their call is urgent, their call is serious and their call could be a matter of life and death. So it is vital – very important – that a caller is connected to the relevant emergency service as soon as possible. That is the core function of 000. Anything that detracts from the core function needs to be dealt with and resolved. In past years Victorians have experienced this failure, resulting in loss of life. Ultimately these failures end up with the government of the day, not those who were in government 20 years ago. We know ESTA did not satisfy its core function to the community's expectations.

The fact is we have known since 2016 that there were flaws in the 000 system. Because of these flaws, as we have heard in this chamber today, three inquiries were conducted into emergency call taking. The inspector-general for emergency management did two reviews and former Chief Commissioner of Police Mr Graham Ashton completed his review, the Ashton review. These reviews uncovered very serious concerns. They identified various issues.

The goal of the call takers is to answer within 5 seconds. Of course we want them to answer as soon as possible and respond to emergencies where they can as soon as possible. But we know that from time to time that is not possible due to various things that might arise. With every single call the expectation is that it needs to be responded to as quickly as possible. So the benchmark that ESTA tried to meet was to answer 90 per cent of calls within 5 seconds. I know that those across the chamber here like to refer back to numbers in years past, but what I would just like to emphasise is that in 2014 – I am not sure who was in government at the time – the average was 93 per cent of calls answered within the time frame, which was 4 per cent above the national average. Since then, during the pandemic the amount of calls increased greatly and as a result the response rate went down.

During this time New South Wales and Queensland, for example, hit their 5-second target around 85 per cent of the time, but during this time Victoria somehow managed to hit only 65 per cent. There was something wrong with this, and we needed to ask why this had occurred, why our state had dropped the ball so dramatically. The success rate dropped even lower in January 2022, which was ESTA's worst month of performance, with only 39 per cent of calls answered within the required time frame. Many calls were answered soon after the 5-second benchmark, in 20 seconds or a minute, but hundreds of callers were waiting for 10 minutes or more. And for an emergency call that sometimes means the difference between life and death, this was an issue that we needed to look into deeply.

The Ashton review found that 33 people who waited for a long time for their call to be answered did not survive the emergency. We understand that every incident has its challenges and unique situations, and the coroner was very careful not to make any finding of call delay contributing to anyone's death. However, there is a possibility, as we know, that the long wait was a factor in these cases of death. When health and medical aid is delayed in responding to requests for assistance, it will cause and contribute to people's deaths. So we must take this seriously: we need to improve the call and dispatch performance.



This bill seeks to reform the emergency call-taking service by abolishing the ESTA altogether and starting from scratch with a new entity. One important change is the funding model. ESTA was originally designed so that the emergency services would provide its funding – the idea of the actual service assisting in paying for service delivery. However, the fact is that the funding model proved unsustainable, and ESTA has required regular top-up funding of around \$30 million a year since 2015. Under this proposed reform Triple Zero Victoria will move away from a fee-for-service model to be directly funded through the budget. This is a reform I support. It eliminates the pay-for-service attitude.

It has been said that this new structure will be better than the old one because it will be closer to government. I just hope being closer means the ability to recall what has happened, the ability to recall their actions and the ability and the willingness to take responsibility and ownership. The Ashton review said that one problem with ESTA was the independence of the board, and this bill tries to fix it by increasing the reporting requirements. The board and the CEO will now report to the Minister for Emergency Services as well as the justice secretary. The Triple Zero bill will give the minister the direct power to dismiss the CEO. Nevertheless, in its basic features the new entity of Triple Zero essentially will reproduce the structure of ESTA. The government will appoint the board and an advisory committee made up of representative individual emergency services, and a CEO appointed by the board will oversee the day-to-day operations. From these changes it might be the case that the new entity is closer to government, but again I hope it will give more ownership and more responsibility to the minister.

We need to understand that the failure of the response rates was identified with government not having enough control over authority bodies, not because of the frontline staff. The frontline staff were and are doing a fantastic job – and I can vouch for that personally – during demanding and stressful conditions. If the service has failed, it is not because of the frontline staff's performance but because of how the staff have been deployed and managed – how they were rostered, what IT services they were using and what procedures they were following. These are all responsibilities of the management, the board and ultimately the minister.

Rostering should also be considered. The nature of emergencies is unpredictable, and any organisation tasked with responding to emergencies must be responsible enough to match the unpredictability of emergencies. The review of ESTA identified staff rostering as an area of concern because staff were fixed to a 12-hour roster. There is not enough flexibility in the roster system to react properly or rapidly to changing demands. Changing this would require changing the enterprise agreement with call-taking staff and would require agreement with several different unions, and I hope this bill will focus on that.

The review also considered IT issues. The five different emergency services organisations themselves each have their own unique IT system, which makes it very difficult for ESTA to structure its IT service in a way that fits with the emergency services that it communicates with.

In conclusion, I do not oppose the bill but do hold some reservations. A reformed emergency call-taking service cannot come soon enough, and I welcome the reform. I hope the government will support the amendment the coalition has put forward. But the public should not be fooled by the rebranding of this exercise. The new structure does not itself address the issues around IT and staffing. These were at the centre of ESTA's problems in the past years and will remain so until the minister addresses the issues and works with the board to govern and hopefully meet the community's expectations in responding to emergency calls. In conclusion, the rebranding in this new bill is a start, but ownership and responsibility lie squarely with the government to work with various agencies and unions to focus on responding and meeting the community's expectations.

**Tom McINTOSH** (Eastern Victoria) (16:31): I rise to support the Triple Zero Victoria Bill 2023, and I want to start by acknowledging all those that have done a power of work in ESTA in recent years and across all time frames, because it is an incredibly challenging role. We know that that line of work, dealing across the areas that those workers are, is incredibly challenging. As we heard, Mr Bourman, my fellow Eastern Victoria Region representative, talked well about the complexity that lies within

every single call, and we are talking about nearly, on average, 8000 calls a day coming into this service for all manner of reasons and never knowing what is coming at the other end of that call. I think it is absolutely important that we recognise those workers and also the extra stresses and pressures that were put on through the pandemic and that the government reacted to that with well in excess of \$300 million for additional staff and mental health support to support those workers.

Post that we have had an independent review, and obviously that has led to this bill here today and the changes that we need to create Triple Zero and to ensure that we have the best possible services to respond to emergency calls and to liaise between our emergency services – our ambulance, our police, our SES and our fire services – and to make sure that those people who are calling in need and our responders have the best possible connections.

Of course what we are delivering and what we are responding to from the review is a far cry opposite to what we have seen happen with these services in the past and what we saw the governments of the 1990s do – privatising and outsourcing to an American company that literally ripped the guts out of our capacity, our skills and our services, which have had to be rebuilt over time. We know that when we take shortcuts and when we do not value and invest in our people, in the skills and in the infrastructure that is needed for our essential services, we do not get the services that our community so, so very much needs.

I have just noticed that I have got 30 seconds on the clock, but I do not think I have been going for 14 minutes. That is okay; I will just keep at it. There we go. We are back. I have got a full 15 minutes, which I will probably need to talk in detail about everything that exists in this bill.

Back to that point of privatisation, we saw what came out of the royal commission. We saw the hands-off-the-wheel approach. I think that period of time under Kennett, when the Liberals and the Nationals last had their way, was probably one of the –

**Wendy Lovell** interjected.

**Tom McINTOSH:** Sorry, it was not the last time. It was the last meaningful time they had their way and they did anything in government, which we do not want. I think I recall that it was the biggest gouge of privatisation that anywhere in the world has seen. Many of the consequences of that have lingered.

There is the investment that we are making and the investment we are creating in the staff, in the service and in the infrastructure. Following on from that independent review and following on from those recommendations, ensuring with the board and the committee we are bringing experience and expertise in those services that will work in this space to meet that critical demand and that urgent need from the community for these services is so crucial to get right. It is a very challenging space. It is very easy to throw mud at the workers in this space, but it is incredibly challenging for those taking the calls and those responding. Every time I go out to meet those people at their ambulance stations, fire stations or police stations – whatever it is – I think about how we all owe them such a huge debt of gratitude for the work they do, because it is incredibly demanding, and it is at times dangerous. It is a debt we owe to all these workers.

When I see the infrastructure investments that we are making in this state – in my region, being able to go out to Yarram and see the new CFA and ambulance upgrades or see the Foster ambulance station or at Mornington a completed ambulance station – and see what it means to those teams who are working day in, day out and see how it improves their workplace, their workspace and their headspace for the work they do to deliver for our communities, it is something that I am very, very proud of. It is something this government is committed to and is committed to in an ongoing way. When the value set of government is to absolutely support our essential services, to support the workers – to support them with the infrastructure, to support them with the tools and the skills they need – we know, despite what can be incredibly challenging work, we are on the path to success.

I dropped in at the incident control centre in Heyfield during the recent fires and floods. We know that in one day, within hours, alerts were coming up on the VicEmergency app of fires and floods on the same screenshot. We know that with climate change, natural disasters are exacerbated. They are more frequent. It is on us all to ensure that we are, first of all, reducing our emissions and stopping climate change but also dealing with the impacts that we know are already locked in. We are supporting those emergency workers to get the best out of them. Part of that is ensuring that our 000 call service – which is the mesh, the connection point – is delivering what Victorians need, want and expect and ensuring the best results for all of them and the people that use the service.

I just want to touch on a couple of points about the new structure and to highlight that it will be led by a new board and a CEO directly accountable to the Minister for Emergency Services, who is in the chamber – and I acknowledge the minister. It does mark an important step forward as we are delivering on our commitment to creating a stronger, more resilient 000 service for Victorians following the findings of the ESTA capability and service review that was led by former Victoria Police chief commissioner Mr Graham Ashton and the recommended organisational changes to ensure that the organisation's structure, the functions and the name align with community expectations of the services to be provided.

I really take great heart from the fact that we are going to have input across our services, and between the board, the committee and our ministers I think we are going to get really good outcomes. But as I said before with reference to Mr Bourman's comments, which were very insightful, it is such a difficult and complex space. It needs a government that is committed to constantly improving, constantly delivering, working with the service, ensuring that we understand what we need of it and ensuring that is delivered. I have absolute faith in the ministers and the government to continue this good work and deliver what all Victorians need. I will finish my contribution there.

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (16:42): Thank you for your contributions on the bill today. The bill covers important, serious issues but is relatively simple in its form. It is predominantly around governance and establishing Triple Zero Victoria as an organisation to provide high-quality and timely call-taking and dispatch services and operational communications for Victoria's emergency services sector. It does mark an important step forward as the government delivers on its commitment to creating a stronger, more resilient 000 service for Victorians following the findings from reports that have been well canvassed in debate.

I do want to put on record again my sincere apologies to any Victorian who has experienced unacceptable delays in their calls to 000, particularly during the COVID-19 pandemic. I have had several personal discussions with some of the families who have been impacted by those delays. Some of them have lost loved ones and some of them have had experiences that were really harrowing, so to speak firsthand with those people was a real motivator in relation to the development of this bill but also ensuring the government's substantial support and increases in funding for ESTA came to fruition to bring about a service that Victorians can be proud of and rely on.

I also need to place on record my thanks to the staff from each of the emergency services agencies, ESTA's industrial partners and department staff that have been consulted and have made a contribution to the development of this legislation. Most of all I would like to thank the staff at ESTA, an incredible group of people that make up an organisation that has seen significant change over the past 24 months. They did an incredible job throughout the pandemic. They faced unprecedented demand and several times had furloughed staff, and they all stepped up to do their very best in the most trying of times.

It was 8 October 2021, six weeks after I became Minister for Emergency Services, that I announced that the Victorian government had commissioned a review into ESTA by former Victorian Chief Commissioner of Police Graham Ashton. The following year the government supported in principle all 20 recommendations from that review, and the 2022–23 state budget invested a record \$333 million to deliver more than 400 staff, build better support and surge capability for busy times and provide

that really important wellbeing support to look after those frontline workers. It is an incredibly difficult job. They do it so well, but it is important to invest in their wellbeing, and we were sure to make that a priority in our investments.

Witnessing the call-taking process firsthand is inspiring. I just love visiting ESTA centres. We have got three in the state, and when I visit I always take the opportunity to plug in and listen to the calls being answered. I am in awe at the expertise, the calmness and the professionalism that the call takers deliver each and every time. They demonstrate great resilience, skill, patience and empathy to help Victorians when they need it most, and I just cannot thank them enough for the work that they do.

Our investments to date have helped to stabilise and improve call-taking performance. On ambulance call taking, a lot has been mentioned about ambulance services in today's debate, but I can confirm that ambulance call-taking performance has exceeded the benchmark of 90 per cent of calls answered in 5 seconds for over a year. In fact in June ESTA had its equal best month in terms of call answer speeds on record. However, we acknowledge that the job is not done. In partnership with ESTA's new leadership team the government continues to work closely with them to restore community confidence in our 000 service. As I said at the time of accepting all of the recommendations, we did want to ensure that our focus was on the highest importance at that time, and that was ensuring that call-taking speed and dispatch was the focus. Whilst we got that on track, we then commenced the next step in relation to government's reform. This bill is testament to that work. It is another step forward in the government's commitment to delivering a stronger, more resilient 000 service.

The bill will establish Triple Zero Victoria as a new organisation to provide high-quality and timely call-taking and dispatch services. The functions of Triple Zero Victoria set out in the bill are clearer and they are more tailored than those that were prescribed for ESTA, so we are effectively modernising this organisation's foundation legislation. The bill provides for clear governance of Triple Zero Victoria's service delivery, a signal to the emergency services sector and the community of where Triple Zero Victoria's focus will be now and into the future. I would like to take the opportunity to circulate my amendments. I have, substantially, three house amendments, and I might just pause while they quickly go around.

#### **Amendments circulated pursuant to standing orders.**

**Jaclyn SYMES:** On the government's house amendments, the first one is on clause 17(3). It is adopted from the opposition's amendment and requires the publication of a ministerial direction issued to Triple Zero Victoria on its website within 14 days of the direction being issued. It was 'as soon as practicable'. There does not seem to be a lot of trust for my commitment to make that public, so we will accept 14 days to make sure. In fact we will probably endeavour to be quicker than 14 days. We do not have a problem with putting a specific period of time for people's comfort in relation to that. Hopefully that is acceptable to all parties, given that the opposition have requested a more definitive time line rather than the language of 'as soon as practicable'.

The second amendment, on clause 74, requires Triple Zero Victoria's annual report to include a summary of the advice provided by the operational committee on how Triple Zero Victoria and the emergency services organisations have supported each other in their respective functions. This amendment is directed towards the intention of the opposition's new clause 71A amendment, which calls for the board of Triple Zero Victoria to provide an annual report on the advice it has received from the operational committee. Again, it is not necessarily too controversial. Our amendment makes it a little more workable, because the opposition's amendment is a little more duplicative and therefore unnecessary, as an annual report is already part of the requirements of the Triple Zero Victoria entity. So the amendment that we are proposing is more workable and more implementable by the organisation.

The third amendment, on clause 83, requires data relating to agreed performance standards to be published on Triple Zero Victoria's website annually or at an interval set by the emergency

management commissioner. This amendment relates to a couple of the amendments proposed by the opposition regarding the frequency of data publication on the website. Although this amendment does not address the time line of quarterly, as proposed by the opposition, what it does do is give the emergency management commissioner the discretion to set the appropriate reporting time lines based on the performance standards that will be set following the passage of the bill.

We received amendments from the opposition on Monday, and we certainly acknowledge the intent – it is about transparency, it is about accountability and it is about information being available to this chamber but also to the public, and that is something that I support – but in working through whether we could accept those amendments or not, we spoke at length with the department and ESTA in relation to what was workable, which is why we have come up with counter amendments which have a similar intent but will be more easily implemented. We are hoping that people take stock of the fact that we want the same outcome, but we do not want overlapping, burdensome imposts on an organisation. The advice I have on the opposition’s amendments is that they would swamp Triple Zero Victoria, they would create too much bureaucracy and they would take dozens of staff off regular duties to compile the figures that have been requested.

Of course there are people that collect data, and I guess I will give you an example of why I am imploring members to support the government’s position and not the opposition’s amendments. At the height of the call-taking pressures, when I first became minister I desperately wanted data; I desperately wanted to know each and every minute what was happening in that organisation. But I also was very conscious of the fact that my continual intervention and asking for information was potentially holding them back from actually getting on and doing what they needed to do to improve the call-taking experience for those that were contacting 000. So it is a balance between ensuring that an organisation can operate effectively and not frustrating its work by continually demanding that it document everything that it does. I guess if you consider a bit of a comparison, you do not have the Crime Statistics Agency work being performed by Victoria Police. You have a separate agency that do that, because they are a data collection agency; Victoria Police are not. I would put the proposition that Triple Zero Victoria, or ESTA as it is now, is not a data collection agency; it is an emergency services organisation. With that, I do want to have as much publicly available information as possible, and we think that the amendments that we have proposed provide a good, balanced approach in relation to meeting that objective.

To conclude, I would like to just again express my gratitude to the staff at what will soon be Triple Zero Victoria. I have been on the floor with many of them over the past two years, and Victorians could not be better served when they are in need of emergency assistance. Passing this bill will allow Triple Zero Victoria to continue to grow and improve and offer an even better service to the people of Victoria.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clause 1 (16:54)**

**Georgie CROZIER:** Minister, Triple Zero Victoria is set to be directly funded by the state government rather than through contributions. What future budget allocations have been made to secure funding for the agency?

**Jaclyn SYMES:** ESTA, or Triple Zero Victoria, will continue to go through the normal processes of budget allocation, so therefore that is not set at this point in time as a fixed amount.

**Georgie CROZIER:** Another similar budgetary question: the inspector-general for emergency management (IGEM) and the Ashton report highlighted significant IT issues at ESTA. How and when will funding be provided to upgrade IT in 000, or could you provide an update as to that upgrade that I think we have asked about previously? You said the work was ongoing.

**Jaelyn SYMES:** Indeed there have been many millions of dollars over several years that have continued to be invested in the IT systems. Obviously, as you would appreciate, the call-taking and dispatch system relies heavily on an IT system, known as the call-and-dispatch system. The last budget allocated a significant amount of money to go out to tender for a new CAD system, so that is in the process of being procured. I can report that, in really good news, it has attracted a lot of interest – probably more than I would have expected – which is a good sign. It means that there is high interest from IT companies to develop and deliver the new CAD system. For commercial-in-confidence reasons, the amount was not disclosed in the budget. However, I am advised that in terms of the interest that they have had, they are confident that the amount that was allocated will be able to secure a contract. Once that tender process has been completed and procured and a company can be announced, we will be able to disclose the financials in relation to that as well as time lines and give bit of an indication about what that project will look like.

**Georgie CROZIER:** I was going to ask about time lines, but you just answered that in your response about that work and the further time lines there will be once that tender process is completed.

**Jaelyn SYMES:** Yes, it is not too far off.

**Georgie CROZIER:** Minister, I just want to go to the ESTA capability and service review final report. It had some pretty damning and alarming points that it made about the failures within the system. I mentioned in my speech earlier some of these issues. I am just wanting to try to get a bit of an understanding about the improvements in it. I referred to the capacity to deliver consistent call-taking and dispatch services, and that:

... CTD service has experienced challenges with recruitment and retention of staff and fixed-term funding for CTD staff. As a result, the capacity and capability of this service has eroded.

It is really around the recruitment and retention of staff. I know that you are funded for additional staff. But in terms of those retention and attrition rates, what are the attrition rates with staffing, and is the service satisfied with the capacity and experience of the staff?

**Jaelyn SYMES:** As you would appreciate, Ms Crozier, this is a little bit outside the scope of the bill, but I am very happy to give you some commentary in relation to it because these are the types of questions I ask when I visit ESTA: how is your staff going, and how are you going with your recruitment and interest in the organisation? Because obviously we invested a lot for additional recruitment, above the existing base personnel – an additional 400 people. What always strikes me at ESTA when I visit, but also at their service awards, is the length of service of so many staff. I go around and I say, ‘Hi. What’s your name? What do you do here, and how long have you been here?’ It is not rare to have people say they have been there seven, eight, 15, 20 years. There are so many long-term staff of that organisation. What they report to me is that it is an awesome, amazing place to work, particularly now. They had really challenging years, and they say that that was really hard, but there were so many people that rallied together. The workplace and the leadership and the cultural change just in the two years that I have been in the role are very stark. There is greater investment in team leaders, so you have got less people working with new staff, which is rewarding for those long-term staff, and the new staff are getting better access to mentoring. We have also invested heavily in mental health support so there is a capacity to debrief after a difficult call without delay and the like.

In terms of attrition, I do not have the figures on me, but it is not something that you or I need to be concerned about. There are no spikes or unusual departures in this organisation. When I was last at Ballarat a couple of weeks ago, they had just had an open day where they asked people from the community to come in and see if they were interested in working at ESTA, and there was quite an

interest in that. I have got to put on record: it is not for everyone. It is a very difficult job. I guess one of the best examples of how good this organisation is is that the biggest referral pathway for new staff at ESTA is from existing staff – it is the friends and family of existing staff, which I think goes to show what a great workplace it is.

**Georgie CROZIER:** I have spoken to staff, and they are very committed to the work that they do. They want the best outcomes for those patients that they are dealing with – not just patients but also other emergency services, whether it is fire or ambulance or police. I do understand that. I just want to go to an article from 1 October this year where Danny Hill basically criticised ESTA and said that there are unnecessary 000 calls. We do know that there are people who ring 000 for ridiculous ailments, or not even that. They are wasting everyone's time, and those numbers are not insignificant. We all accept that. It is quite extraordinary how some people think it is appropriate to ring 000, an emergency service, in such situations. One of the issues raised in the article is:

... call-takers at the Emergency Services Telecommunications Authority were very good at their jobs, but were constrained by a system that was not fit for purpose.

“The call-takers often know that the case is not an emergency but the program they use doesn't allow them to make a judgment call ...

It is referring to a case just a few weeks prior where there was a 25-year-old who called 000 with a sore, blocked ear, which was classified as a code 1 chest pain. There is a clear mismatch there, and Mr Hill's point is that something is not going right in terms of the interpretation of the severity of cases. Can you provide the committee with a bit more information about how to address his concerns and about how the system is improving?

**Jaelyn SYMES:** Again we are outside the bill, but I do like the topic because I love the workforce and I love the work they do, so I will entertain the line of questioning for a little bit longer. When it comes to how calls are classified and the like – Danny Hill has been a really good supporter of ESTA. He has a lot of his own members in there, and we have paramedics on the floor who give clinical advice to call takers. ESTA uses a triage system called ProQA – the same as other jurisdictions – and that is a system that is informed by AV. So what happens is there are programs and there are scripts, and they are agreed to by Ambulance Victoria and they are implemented by the call takers and dispatchers. Where information is perhaps not clear or they need more information, you will often receive a call back from a paramedic who has clinical training to get a little more understanding about the emergency and what is required.

The article refers to a specific case about an ambulance arriving for someone who had a blocked ear, which had been recorded as a code 1 chest pain. What we do not know from that article is what information the call taker was given by the person who made that call. Call takers are effectively blind; they can only rely on the information that is verbally provided to them by the call maker. That call maker could be a child. That call maker is obviously, in many situations, scared, traumatised and panicking. Call takers are very skilled in being empathetic and calm and trying to extract the information they need to put into their system which best classifies what is required for that emergency, but because you are relying on information from non-experts – they are doing the best that they can, and from all reports and from my experience it is very regularly spot-on – what we do see is that quite often Ambulance Victoria are responding to calls that are, when they get there, ‘Hey, actually you've got indigestion; you're not having a heart attack.’ But it is very difficult to determine on the other end of the phone whether someone's chest pain is minor or major, and you do not want to take the risk of questioning somebody's description of symptoms. So it is not a precise science, taking a call and coding it, but that is why we want to invest in computer-aided dispatch. That is why we have clinical professionals on the ground. We have ambulance paramedics, we have sworn police on the floor and we have firefighters on the floor, so that when you have call takers and dispatchers that are making decisions based on the information they have got, they are supported by additional expertise from the emergency services themselves.

That is kind of an explanation of what is going on, but in terms of what is going to go on in the future, this bill does allow for better performance measures to be set by the emergency management commissioner, something that I am particularly interested in. I have spent the last two years talking about the benchmark of answering 90 per cent of calls within 5 seconds. It does not really tell anyone that much except that the call got answered. It does not really tell the community what the outcome was. So in terms of having a system, having a governance arrangement and having operational committees that can feed into continual improvement, we are going to take this organisation that is now meeting its call-taking benchmarks and have a look at what we want the performance measures to say and what is a measure of success. Some of that will come down to the appropriate coding, and I want to make sure that we can see that data. I know that the first part of the operational committee's work will be issues such as this, in conjunction with the emergency management commissioner, which will then be overseen by IGEM. So this is a good framework to start the next stage of ensuring that we can demonstrate to the community how amazing this organisation is, identifying any gaps and making sure that we have got a system that is best placed to ensure that any improvements that can be made will be.

**Georgie CROZIER:** I take the comments and your points and the issue around judgement calls, and clearly I have spoken to paramedics. In fact I think it was Danny Hill who said to me, 'If they get called out for chest pain, you've got to assume it is a heart attack; in fact it's indigestion, but they're still taking them into emergency departments.' So there are issues along the system, I accept. But you mentioned just then performance measures. You want to see that data, and you want to see performance measures that will improve the system or identify the gaps. So what sorts of performance measures are you referring to in terms of what you want to see that will show improvements?

**Jaclyn SYMES:** Again, this framework allows the emergency management commissioner to come up with better performance measures. He will be setting those because, as we know, we do not necessarily get the full picture just from arbitrary benchmarks that refer to time lines alone. I think that performance standards could measure appropriately how a caller needing an ambulance is coded. I think that we can start to think about how we can do that better. But also there are different ways that we should be introducing improvements in training and in awareness. These will be matters for the operational committee and the emergency management commissioner, not necessarily me, but I have asked some more questions to get you an idea of what can we expect and what should we be looking at – for example, a call taker having additional training and knowledge about the different capabilities of particular assets. Who has a defibrillator? Where does that sit? What is a particular piece of equipment on a fire truck that would be best deployed to a particular emergency? Having a greater understanding of what is out there in the community and what is the appropriate response could indeed provide a better, more appropriate response to each emergency. How does that look in practice? And if you are going to do it, what does a performance measure look like to demonstrate that that investment or that training is producing a better community outcome? They are the sorts of things that we have been thinking about in relation to what we can measure to demonstrate continual improvement in an organisation that is certainly up for it.

**Georgie CROZIER:** I understand what you are saying in terms of equipment and how that can better assist with what is happening on the ground. But I suppose a performance measure is about timely assistance to somebody in need, whether they need –

**Jaclyn SYMES:** But the right assistance.

**Georgie CROZIER:** Yes, the right assistance, but I suppose what I am trying to ask is: if we have got another situation – God forbid – of COVID hitting and you have got a big demand on ambulance services while there is not a high demand on our fire services, is there an ability for the fire service ESTA call takers to come over and assist with the ambulance ESTA call takers?

**Jaclyn SYMES:** Again, we are way off the bill.



**Georgie CROZIER:** It is all part of the operations.

**Jaelyn SYMES:** Well, yes. Look, interoperability is something that is held up as something that will fix everything, and when I first stepped into the role I thought that too. I thought, ‘Well, why can’t somebody who’s sitting over there answer the phone over here?’ and it is certainly not that simple. There are many experienced call takers, particularly those that have come up the ranks and are now team leaders, who are multiskilled in relation to being able to deal with call and dispatch across the different services, but they are really, really different. Somebody who requires an ambulance – you ring, it gets patched through to the ambulance, they fill it out, it goes through to dispatch and an ambulance goes out, and you kind of hear the call and they take all the information. You sit on a police call – I have done it several times, and I still cannot follow what they are doing – and they have got pedals and they are talking to the cars out there on the road and they are sharing information, and the expertise and skill and the speed at which they do it are just phenomenal. It is a completely different skill set – similar but a completely different role – to dispatching an ambulance.

And then you have got fire. Particularly in a campaign fire you are talking and communicating with the intelligence on the ground where fires are moving. It is in the one building, but they are doing different roles, and you need to be experienced and skilled in each role to be able to do it. There are quite a few people that can do several roles, but to expect a trainee or expect someone that has been trained in ambulance and has been on the floor for six months to be able to flip over into something else is not something that should be expected of that workforce. Cross-training will be a focus of ESTA leadership in relation to new recruits and things, but it is not as straightforward as what I originally thought and as what most people probably think it is. It is something that the organisation is looking at, but I would not want to see it as a compulsory part of recruitment, because it is very, very hard to be skilled across the board.

**Georgie CROZIER:** I accept that response, and I understand what you are saying in terms of the different skill sets and the ability to assess those emergencies as they come in. But just because there was such a lack of staff, I made that example in terms of if we did have some very large catastrophe – God forbid that that occurs – and we needed more staff in these emergency services. That was the reason for my question.

**Jaelyn SYMES:** I want to add to that. First of all, a lot of new recruits are interested in being cross-trained and things like that, but it does take time to be proficient in it. But what I would add to that is that with the examples that you are pointing to – surge incidents, busy nights, unprecedented demand and the like – what we know through the experience of COVID is that we were not prepared for that. We did not have the backup staff, particularly when people were furloughed.

What we have now is a much better risk framework. Their rostering is better, they are more flexible, their overtime allows for people to come in. In terms of when they know they are going to have a busy night – whether they have got advice that it could be a thunderstorm asthma evening or indeed New Year’s Eve or the footy grand final; they know when their busy nights are going to be – they document that and they have got modelling and things like that that allow them to bring in more staff when they are needed, and they have got more staff because of the investment. The ability to respond to large events is much better than what it has been in the past. The industrial partners have been really great to work with in relation to that, in having MOUs and freeing up people and making sure that when people are needed they can be available.

**Georgie CROZIER:** Thanks, Minister, for that reassurance. It is a good thing that there is that planning that has gone on after what we have gone through in the last few years. My last question on clause 1 relates to what I said on the sentinel event report. I know that there are cases that are under investigation by the coroner; I am not asking for that. I just want to know, of the 240 sentinel events that have been notified in this report, which relates to why you have done what you have done after the failures, how many of those 240 sentinel events involved 000 failures and children that were caught up at that terrible time?

**Jaelyn SYMES:** Again, we are outside the bill, but I want to be as helpful as possible. In relation to the IGEM's report and the findings of that report, after the release of that report it was provided to the coroner. The coroner was provided with a lot more information than is available publicly for obvious reasons in relation to identifying material and the like. The coroner has conducted a few directions hearings in relation to some of those matters, and I understand that more substantive hearings will commence next year.

**Clause agreed to; clauses 2 to 16 agreed to.**

**Clause 17 (17:18)**

**The DEPUTY PRESIDENT:** I invite the minister to move her amendment 1, which is identical to Ms Crozier's amendment 1.

**Jaelyn SYMES:** I move:

1. Clause 17, line 17, omit "As soon as practicable" and insert "Within 14 days".

I went through the rationale for our house amendment to replace the term 'as soon as practicable' with the term 'within 14 days' to respond to the opposition's concerns that 'as soon as practicable' was not definitive enough.

**Georgie CROZIER:** The government – 'the government'; I wish I was the government – the opposition will be supporting the government's amendment as it is what we were proposing.

**Sarah MANSFIELD:** I just wanted to put on the record that the Greens will be supporting these amendments, and we thank you, Attorney, and your office for working with us and taking on some of the concerns we had. It was great to be able to work with you in good faith. We believe that the timely reporting is really important for ensuring accountability and transparency across all parts of government, and this bill with the addition of this amendment I think will really strengthen it.

**Amendment agreed to; amended clause agreed to; clauses 18 to 29 agreed to.**

**Clause 30 (17:21)**

**Georgie CROZIER:** Clause 30 talks about the disclosure of pecuniary interests of members or delegates to the board, and 'conflict of interest' is defined in this clause to include:

... a direct or indirect pecuniary interest ... held by a member or delegate of the Board in a matter being considered, or about to be considered, by the Board.

Subclause (5) provides that a delegate may be present during any deliberation of the board despite having a conflict of interest in a matter being considered, because delegates are not entitled to vote in relation to matters being considered by the board under clause 32(4).

I am just trying to understand here: if there is a conflict of interest but they are delegates and they are providing advice to the board, as is my understanding, why are they exempt from this particular part of the bill where there is a conflict of interest if it directly affects them?

**Jaelyn SYMES:** Ms Crozier, the delegates are put in place by the minister for a particular purpose. If something arises where you do not think you have quite covered off the expertise on the board and they would benefit from a person being added for information, that is the main purpose of that, and it exists in other boards. I would not appoint someone that had a conflict of interest. If they are there for their expertise in a particular interest – I would not appoint them if they had a conflict of interest unless the conflict of interest was relevant. For example, if their expertise was IT but they had previously worked with a tender company in relation to improvements at ESTA, in fact even that conflict might benefit the information of the board, because they could draw on past experiences of their work with a company that they might be considering. As long as they were not inappropriately acting and securing a financial benefit or something, which would be beyond conflict of interest and would

contravene, probably, the law, sometimes their conflict of interest would be relevant. And they do not have voting rights anyway.

So that is why they have been excluded from – have I butchered this a little bit? There are sometimes benefits to a conflict of interest, because they are there for their knowledge of a particular thing that the board needs their expertise on. That is why we do not want to knock them out, necessarily, because of their conflict of interest; however, if it is a conflict of interest that is problematic, hopefully that would come up and become apparent to me in appointing them. There is also the ability for me to cease the delegate's role if a conflict of interest is not a beneficial conflict of interest.

**Clause agreed to; clause 31 agreed to.**

**Clause 32 (17:25)**

**Georgie CROZIER:** This relates to the appointment of delegates to the board, and we have just had that discussion around the conflict of interest. But in clause 23 it outlines the process for removing a member from office and then it goes on in subclause (3) –

**Jaelyn SYMES:** Where are we? Thirty-three, are we?

**Georgie CROZIER:** Sorry, 23, I have gone back. I am talking about clause 32 but I am referring to clause 23(2), which states:

The Minister must recommend the removal of a member of the Board from office if the Minister is satisfied that the member –

...

has been convicted of an indictable offence ...

has engaged in misconduct ...

becomes an insolvent ...

blah, blah, blah. There is a list of issues that you would quite rightly expect the minister to act upon. Does that apply to the delegates – those same criteria?

**Jaelyn SYMES:** No, not really. Ms Crozier, in practice in terms of the legislative framework, the requirements of a board are very different to the requirements of a delegate. The board – if I was to have a reason to remove it, it is good that it is set out in legislation. It has got to go to the Governor and all that kind of thing. I think you understand and accept all of that. The reason it does not flip over in a formal way to a delegate is that I appoint them for a particular purpose, and I also have discretion to remove them. You would probably draw on similar things to what is in the legislation, but because I have full discretion at any time I do not need a legislative basis to point to to show the Governor why I would seek their removal. A delegate is a discretionary position for a particular purpose, and if they are not up to it you can just remove them. If they did something that if they were a board member would not be appropriate, you would see that that would be cause for removal as well. But there is no need for a legislative instrument to do that.

**Georgie CROZIER:** Thank you, Minister, for that clarification. In relation to that, you have that power to appoint, and then obviously in a situation, as I have outlined, then to dismiss those delegates. Is there an oversight process for their work? I mean, who is overseeing the delegates? Is that you as the minister, or does the board provide feedback to you on the advice given to them?

**Jaelyn SYMES:** Yes. Well, in practice it would be more likely the information you would receive from the board or the CEO that would determine the effectiveness of the delegate. I do not sit in board meetings. The whole purpose of the delegate is to assist the board, and if they are not assisting the board and they are causing frustration, or they have exhausted their usefulness – I am assuming these

are going to be pretty good people that we go and find for a particular purpose. I do not know how many are going to go rogue, but if they do, I reckon I will hear about it.

**Clause agreed to; clauses 33 to 38 agreed to.**

**Clause 39 (17:30)**

**Georgie CROZIER:** Clause 39 relates to the functions of the CEO. Does the CEO have any control over the industrial relations awards, terms and conditions of their workforce, or will they remain with the individual emergency services?

**Jaclyn SYMES:** I am a little bit confused by your question.

**Georgie CROZIER:** I think I am asking: does the CEO have any control if the work is in relation to the ESTA 000 call takers and their EBAs and industrial-related matters? So if it is firefighters, do they stay with the firefighters' agency, or if it is police – are they related to those different industrial unions?

**Jaclyn SYMES:** Okay. I think I know what you are saying.

**Georgie CROZIER:** And does the CEO have any oversight of that?

**Jaclyn SYMES:** I think a lot of people have talked about the creation of ESTA and how it came to be and the fact that it was organisations that used to do their own call taking coming together and the like, so, as you would appreciate, there are several industrial partners that work with ESTA in relation to the EBA. I think there are five. As an employee of ESTA you have got a choice of union representation depending on your role or who you might feel most connected to. There is the communications union, which is the overarching, I guess, generic –

**Georgie Crozier** interjected.

**Jaclyn SYMES:** Well, yes, but all unions are at the table in relation to being a partner to the EBA, so they would all sign up to the EBA and negotiate collectively. In my past I did the VicRoads EBA for the Australian Services Union, but we had four other unions at the table negotiating that agreement. There are other workplaces that have several unions that represent the same workforce, and they are all industrial partners for the agreement. But fundamentally, yes, the CEO oversees anybody that is subject to the ESTA EBA or the Triple Zero Victoria EBA.

**Georgie CROZIER:** So those workers can then choose whether they have the communications union or the police union, for instance. Can they choose, as you just described in your own example?

**Jaclyn SYMES:** I do not want to get too involved in the demarcation of the unions, but there are members of both ambulance unions. There are members of the Police Association Victoria. There are members of the United Firefighters Union. There are members of the communications union.

**Georgie Crozier** interjected.

**Jaclyn SYMES:** You can ask the next question. It is not uncommon for one workplace to have several industrial bodies that represent the workforce, and the workforce generally have some choices in which union they join. They would generally join the one that represents their interests and their particular role as closely as possible. But the fundamental call-taking task would be with the communications union.

**Georgie CROZIER:** I think you have answered that question. They would not be getting different conditions because they belong to different unions, as you explained. They would not be getting different conditions.

**Jaclyn SYMES:** No.

**Georgie CROZIER:** You would be organising that in a collective sense through those union delegates – through the union discussions, I should say.

**Jaelyn SYMES:** The EBA covers the entire workforce. The Communications Workers Union – sorry, I was calling it the communications union – and the others are all signatories to the EBA, but the EBA applies equally across the workforce.

**Georgie CROZIER:** Okay. While we are on those conditions, what employment conditions will staff necessary for the performance of its function be employed under? That would all be decided through the EBA process. There would not be any decision made, I mean, by the CEO. Obviously, they have got to have a function and they have got to be working towards what their duties require, but in terms of those employment conditions, that would all be decided through that EBA process. There are no specific conditions. Or will the CEO, like in a normal organisation, have full oversight of what their workers can do? You are looking a bit perplexed.

**Jaelyn SYMES:** I am a little bit. Pay and conditions would be negotiated through an enterprise bargaining agreement. The functions of particular staff can attract claims of additional allowances and additional wages and bonuses and things through negotiated outcomes, but that is part of the EBA. The operation of the workforce is the responsibility of the CEO in relation to the execution of the functions of a particular role. It sits ultimately with the CEO and would extend down the chain in terms of managers at the different sites and team leaders and the like. Doing your job and being rewarded for your job are probably two different things. I think that is where you are going.

**Clause agreed to; clauses 40 to 69 agreed to.**

**Clause 70 (17:36)**

**Georgie CROZIER:** I move:

2. Clause 70, line 4, before “Triple” insert “(1)”.
3. Clause 70, after line 12 insert –
  - “(2) Triple Zero Victoria must ensure reports made under subsection (1) are –
  - (a) recorded and collated in a written document; and
  - (b) published quarterly on Triple Zero Victoria’s website.”.

Clause 70 requires Triple Zero Victoria to report to the operational committee any risks identified that may impact the performance of an emergency services organisation’s functions or those of a related service organisation’s functions. This clause further requires Triple Zero Victoria to identify how the risk could be managed and mitigated. What we are asking is that in line with that reporting and transparency Triple Zero Victoria must ensure the reports made under subsection 1 are (a) recorded and collated in a written document and (b) published quarterly on Triple Zero Victoria’s website. The reason for that, as I have stated, is in terms of the transparency, and I understand the minister has said that they do not necessarily want duplication in terms of reporting and data. But we do think that having that recorded and collated and being able to publish it quarterly will give greater transparency and ensure that there is trust from the public so that they can understand exactly how Triple Zero is performing.

**Jaelyn SYMES:** I went through this in my summing-up. The government has indeed taken on board the views of the opposition. We do not object to transparency and publication of data. It is just what is achievable and not burdensome on an organisation. Triple Zero Victoria recording and collating in a written document for publication quarterly is not something that we want to enshrine in legislation in relation to those reports to the operational committee on risks identified by Triple Zero Victoria. There are a few reasons for that. I think you do not want to be too prescriptive on exactly detailing and reporting on the partnerships between Triple Zero Victoria and emergency service agencies, because you want to encourage open dialogue between those organisations and you do not want barriers or concerns that might provide an excuse for them to operate in a risk-averse culture

when it comes to sharing information. So we would be a little a bit concerned about that. But we also think that the amendment is overly prescriptive. It is not necessary to do effectively a second report when there is already a requirement to do an annual report. We think it would be duplication.

As I indicated in my summing-up, we do have a compromise, and that is to add into clause 74 a summary of any advice that the board has received from the operational committee about their functions set out in clause 55(2)(f) and (g). We are coming some way to meeting what we think the opposition are seeking to do, but we want to do it in a way that is workable whilst also demonstrating transparency and the operations of the organisation so that people get a sense of the benefit that committee is offering to the organisation. But as prescribed, we are not in a position to support that.

**Sarah MANSFIELD:** The Greens will not be supporting these amendments. We are in agreement with the comments made by the Attorney and are satisfied that the other amendments that have been made to address transparency and timeliness of reporting are satisfactory.

#### **Council divided on amendments:**

*Ayes (16):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rikkie-Lee Tyrrell

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

#### **Amendments negatived.**

#### **Clause agreed to; clause 71 agreed to.**

#### **New clauses (17:47)**

**Georgie CROZIER:** I move:

4. Insert the following New Clauses to follow clause 71 –

##### **“71A Board to report to Parliament about performance of Triple Zero Victoria**

- (1) The Board must prepare a written report for each financial year in respect of any advice it has received from the Operational Committee in relation to a matter specified in section 55(2)(f) and (g).
- (2) The Board must give to the clerk of each House of Parliament the report prepared under subsection (1) for a financial year as soon as practicable after it has been prepared.

##### **71B Tabling of report received under section 71A**

- (1) The clerk of each House of Parliament must table a report received under section 71A in the House on the day on which it is received or on the next sitting day of the House.
- (2) If the Board proposes to give a copy of the report on a day when neither House is sitting, the Board must –
  - (a) give at least one business day’s notice of intention to do so to the clerk of each House; and
  - (b) give the report to the clerk of each House on the day indicated in the notice; and
  - (c) publish the report on Triple Zero Victoria’s website as soon as practicable after giving it to the clerk of each House.
- (3) The clerk of each House must –
  - (a) notify each member of the House of the receipt of the notice under subsection (2)(a) on the same day that the clerk receives that notice; and
  - (b) give a copy of the report to each member of the House as soon as practicable after the report is received under subsection (2)(b); and
  - (c) table the report in the House on the next sitting day of the House.”.

As clause 71 highlights, it requires the board to provide a written report to the minister and the justice secretary about matters in relation to Triple Zero. We are concerned about the ability around transparency and data, and we think there needs to be some significant robust reporting. In the last clause what we were asking for is no different to the data that is collected through other health services that the Victorian Agency for Health Information collects. So what we are asking with this is for the board to report to the Parliament about the performance of Triple Zero Victoria and that they prepare a written report for each financial year in respect to any advice that they have received from the operational committee in relation to their performance and the various aspects that Triple Zero are responsible for. We think that this, again, goes to greater transparency, greater accountability and a greater ability for trust within the system after the last few years. It really does go to those mechanisms about proper reporting to the Parliament and to the people of Victoria.

**Jaelyn SYMES:** I will just draw your attention to clause 74, which already requires an annual report to be prepared and tabled in Parliament in accordance with the Financial Management Act 1994. So in effect your amendment is asking the board to prepare two annual reports on two different matters, which we think is unnecessary and duplicative. But we have come up with a counter amendment, which we will deal with in a moment, which combines, I think, the intent of your request. Our amendment would propose to ensure that in the annual report there is included a summary of any advice that the board has received from the operational committee. We think that this is a better use of the board's time to truncate effectively what you are seeking to achieve. Again, I concur: transparency is something that I support – and we think that we can get there by asking for a summary of that advice to be in an annual report rather than requiring the board to effectively do it twice.

#### **Council divided on new clauses:**

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

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

#### **New clauses negatived.**

##### **Clause 72 (17:53)**

**Georgie CROZIER:** I move:

5. Clause 72, page 53, after line (2) insert –

“(4) A copy of a report prepared under subsection (1) must be published on Triple Zero Victoria's website within 14 days after it has been given to the Justice Secretary and the Inspector-General for Emergency Management.”.

Again this goes to the question about greater transparency. It is about providing the information to the Victorian Parliament and the Victorian public, so we think it is reasonable to have those reports published on Triple Zero Victoria's website within 14 days after they have been provided to the justice secretary and the inspector-general for emergency management.

**Jaelyn SYMES:** The intention of the bill is to bring the Triple Zero Victoria entity closer to government. This was a recommendation of the independent review into ESTA. The bill asks for the CEO to report to the minister as well as the justice secretary and the IGEM in relation to significant issues of public concern, including potential actual risks of harm to the community, a significant risk affecting Triple Zero Victoria and the commencement and status of any inquiry into the performance of Triple Zero Victoria. The disclosure of some of that information or the requirement to put that on their website might actually impede transparency. I do not want a CEO to feel concerned about

disclosing information that should be acted on by the department, me or the IGEM by virtue of having to make it public. Public reporting on what might be a police response could result in operational risks and jeopardise or prejudice legal proceedings. It could also compromise the independence of the IGEM statutory monitoring and assurance functions by making that information provided to the IGEM public in advance of the IGEM undertaking their legislated functions. Again, I support transparency but there is a role for the IGEM. It is important that information is not impeded by concerns about unintended consequences of having to put that on a website.

**Council divided on amendment:**

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

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

**Amendment negatived.**

**Clause agreed to; clause 73 agreed to.**

**New clause (17:58)**

**Georgie CROZIER:** I move:

6. Insert the following New Clause to follow clause 73 –

**“73A Triple Zero Victoria to publish monthly reports**

In respect of every month, Triple Zero Victoria must publish a report on the matters specified in Schedule 1 –

- (a) within 14 days after the end of each month; and
- (b) on Triple Zero Victoria’s website.”.

This goes to the same argument about greater transparency and greater accountability in relation to reporting requirements. This new clause will enable Triple Zero Victoria to publish monthly reports, and those reports relate to matters specified in proposed schedule 1. The issues that are to be included in those monthly reports are data related because we want to see exactly what is going on and understand the issues. I know that the government will argue that that is a very time-consuming exercise, and I do appreciate that it could be, but I think it is important that we understand exactly what is going on within Triple Zero Victoria. It is the:

- 1 Number of calls received by Triple Zero Victoria each day.
- 2 Number of calls not answered within 10 seconds of connecting.
- 3 The number of calls received each day in respect of the following –
  - (a) an emergency requiring an ambulance service;
  - (b) a fire or environment related emergency requiring an appliance;
  - (c) a matter requiring Victoria Police assistance;
  - (d) an emergency requiring the Victoria State Emergency Service;
  - (e) a matter in respect of which emergency assistance is not required.
- 4 Any disruption to call taking and dispatch services caused by equipment failure or similar.
- 5 Length of time between taking call and the dispatch of an emergency vehicle.



These are specific criteria related to data that needs to be collected so that we can understand exactly if the system is working or not, and it will provide greater transparency and greater accountability for the performance of the new Triple Zero Victoria agency that the government will establish.

**Jaelyn SYMES:** The government cannot support these amendments. I went through this in my summing-up. They would be a significant administrative burden, and it fails to recognise the role of the IGEM. It seems to me that the opposition want to be the IGEM. As I indicated, I would personally like to have more people picking up the phone, dispatching ambulances and performing those really important welfare roles. As I pointed to, Triple Zero Victoria going forward is an emergency services organisation. It is not a data collection service, much like Victoria Police do not run the Crime Statistics Agency. That is a data collection agency that serves a particular purpose. An emergency services organisation certainly has responsibilities to collect data, but to require them to be as prescriptive as what the opposition are asking them to do is a fundamental deviation from the purpose of that organisation. We are interested in patient outcomes. We are interested in ensuring that we report appropriately, but the prescriptiveness and the level that you are seeking to have that organisation do would involve having to basically set up a data agency in its own right within the organisation.

**Sarah MANSFIELD:** The Greens will not be supporting these amendments. Further to the comments made by the Attorney, it is widely agreed that we need to be moving away from performance metrics that do not actually relate to patient outcomes. That was a recommendation in the Ashton review, and we are pleased that the government is taking this on. The very prescriptive metrics here can incentivise behaviours that really drive box-ticking rather than delivering better care. They can drive a focus on actions that are measured rather than those that are not, and it can lead to gaming and workarounds. We have seen that across all sectors, not just health care. We are really pleased to see this shift to a focus on patient outcomes as opposed to metrics that are not necessarily linked to what happens to a patient at the end.

**Jaelyn SYMES:** Dr Mansfield makes some really good points, and she got a few interjections there, but I just want to support the comments that she made, not by virtue of what I say but by virtue of what the Graham Ashton review said. The amendment that the opposition are proposing is in stark contrast to the recommendations that he made, the recommendations that you supported the government in agreeing to implement. His review found that metrics alone do not adequately measure patient outcomes and that they promote an inflexible model with an emphasis on time-based targets being the primary goal. Of course the government is not shying away from accountability. We added the existing call-taking and dispatch metrics as a budget paper 3 measure because we believe it is important the community can have confidence in its 000 service. As recommended by the Ashton review, clause 79 of the bill requires the emergency management commissioner to create outcome-based performance standards, and we should not pre-empt that.

*Members interjecting.*

**Jaelyn SYMES:** Ms Crozier, you were really quite nice to me during most of the exchange, and I thought it was quite respectful, but your contribution in the second-reading debate was pretty appalling. I just want to take up the interjection, because I think I should put on the record: you have continually said that someone should take responsibility – and in your mind I should have resigned, and that would have been the way to respond to this. If I had thought that producing a good outcome for 000 would have been achieved by me resigning, I would have done it. I would have. This was an organisation that I wanted to help fix. I want to support the workforce, and it would have been pretty easy to walk away and resign, because that would have been a lot easier than the job that I took on. I was not abandoning this workforce. I was not abandoning Victorians. I was up for the job of making sure that we could deliver the improvements, and that is why I did not resign, because I took responsibility.

**Georgie CROZIER:** I do not want to get into a debate, but in relation to exactly what we are talking about, it is all about patient outcomes. There were dozens of Victorians that died under this

minister's watch, under this government's failures. That is why I called on the minister to resign months and months ago. Not one of your ministers has taken any responsibility for any of the failures, and that is what is disappointing to so many Victorians.

**The DEPUTY PRESIDENT:** The question is that Ms Crozier's amendment 6, which inserts a new clause and tests her amendment 10, be agreed to.

**Council divided on new clause:**

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

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

**New clause negatived.**

**Clause 74 (18:08)**

**Jaclyn SYMES:** I move:

2. Clause 74, after line 13 insert –
  - “(1A) The Chief Executive Officer must ensure the annual report includes a summary of any advice the Board has received from the Operational Committee in relation to a matter specified in section 55(2)(f) and (g).”.

This clause is about ensuring that the CEO ensures that the annual report includes a summary of any advice the board has received from the operational committee in relation to a matter specified in section 55(2)(f) and (g). We have canvassed extensively the rationale for this amendment.

**Georgie CROZIER:** The opposition will be supporting this. I go to the point that the government is coming some way to improving transparency, but not as far as we would like. Nevertheless, we will be supporting it.

**Amendment agreed to; amended clause agreed to; clauses 75 to 82 agreed to.**

**Clause 83 (18:10)**

**Jaclyn SYMES:** I move:

3. Clause 83, line 15, before “Subject” insert “(1)”.
4. Clause 83, lines 19 and 20, omit “on Triple Zero Victoria’s website” and insert “in accordance with subsection (2)”.
5. Clause 83, after line 20, insert –
  - “(2) Data referred to in subsection (1) must be published on Triple Zero Victoria’s website annually or at intervals set by the Emergency Management Commissioner.”.

We have certainly spoken about this amendment as well in relation to the government's position on providing for the publication of material on the Triple Zero Victoria website annually or at intervals set by the emergency management commissioner, which again hopefully Ms Crozier acknowledges is in some way coming towards the level of transparency that the opposition have sought. We think this is a more appropriate way to indeed ensure the information is out there without being as prescriptive on the organisation and the emergency management commissioner, particularly when we are yet to develop those additional performance measures.

**Georgie CROZIER:** Quite correctly the minister has pre-empted my thoughts, and I thank her for that. We will be supporting the government's amendments. They are an improvement to the bill.

**Amendments agreed to; amended clause agreed to; clauses 84 to 105 agreed to.**

**Reported to house with amendments.**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:12):  
I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

*Third reading*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:12):  
I move:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

**The PRESIDENT:** Pursuant to standing order 14.28, a message will be sent to the Assembly that the bill has been agreed to with amendments.

Just a public announcement: it is Sheena Watt's birthday today.

**State Taxation Acts and Other Acts Amendment Bill 2023**

*Introduction and first reading*

**The PRESIDENT** (18:13): I have a message from the Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Duties Act 2000**, the **First Home Owner Grant and Home Buyer Schemes Act 2000**, the **Land Tax Act 2005**, the **Local Government Act 1989**, the **Property Law Act 1958**, the **Sale of Land Act 1962**, the **Treasury Corporation of Victoria Act 1992**, the **Valuation of Land Act 1960** and the **Windfall Gains Tax Act 2021** and for other purposes'.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:14):  
I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Jaclyn SYMES:** I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:14):  
I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (**Charter**), I make this Statement of Compatibility with respect to the State Taxation Acts and Other Acts Amendment Bill 2023.

In my opinion, the State Taxation Acts and Other Acts Amendment Bill 2023 (**Bill**), as introduced to the Legislative Council, is compatible with the human rights as set out in the Charter. I base my opinion on the reasons outlined in this Statement.

**Overview**

This Bill introduces a number of amendments to the *Duties Act 2000* (**Duties Act**), the *First Home Owner Grant and Home Buyer Schemes Act 2000*, the *Local Government Act 1989* (**Local Government Act**), the *Property Law Act 1958*, the *Sale of Land Act 1962* (**Sale of Land Act**), the *Treasury Corporation of Victoria Act 1992*, the *Valuation of Land Act 1960* (**Valuation of Land Act**), the *Windfall Gains Tax Act 2021*, and the *Land Tax Act 2005* (**Land Tax Act**).

Many amendments made by the Bill do not engage the human rights listed in the Charter because they either do not affect natural persons, or they operate beneficially in relation to natural persons.

**Human rights issues**

The rights under the Charter that are relevant to the Bill are the right to property and the presumption of innocence.

**Right to property: section 20**

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

*Duties Act amendments*

Clauses 9 to 11 of the Bill address an anomaly in the Duties Act relating to the pensioner and concession card duty reduction to provide that the requirements of this concession apply to all transferees of a transfer rather than only the eligible cardholder. The right to property may be engaged by these amendments as natural persons may be required to pay duty or an increased amount of duty where currently an exemption or higher concession applies.

To the extent that people's property rights are affected by the above amendments to the Duties Act, any limit is in accordance with the law, which is clearly articulated, not arbitrary, and sufficiently precise to enable affected natural person taxpayers to inform themselves of their legal obligations and to regulate their conduct accordingly.

*Local Government Act and Valuation of Land Act amendments*

Clauses 15 and 19 of the Bill amend the Local Government Act and the Valuation of Land Act respectively to provide that the capital improved value of land includes the value of any item affixed to the land whether or not it constitutes a fixture at law. The right to property may be engaged by these amendments as natural persons may be required to pay increased amounts of taxes, levies, rates and/or similar charges based on the value of items affixed to their land which are not fixtures at law. To the extent that people's property rights are affected, any limit is in accordance with the law, which is clearly articulated, not arbitrary, and sufficiently precise to enable affected natural person taxpayers to inform themselves of their legal obligations and to regulate their conduct accordingly. Any limit on this right is further justified as these provisions are anti-avoidance in nature.

*Land Tax Act amendments*

Division 1 of Part 10 of the Bill relevantly extends vacant residential land tax (VRLT) liability to all vacant residential land in Victoria and to unimproved residential land which has been unimproved for five years or more in established areas of metropolitan Melbourne. The right to property may be engaged by these amendments as natural persons may be required to pay VRLT where they were previously not required to do so.

Clause 43 of the Bill amends the BTR special land tax formula in section 50B of the Land Tax Act to take into account the new top ordinary land tax rate and new absentee owner surcharge rate provided for by the

State Taxation Acts Amendment Act 2023. The right to property may be engaged by these amendments as natural persons may be required to pay a higher rate of BTR special land tax.

To the extent that people's property rights are affected by the above amendments to the Land Tax Act, any limit is in accordance with the law, which is clearly articulated, not arbitrary, and sufficiently precise to enable affected natural person taxpayers to inform themselves of their legal obligations and to regulate their conduct accordingly. The amendments to VRLT are central to the policy intent, which is to improve housing affordability for Victorians and to encourage the use and occupation of residential land in Victoria for residential purposes.

Presumption of innocence: s 25(1)

The right in section 25(1) is engaged where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that the accused person is not guilty of an offence.

*Sale of Land Act amendments*

Clause 17 of the Bill introduces offences into the Sale of Land Act to enforce the new prohibition on passing on land tax and windfall gains tax under certain arrangements over land, e.g. contracts of sale. The right to be presumed innocent may be considered relevant to these strict liability offences which place an evidential burden on the defendant to rely on a defence such as the defence of honest and reasonable mistake.

Although these provisions require a defendant to raise evidence of a matter to rely on a defence, I am satisfied that the provisions impose an evidential, rather than legal burden. Courts in other jurisdictions have generally taken the approach that an evidential onus on a defendant to raise a defence does not limit the presumption of innocence. The available defences relate to matters within the knowledge of the defendant, which is appropriate in circumstances where placing the onus on the prosecution would involve the proof of a negative which would be very difficult.

For the above reasons, I am satisfied that the Bill's offence provisions do not limit the right to be presumed innocent in section 25(1) of the Charter.

For these reasons, in my opinion, the provisions of the Bill are compatible with the rights contained in sections 20 and 25(1) of the Charter.

**Hon Jaelyn Symes MP**  
**Attorney-General**  
**Minister for Emergency Services**

*Second reading*

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:14):  
I move:

That the bill be now read a second time.

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

It is my pleasure to introduce this Bill, which updates a number of taxation, valuation and other Acts to maintain the effective operation of Victoria's taxation and valuation system.

Vacant residential land tax reform

The Bill makes changes to the vacant residential land tax provisions in the *Land Tax Act 2005* (Land Tax Act) to help ease pressure on rents and prices and free up available housing stock. The Bill extends vacant residential land tax to all vacant residential land across Victoria from 1 January 2025, with the period that properties could be deemed vacant starting on 1 January 2024, and expands vacant residential land tax to unimproved residential land in established areas of metropolitan Melbourne from 1 January 2026.

Vacant residential land tax is imposed on residential land that is unoccupied for more than 6 months in a calendar year. Currently, the tax only applies to residential land in a specified area covering the inner and middle suburbs of Melbourne. As the issue of housing affordability remains acute across the whole of the state, expanding vacant residential land tax to the whole of Victoria will encourage all owners of long-term vacant and unoccupied homes in the outer suburbs of Melbourne and in regional Victoria to make their homes available for rent or occupation. The existing suite of exemptions from vacant residential land tax will continue to apply, covering homes that are not rented or occupied in a particular year because they are holiday homes; are occupied regularly for work purposes; are under construction or renovation; or are recently acquired. In addition, vacant residential land tax will not apply in any situation where the property is exempt from the general land tax.

Vacant residential land tax does not currently apply to unimproved land – vacant land without a residence on it – unless the land previously contained a former residence which has been demolished. Unimproved land can therefore remain outside the vacant residential land tax net indefinitely even if it is capable of residential development. To incentivise the development of empty blocks in metropolitan Melbourne and increase the supply of housing, the Bill extends vacant residential land tax to unimproved residential land that has remained unimproved for 5 years or more. This is similar to how land currently becomes subject to vacant residential land tax after 2 years if construction or renovation of a residence is unfinished after that time, or if a residence is left uninhabitable for that time. Consistent with existing law, the Commissioner of State Revenue (Commissioner) will have discretion to extend the period of non-application beyond 2 years if there are acceptable reasons for not improving the land, such as genuine delays outside the owner’s control. The residential status of land will be determined by its zoning under the relevant planning scheme and will exclude any land currently used for, or under development for, a non-residential purpose (such as commercial or industrial use). Two exemptions for unimproved residential land will be available, in relation to unimproved residential land contiguous to a person’s principal place of residence, and land that is incapable of or prevented from being developed for residential use. This measure will take effect from 1 January 2026.

#### Land tax and windfall gains tax apportionment

Under a typical contract of sale of land, land tax payable in relation to the year of sale is apportioned between the vendor and purchaser. Contracts generally provide that the vendor will pay for land tax (and other outgoings) up to, and including, the day of settlement, and that land tax for the remainder of the year is contributed by the purchaser as an adjustment to the purchase price. This practice can reduce transparency, as the apportioned land tax is not directly reflected in the purchase price, and often results in land tax being passed on to purchasers who are subject to little or no actual land tax liability once the property has been transferred.

Similar issues arise with the windfall gains tax, which is payable by the owner of land when a rezoning occurs. A contract of sale of land may provide that any known or future windfall gains tax liability is either wholly payable by the vendor, or passed on to the purchaser in whole or in part, by way of a special condition under the contract. Such provisions are necessary to deal with potentially unknown future liabilities. However, a windfall gains tax liability that is known prior to the contract should be directly reflected into the purchase price. For example, once the vendor has been served with a windfall gains tax assessment, the vendor would know their tax liability and would generally have received the entire benefit of the rezoning at this stage. Therefore, the value uplift of the land resulting from the rezoning and the resulting windfall gains tax liability should be reflected in the purchase price.

The Bill therefore amends the *Sale of Land Act 1962* to prohibit the passing on of a land tax liability (inclusive of absentee owner surcharge and vacant residential land tax) or a known windfall gains tax liability under a contract of sale of land. Under these changes, a provision of a contract or the grant of an option to enter into a contract (for windfall gains tax only) which provides for the adjustment will be void. Offence provisions with significant penalties will also apply to a vendor who enters into a contract, or grants an option to enter into a contract which provides for such adjustment. The Bill also amends the *Property Law Act 1958* to remove references to the apportionment of land tax between vendor and purchaser in the general conditions of sale, which may be adopted into a contract not under the operation of the *Transfer of Land Act 1958*. The amendments will apply to contracts of sale entered into or options granted (as the case requires) on or after 1 January 2024.

#### Capital improved value and fixtures

The Bill amends the definition of capital improved value under the *Valuation of Land Act 1960* to ensure all items affixed to land are included in the capital improved value of land, regardless of who owns the items and whether the items are considered fixtures at law. The Bill also makes a consequential amendment to the *Local Government Act 1989* to refer to the updated *Valuation of Land Act 1960* definition. The Valuer-General Victoria is responsible for determining capital improved value, which is intended to include the value of land and any improvements. The amendment extends capital improved value to include anything fixed to land, regardless of whether the item constitutes a fixture at common law and regardless of who owns the item. This largely removes the need to apply the common law test distinguishing fixtures and chattels for the purposes of council rates, fire services property levy, vacant residential land tax and windfall gains tax, and will provide greater certainty to owners of land about what forms part of the land for valuation purposes. The amendment takes effect from the day after Royal Assent.

#### Duties amendments

The Bill makes a number of amendments to the corporate reconstruction and consolidation provisions in the *Duties Act 2000* (Duties Act), which provide concessions for certain transactions involving corporate group members, to facilitate corporate groups adopting a more economically efficient corporate structure. The amendments correct technical issues with the provisions. Firstly, the corporate reconstruction and

consolidation concession will be extended to sub-sale arrangements where a subsequent purchaser of property acquires a transfer right from the first purchaser under a contract or option arrangement, and a transfer is deemed to occur because there has been additional consideration or land development. Certain exemptions and concessions currently apply to these deemed transfers, but not the corporate reconstruction and consolidation concession. Secondly, the Bill prevents the 10% concessional duty charged on an eligible corporate reconstruction and consolidation from applying concurrently with the 10% concessional duty charged either on a relevant acquisition in a public landholder or a relevant acquisition arising from certain restructures of listed stapled entities, which can erroneously result in only 1% of the normal duty being payable. The amendment ensures that no less than 10% of duty otherwise chargeable is imposed. Thirdly, the Bill corrects the timing of the 30-day period in which subsequent transactions can occur under a multi-step reconstruction or consolidation without incurring further duty. The amendment clarifies that the period begins on the day of the first transaction, rather than the day after the day of the first transaction, so that any transactions occurring later on the same day as the first transaction are fully exempt from duty. The amendments are proposed to take effect from the day after Royal Assent.

The Bill amends the Duties Act to apply key eligibility requirements for the pensioner and concession card duty reduction to all transferees, not just eligible cardholders (i.e. pensioners) who are parties to the transaction. Eligible concession cardholders, including pensioners, may receive an exemption or concession from duty on a home purchased as a principal place of residence. Some of the existing eligibility requirements of the duty reduction, however, apply only to the eligible cardholder under the Duties Act when they are intended to apply to all transferees to the transaction. The *First Home Owner Grant and Home Buyer Schemes Act 2000* will also be amended to ensure the existing requirement to elect either the first home owner grant or the pensioner and concession card duty reduction continues to apply. The amendment takes effect from the day after Royal Assent.

#### Foreign purchaser additional duty and absentee owner surcharge

The Bill amends the *Duties Act 2000* and *Land Tax Act 2005* to require the Treasurer to table reports of the number and value of exemptions granted from the absentee owner surcharge (AOS) and the foreign purchaser additional duty (FPAD) every 12 months rather than every 6 months. Under the *Land Tax Act 2005* an absentee corporation or trust may be exempted from the AOS if the Treasurer, or the Commissioner where delegated, is satisfied the corporation or trust meets requirements set out in guidelines made by the Treasurer and published in the Government Gazette. Similarly, a foreign corporation or trust may be exempted from the FPAD if the Treasurer (or Commissioner where delegated) is satisfied it meets the requirements set out in Treasurer's guidelines. The Bill amends both reporting requirements to require annual reporting, meaning reports are only tabled in Parliament every 12 months. This better reflects the ongoing, annual nature of land tax, and better aligns the exemption for both AOS and FPAD with revenue and other financial reporting requirements. The amendment takes effect from the day after Royal Assent.

#### Land tax amendments

The Bill amends the Land Tax Act to ensure continued concessional treatment for some taxpayers who pay land tax on a single holding basis. Land tax is generally calculated on the aggregate taxable value of a landowner's landholdings, but, some charitable, municipal, public land and principal place of residence (PPR) land for nominated PPR beneficiaries of unit trust schemes and discretionary trusts is eligible for a concessional benefit, where each separate piece of land is assessed as if it is the only land owned by the owner – resulting in a lower marginal rate of land tax being applied. This is known as assessment on a single holding basis. As part of the COVID Debt Repayment Plan, the *State Taxation Acts Amendment Act 2023* introduced the COVID-19 debt temporary land tax surcharge (the surcharge). The surcharge commences from the 2024 land tax year, as part of which taxpayers will pay a temporary additional fixed charge of \$500 for aggregated landholdings between \$50,000 and \$100,000, and \$975 for aggregated landholdings above \$100,000, until the temporary surcharge ends in 2033. However, for owners of charitable, municipal, public land and nominated PPR beneficiaries of unit trust schemes and discretionary trusts, the existing wording of the Land Tax Act applies the \$500 or \$975 fixed component of the surcharge for each of the lands assessed on a single holding basis, reducing or in some cases eliminating the effect of the concession. The Bill restores the concessional treatment for these taxpayers by applying the surcharge once, based on the aggregated taxable value of affected taxpayers' landholdings, rather than multiple times. The amendment ensures eligible taxpayers continue to receive a concessional benefit under the land tax regime.

Under the Land Tax Act, eligible build-to-rent (BTR) residential developments may receive benefits including a 50% reduction on the taxable value of land and an exemption from AOS (if it applies) for a period of up to 30 years. A 'BTR special land tax' formula is applied to calculate any claw back of tax benefits, if circumstances change and a BTR development no longer satisfies the requirements of the benefit. The formula for BTR special land tax incorporates the top ordinary land tax rate (with the intention to claw back the benefit obtained from the 50% discount for land tax) and adds the applicable AOS rate where the owner is also an

absentee owner. The Bill updates the BTR special land tax formula to incorporate the surcharge and the increased AOS rates which apply from 1 January 2024, pursuant to the *State Taxation Acts Amendment Act 2023*.

#### Windfall gains tax

The Bill amends the *Windfall Gains Tax Act 2021* (WGT Act) to expand the circumstances in which land rezoned to correct obvious or technical planning errors may be exempt from windfall gains tax. Currently, an exemption is only available if the Minister for Planning prepares the correcting amendment to a planning scheme under section 20A of the *Planning and Environment Act 1987*. However, an exemption is not available for planning corrections undertaken by councils – contrary to the policy intent that correcting rezonings should not result in windfall gains tax consequences. The existing exemption in the WGT Act will be broadened to include any rezoning that the Commissioner is satisfied is for the purpose of correcting an obvious or technical error in the Victorian Planning Provisions or a planning scheme. The amendment takes effect from the day after Royal Assent.

The Bill amends the WGT Act to clarify the definition of excluded rezonings related to the operation of the growth areas infrastructure contribution (GAIC). In recognition that GAIC and windfall gains tax serve similar purposes, the WGT Act provides that windfall gains tax does not apply to a rezoning that causes land to be brought into the contribution area for GAIC purposes, or to the first rezoning of such land after 1 July 2023 (the commencement date of the tax) if it was in the contribution area immediately before that date. However, if land is only brought into the contribution area after 1 July 2023, it is unclear whether the first subsequent rezoning is an excluded rezoning and therefore not liable for windfall gains tax, despite GAIC being payable on the land. To remove the ambiguity and ensure the intent of the exemption is achieved, the Bill clarifies that the first rezoning of land that was in a GAIC contribution area immediately before that rezoning is excluded from the windfall gains tax. The amendment takes effect from the day after Royal Assent.

The Bill amends the windfall gains tax waiver for charitable land so that the waiver can apply proportionately to any tax attributable to a part of land used for charitable purposes at the time of the rezoning. The waiver currently applies if land is used and occupied by a charity exclusively for charitable purposes for 15 years after a rezoning that gives rise to a windfall gains tax liability. However, the existing wording of the WGT Act prevents the waiver from applying if only part of the relevant land was being used for charitable purposes. To align the provision with the intent of the policy, the Bill amends the waiver to apply if only part of land is used for charitable purposes at the time of the rezoning. That is, if the land is used for a charitable purpose and a non-charitable purpose, the windfall gains tax attributable to the part of the land used for a charitable purpose will be able to qualify for a waiver. The amendment takes effect from the day after Royal Assent.

I commend the Bill to the house.

**Georgie CROZIER** (Southern Metropolitan) (18:15): I move, on behalf of my colleague Mr Mulholland:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

### **Gambling Legislation Amendment Bill 2023**

#### *Introduction and first reading*

**The PRESIDENT** (18:15): I have a further message from the Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Casino Control Act 1991**, the **Casino (Management Agreement) Act 1993** and the **Gambling Regulation Act 2003** and for other purposes’.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:15): I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**



**Jaclyn SYMES:** I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:15): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

**Opening paragraphs**

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

In my opinion, the Gambling Legislation Amendment Bill 2023, as introduced to the Legislative Council, is compatible with human rights protected by the Charter. I base my opinion on the reasons outlined in this statement.

**Overview**

The Bill amends the *Casino Control Act 1991*, the *Casino (Management Agreement) Act 1993* and the *Gambling Regulation Act 2003*.

It will deliver gambling harm reforms and improve the implementation of recommendations from the Royal Commission into the Casino Operator and Licence (the Royal Commission).

**Human Rights Issues**

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

- privacy and reputation (section 13);
- right to property (section 20); and
- right to presumption of innocence (section 25(1)).

*Section 13 – Privacy and reputation*

Section 13 of the Charter provides that every person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

Clause 7 of the Bill engages this right by requiring a person to have their identity verified before the casino operator may pay out winnings over \$1000. The regulations set out processes for verification of identity and the collection, storage and use of information provided by players. Improved identification was a recommendation of the Royal Commission and is intended to address money laundering through the casino.

If an interference with the right to privacy is lawful and not arbitrary, it does not come within the scope of section 13. In this case, the requirement for identification will be required by law and is not arbitrary as it will apply to all patrons at the casino. The information will only be collected in accordance with the law following the prescribed requirements. Therefore, this clause does not limit the right to privacy in section 13.

*Section 20 – Property rights*

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with the law. This means that where a limitation is prescribed by law, there is no need to demonstrate that it is ‘reasonable’ and ‘demonstrably justified’. A deprivation of property will only contravene the Charter right where it is done unlawfully. The term ‘property’ is not defined in the Charter but can include both real and personal property including land, shares, leases and other rights and interests.

Clause 4 of the Bill appears to engage the right to property because it increases the powers the statutory manager has over casino property.

New section 22I provides the manager with priority over the casino operator in the receipt of net earnings while new section 22L restricts the ability of a third party to enforce rights in relation to managed property, including the ability to terminate or exercise rights adverse to the casino operator in relation to particular classes of contract. Finally, new section 22M provides for managed property to be vested in the manager before the appointment of an external administrator, depriving a liquidator or administrator from accessing the property.

The third parties contemplated by these amendments are unlikely to be natural persons. To the extent that the provisions might restrict a natural person from enforcing their interests or otherwise restrict their rights with respect to their property, these provisions may be regarded as a limitation on that person’s property rights.

Clause 4 is aimed at strengthening the statutory manager regime to ensure casino operations are not disrupted by possible licence surrender, suspension or cancellation. It is designed to make the statutory management scheme more workable. While the amendment might impact upon a natural person in very limited circumstances, as the restriction is lawful, there is no breach of the Charter.

*Section 25(1) – The right to be presumed innocent*

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. Any new offence that includes an exception, exemption, excuse or other defence may affect rights under section 25(1).

Clause 4, at new section 22K(2), inserts an offence provision creating an obligation on officers of the casino operator to facilitate the conduct of casino operations and provide the manager with access to the casino premises. While this offence captures natural persons, as it does not include an exemption or defence it does not engage the Charter.

For the reasons set out above, I consider that the Bill is consistent with the Charter.

**Hon Lizzie Blandthorn MP**  
**Minister for Children**  
**Minister for Disability**

*Second reading*

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:15):  
I move:

That the bill be now read a second time.

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

On 16 July 2023, the former Premier and I announced Australia’s most significant package of gambling reforms. These reforms were focused on improving the consumer protections afforded to the many Victorians that gamble, with a specific focus on helping those who experience harm.

Our reforms include:

- mandatory closure periods for gaming machine areas outside of the casino,
- a reduction in load up limits on gaming machines from \$1000 to \$100, 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, and
- state-wide mandatory pre-commitment and carded play, putting the power in the hands of patrons through an important safeguard to prevent people spending outside their limits, and stopping money laundering in its tracks.

Today, we introduce legislation to deliver on the first of these reforms. This legislation will make sure that all electronic gaming venues outside the casino are closed between 4:00am – 10:00am. There will be no more staging of closing hours, providing people with an important break in play.

The government is currently consulting with stakeholders, including harm reduction stakeholders, academics, law enforcement and industry to make sure these reforms are as effective as possible.

We need to make sure we get this right, and they are delivered as quickly and effectively as possible and I look forward to providing more information about the next stages of these reforms soon.

The announcement follows the introduction of some of the strongest casino laws in the world which implemented recommendations from the Royal Commission into the Casino Operator and Licence.

The reforms coming out of the Royal Commission were complex and we knew that work would continue beyond the major legislation I introduced last year.

The Bill will enhance the workings of the *Casino Control Act 1991* to strengthen the role of a statutory manager in the event the casino licence is cancelled or the operator becomes insolvent – removing any potential impediments of the gambling regulator in the upcoming decision on the suitability of the casino operator.

Finally, it makes technical amendments to the payment of winnings and to provisions governing the casino operator’s liability for network outages.

I now turn to the provisions of the Bill before the House, which marks the beginning of a significant package of gambling reforms and the continuation of the important work of implementing Royal Commission reforms.

**Minimising gambling harm in Victoria by extending and standardising closing periods**

While the law requires venue operators to provide no more than 20 hours of gaming each day, we have seen that some gaming operators have been staggering their opening hours to allow patrons to move between venues in one area and continue gambling.

Research shows that gambling late at night is strongly associated with gambling harm. Having a break from gambling is an important gambling harm reduction measure, as bringing a person 'out of the zone' increases their awareness of the decisions they are making.

The Bill will address this practice by extending the time that venues must be closed for an extra two hours and standardising the hours they must be shut. It will prohibit gaming venues from operating between 4:00am and 10:00am and introduce penalties for those gaming operators who break the law.

**Extending contingency offences to interstate gaming providers**

While the Minister currently has powers to ban betting on contingencies with a wagering service provider, offences relating to the ban are limited to activities in Victoria. This prevents the prohibition from being enforced in relation to interstate activities.

Legal advice provided to my department has revealed that the Minister's powers to prohibit contingencies are limited in their application to providers located interstate. When wagering service providers located interstate are happy to offer bets on minors and amateur sports, we can see that there is a clear need for the Minister's powers to extend to these entities.

The Bill will extend the offence provision to capture things that take place outside of Victoria. This will allow the Minister to respond to betting contingencies that are not in the public interest, even if they are offered interstate.

This legislative change will ensure inappropriate betting practices are not offered to Victorians, and will give the Minister the appropriate powers to respond to emerging practices in the wagering industry.

**Cleaning up complex legislation to make sure the regulator is not impeded in any decisions on casino suitability**

The Royal Commission into the Casino Operator and Licence outlined shocking behaviour from Crown Melbourne. The government moved swiftly to implement the 33 recommendations of the Royal Commission.

The work has not stopped there, and as we move towards the gambling regulator's decision on the suitability of the operator, we need to ensure they are unimpeded in their ability to make their decision.

I want to be very clear that this does not indicate the likelihood of a 'yes' or 'no' decision. The independent gambling regulator will make this decision by themselves.

The Bill will ensure the casino is able to keep operating in the event that the licence is cancelled, suspended or surrendered.

It includes provisions that:

- vest managed property in the manager to facilitate operations following the appointment of external administrators,
- protect the manager from third parties who might enforce a security interest over managed property,
- protect the manager from exposure to legal action and personal liability,
- allow the manager to be paid out of net earnings before the casino operator, and
- provide the manager with access to shared services across the casino complex.

**Clarifying 'payment of winnings' provisions**

As Members would be aware, the Royal Commission uncovered significant failures by the casino operator to address money laundering and other forms of financial crime. Amendments passed last year restricted the payment of cash winnings to a maximum of \$1,000 in a 24-hour period.

To improve the workings of these reforms, the Bill will amend the payment of winnings provisions to allow them to commence following the introduction of carded play on all games at the casino, including table games.

This will ensure the casino has time to implement the world-leading technology required to track cash across the whole gaming floor.

These amendments align with the intent of existing legislation, and make clarifications to ensure they are implemented in the most effective and efficient way.

**Managing downtime**

From December 2023, any person who plays a gaming machine at the casino will be required to track their play using the pre-commitment system, YourPlay.

Recent reforms introduced significant penalties for where the casino operator fails to implement mandatory pre-commitment framework.

As we have moved towards the soon to commence start date, we have found there is a need to update the existing framework to account for 'downtime', when technical outages occur in the system which are outside the casino operator's control.

The Bill will ensure that the casino is not unfairly impacted in the occurrence of a period of downtime that is outside their control.

This would be enabled through a Ministerial Direction, which will provide directions around when such periods may be approved to ensure the framework only applies in limited circumstances.

This is not a reform, rather an administrative fix that needs to be addressed in the new legislative environment.

**Conclusion**

This legislation is a first step at implementing our recently announced major gambling agenda, as well as making amendments to ensure the gambling regulator is unimpeded in making its upcoming decision about the suitability of Crown to operator the Melbourne Casino – enabling the implementation of the major casino reforms.

Although a significant step, there is more to come – the coming years will be big for gambling reform in Victoria.

This government is serious about addressing gambling harm and I look forward to working with Members, harm reduction stakeholder, people with lived experience and industry as we progress our gambling reforms.

I commend the Bill to the house.

**Georgie CROZIER** (Southern Metropolitan) (18:16): I move, on behalf of my colleague Mr Mulholland:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

**Special Investigator Repeal Bill 2023***Introduction and first reading*

**The PRESIDENT** (18:16): I have a further message from the Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to repeal the **Special Investigator Act 2021** and to abolish the Office of the Special Investigator, to make necessary transitional arrangements, to continue in operation certain offences, to make consequential and related amendments to other Acts and for other purposes'.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:16): I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Jaclyn SYMES**: I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:17): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Special Investigator Repeal Bill 2023.

In my opinion, the Special Investigator Repeal Bill 2023, as introduced to the Legislative Council, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

**Human Rights Issues****Human rights protected by the Charter that are relevant to the Bill***Section 15 of the Charter – Right to freedom of expression*

Clause 14 of the Bill preserves section 90 of the *Special Investigator Act 2021*, to make it an offence to cause, or threaten to cause, any harm or detriment to a person who assists the Office of the Special Investigator (OSI) or who is or was an OSI officer.

Sections 15(1)–(2) of the Charter provide that every person has the right to hold an opinion without interference and the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds.

Clause 14 may limit this right to the extent that it makes it an offence to threaten to cause any harm or detriment to a person who assists the OSI, or a former OSI officer.

However, section 15(3) of the Charter carries an internal limitation to the right to freedom of expression, by providing that special duties and responsibilities are attached to the right of freedom of expression and the right may be subject to lawful restrictions reasonably necessary to respect the rights and reputation of other persons or for the protection of national security, public order, public health or public morality.

In accordance with section 15(3)(a) of the Charter, the offence created by clause 14 is reasonably necessary to respect the rights of people who have provided assistance and/or information to the OSI, and the rights of former OSI officers. The offence was originally designed to protect the ongoing safety of OSI officers and people who assisted the OSI, given the nature of the investigations that were conducted by the OSI and the very real risks to the personal safety of persons involved in the events giving rise to the Royal Commission into the Management of Police Informants.

Notwithstanding the repeal of the *Special Investigator Act 2021*, the risk of reprisal for OSI officers and persons who provided assistance and/or information to the OSI is ongoing. There is a continued need to ensure that such persons are protected from reprisals in relation to their involvement with the OSI. In addition, there is a need to protect people who have provided information and/or assistance to the OSI in reliance on the protections against reprisal contained in the offence.

Further, in accordance with section 15(3)(b) of the Charter, the intimidation of witnesses and law enforcement officers can have serious consequences for the administration of justice, and by extension, public order. Finally, the offence provision at clause 14 does not prohibit legitimate criticism of a person who assists the OSI or an OSI officer that would not otherwise meet the threshold of ‘harm or detriment’ in clause 14.

On this basis, any limitation on the right to freedom of expression imposed by clause 14 is a lawful restriction that is reasonably necessary to respect the rights and reputation of former OSI officers or people who have assisted the OSI, and for the protection of public order.

*Section 25 of the Charter – Rights in criminal proceedings*

Section 25(1) states that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

Clause 14 may limit section 25(1), in so far as the defence at section 90(5) of the *Special Investigator Act 2021*, that is preserved by clause 14, imposes a legal onus on the accused, by requiring the accused to prove on the balance of probabilities that the conduct engaged in was a lawful action to make out the defence.

In my opinion, to the extent that the defence at clause 14 limits the right to be presumed innocent at section 25(1) of the Charter, that limit is proportionate and justified, for the following reasons.

First, the extent and nature of the limitation to section 25 of the Charter is reasonable, on the basis that the accused bears the legal onus only in relation to the defence that the conduct was lawful. As such, even if the

defence is not established, the prosecution must still prove all elements of the offence beyond reasonable doubt, including that the action was taken because of the belief that a person was assisting the OSI or an OSI officer.

Second, the limit to section 25(1) of the Charter is also necessary and proportionate to the purpose of the limitation. It is appropriate that the accused bear the onus of proving the exception as it relates to matters that fall peculiarly within an accused's knowledge – that is, the purpose for which the person engaged in conduct. These matters would be unduly onerous on a prosecution to investigate and disprove at first instance. On this basis, the offence at clause 14 is important to deter people from reprisal against people who assisted the OSI and provide a degree of protection to them for their assistance.

Additionally, placing an evidential onus on a person with respect to the defence of lawful action is not a reasonable less restrictive means to achieve the purpose of clause 14. This is because an evidential onus may be discharged by an accused merely pointing to evidence that may establish a defence, at which point the legal onus would be on the prosecution to disprove the defence beyond reasonable doubt. Imposing only an evidential onus may constrain the ability for these offences to be prosecuted and undermine the deterrent purpose of the offence.

**Hon Jaclyn Symes MP**  
**Attorney-General**  
**Minister for Emergency Services**

### *Second reading*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:17):  
I move:

That the bill be now read a second time.

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

#### **Overview**

The Special Investigator Repeal Bill 2023 (the Bill) repeals the *Special Investigator Act 2021* (the SI Act) and implements necessary transitional provisions to support the dissolution of the Office of Special Investigator (the OSI).

The Victorian Government established the OSI as an independent statutory office in 2021 with the key function to investigate possible criminal conduct and breaches of discipline related to Victoria Police's use of Ms Nicola Gobbo as a human source. Since its establishment in 2021, government has committed over \$25 million to establish the OSI and for it to conduct its investigations. In establishing the OSI, and providing for the appointment of a Special Investigator, the SI Act delivered recommendations 1, 3, 92–99, 101 and 103 of the Royal Commission into the Management of Police Informants (Royal Commission).

In June 2023, the government decided that the OSI's ongoing criminal and disciplinary investigations would be finalised, and that the OSI would be decommissioned as a statutory agency. This decision was made on the basis of advice provided by the then Special Investigator, Mr Geoffrey Nettle AC KC, in a Special Report tabled in Parliament under section 99 of the SI Act. In his report, the Special Investigator stated that the OSI's investigations were unlikely to result in criminal charges being filed, and that there was no merit nor public interest in the OSI continuing to investigate whether there was sufficient evidence to establish the commission of relevant offences.

I now turn to the Bill.

#### **Decommissioning and dissolving the OSI**

The Bill implements the government's decision to wind-down the OSI by formally repealing the SI Act. The repeal of the SI Act will dissolve the Office of the Special Investigator, provide ongoing protections for OSI records and information, and ensure that oversight of the OSI is thoroughly completed.

#### *Transferring OSI records*

The OSI has a significant number of records in its custody, including the Royal Commission records which it is statutorily entitled to hold. The OSI holds highly sensitive law enforcement and Commission records, and there is an ongoing need to maintain these records confidentially. The Bill provides for the custody of OSI records to be transferred to the Public Record Office, in accordance with arrangements approved by the Keeper of Public Records, and obligations contained in the *Public Records Act 1973*. To maintain strict confidentiality over those records, the Bill provides that records must be held and dealt with in the same manner as when they were held by the OSI.

*Retaining relevant offences*

The SI Act provided for offences to prohibit the unauthorised disclosure and use of OSI information and to protect people who gave information to the OSI. It is important that these offences are retained to ensure that the OSI's information is protected, as well as people who have assisted the OSI and former OSI officers, following the OSI's dissolution.

Section 89 of the SI Act makes it an offence for current and former OSI officers or service providers to use or disclose information about OSI investigations, or the functions and powers of the office, without the express authorisation of the OSI, or a reasonable excuse. To ensure the continued confidentiality of OSI records, this Bill preserves section 89 of the SI Act so that it will remain an offence to make an unauthorised disclosure of OSI information.

Section 90 of the SI Act made it an offence to cause or threaten harm or detriment to any person who assists or assisted the OSI or who was an OSI officer or other specified person. It is important that we continue to shield these persons from reprisal and guarantee the ongoing safety of OSI officers and other witnesses. To ensure this, the Bill preserves section 90 of the SI Act to protect against the ongoing risk of reprisal against people who have assisted the OSI, and former OSI officers.

*A continuing role for the Victorian Inspectorate*

It is in the public interest that an avenue for complaints and disclosures in relation to the work of the OSI and former OSI officers remains open following the dissolution of the OSI.

This Bill will therefore allow the Victorian Inspectorate to continue to receive complaints relating to the conduct of the OSI and OSI personnel during the six months following the dissolution of the OSI, and for those complaints to receive protections under the *Public Interest Disclosures Act 2012*. The Victorian Inspectorate will also retain the power to investigate complaints about the OSI and OSI personnel for the 18 months following the commencement of this repeal Bill. If the Victorian Inspectorate wishes to make a recommendation following an investigation, the Bill provides for such recommendations to be made to the Attorney-General and other agencies.

*The ongoing role of the Independent Broad-based Anti-corruption Commission*

The Bill also reverts to the prior position that IBAC is the independent body to which public interest disclosures about police are made. As part of this, and in accordance with the Royal Commission's recommendations, IBAC's default right of access to Royal Commission records is maintained so that it can determine and investigate any public interest disclosures that were made to the OSI.

*Conclusion*

This Bill ensures that the dissolution of the Office of the Special Investigator will be supported by the necessary transitional provisions and includes the necessary provisions to protect the OSI's sensitive records, and to ensure the safety of people employed by, or who have assisted the OSI.

Victorians can be confident that the OSI has fully investigated criminal conduct and breaches of discipline arising from Victoria Police's use of Ms Gobbo as a human source to the extent possible. The OSI has played a crucial role in ensuring the events that led to the Royal Commission into the Management of Police Informants will never occur again.

I commend the Bill to the house.

**Georgie CROZIER** (Southern Metropolitan) (18:17): I move, on behalf of my colleague Mr Mulholland:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

*Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:17): I move:

That the house do now adjourn.

### Hawthorn Rowing Club

**John BERGER** (Southern Metropolitan) (18:17): (528) My adjournment matter is for the Minister for Tourism, Sport and Major Events in the other place Minister Dimopoulos. The Hawthorn Rowing Club is an asset to my community of Southern Metro. Founded in 1877, the Hawthorn Rowing Club is a fixture of my community's sporting and leisure landscape. Their clubhouse is on the Yarra River right next to Bridge Road and offers a variety of ways for rowers to engage in their sport. There are teams of professionals and amateurs, and they are engaged and active in my local community. They are committed to nurturing the physical and mental wellbeing of their members by creating a positive and supportive community, and each year they organise the annual head of the river rowing regatta.

The regatta is limited to coxed eights, which just means that boats used for this race seat eight and a coxswain. It is the largest eights rowing event in Australia and is listed by some as one of the most notable 'head of the' races in the entire world, along with the Head of the River Race and the Head of the Charles Regatta in London and Boston. The race goes for a lengthy 8 kilometres down Melbourne's iconic Yarra. The fastest crews usually complete the course in around 25 minutes, with others taking around 30 to 40 minutes. At its biggest running the regatta had over 300 crews competing in 31 categories, with crews from all over Australia's states, New Zealand, Japan and the US. I am so proud that the team behind this great regatta is in Hawthorn, in my community of Southern Metro. It has been running since 1957, but due to COVID it had not run since 2019 – but now it is back.

You may not know this, but I used to be a rower. In fact I used to row for Essendon Rowing Club in the off-season to keep up my physical fitness. They were always great community events and always a great opportunity to meet people, so I am very excited that the Allan Labor government is providing \$25,000 for the Head of the Yarra to get it back to its best. We are a government that backs local community sport, so my adjournment is: will the minister join me on a visit to the annual Head of the River rowing regatta and enjoy the event with me?

### Tree removal

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (18:19): (529) My adjournment is for the Minister for Planning, and the action I seek is for the minister to properly and equitably consider Monash City Council's strategically justified and repeated requests for tree control, as these controls already apply in the cities of Maroondah and Whitehorse. The request that the council, the mayor, the constituents and I would like is for the minister to (1) approve council's current request for interim tree removal controls across Monash through the significant landscape overlay in amendment C165, or (2) implement the proposed statewide tree removal controls as a matter of urgency.

I have been approached by the mayor of Monash, who is extremely frustrated at the government's inaction in assisting in managing and improving the landscape and tree canopy of Monash. The negotiations have been going on for five years. For the mayor to contact me shows how really concerned the council are and how rejected they feel by the government constantly ignoring their calls for action. One of the issues that is key is the loss of gardens and canopy trees. Remember, trees and canopy provide positive environmental greenery. When we have so many people with mental health issues at the moment, this would be considered to be a good thing. What is more, recently it has been shown that without tree canopy we have a slight increase in urban heat resulting from the reduction in greenery in our suburbs. Council has worked on a number of efforts to protect the suburban environment and provide tree canopy cover as well as implement the state's policy on cooling and greening Melbourne.

Of specific interest is amendment C165, which is a request for a ministerial amendment and proposes interim tree controls through the significant landscape overlays. It was submitted to the Department of Transport and Planning in May 2021 but is still with the department pending a decision. The City of Monash, the mayor, my constituents and I all want to know why, two years after the previous minister decided to refuse the initial request for tree controls, which have been acceptable in Whitehorse since



2017 and in Maroondah for over 20 years, they are able to have these controls in place. I call on the minister to support the people in the City of Monash and to consider at least one of these requests.

### **LGBTIQ+ community safety**

**Rachel PAYNE** (South-Eastern Metropolitan) (18:22): (530) My adjournment matter is for the Minister for Mental Health Minister Stitt. 10 October was World Mental Health Day. This is a time to raise awareness of mental health issues and to mobilise efforts in support of mental health. On days such as these we are asked to reflect on what more needs to be done to make mental health care more accessible to all. That being said, many young people at one point or another have struggled with their mental health and limited access to appropriate support. For LGBTIQ+ young people these responses are exacerbated. The *Writing Themselves in 4* report by the Australian Research Centre in Sex, Health and Society at La Trobe University surveyed 6418 people living in Australia aged between 14 and 21 years and who identified as LGBTIQ+. In their survey they asked participants about their mental health experiences and access to support services. Concerningly, participants reported very high levels of psychological distress, poor mental health and suicidal thoughts. Almost two-thirds of participants reported having ever been diagnosed with a mental health condition. For those who are trans and gender diverse, those living with a disability and those living in rural and remote areas, these experiences were particularly elevated. This is by no means surprising.

This is all concerning in the context of continuing verbal, physical and sexual harassment or assault experienced by LGBTIQ+ young people. This is further compounded by increased rates of homelessness, often from family rejection or violence, an inability to engage in gender or sex-affirming practices and a lack of inclusive policies and structures. In this report's final recommendations they suggest a focus on prevention and a holistic approach to early interventions through an acute service provision. The action I seek is that the minister act on the recommendations of this report to ensure early intervention programs, inclusive mental health services and access to specialist health services and to encourage a wider dialogue on the inadequacies of current mental health provision services in this context.

### **Tree removal**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (18:25): (531) On 16 October I received a letter from the mayor of the City of Monash, one of the councils in my electorate. It is a concerning letter and issue, and I quote from the letter directly:

One of the key issues consistently raised by our community is the concern of the loss of gardens and canopy trees and more recently the increase in urban heat that results from this reduction in greenery.

For over five years this council – and this should be a council that those opposite are very familiar with – has sought new controls. That is, they have sought the right to govern over their own people to the extent that councils can. They have sought that from this state government, and they have been consistently denied that. They have had no success, and they are at their wits' end.

In particular, the council go on to say, and they share with me, that they express their extreme and growing frustration with:

- The Department of Transport and Planning failing to properly and equitably consider Monash Council's strategically justified and repeated requests for tree controls ...
- Lengthy and ongoing delays in implementation of consistent state-wide tree removal and greening controls; and
- The absence of any outcomes on action 91 – Cooling and Greening of Plan Melbourne

That is Labor's plan – Labor's own plan.

On 23 February 2021 council resolved to note the various actions that have been undertaken by their officers since 2009 to liaise with the Department of Environment, Land, Water and Planning, DELWP, and to implement the *Monash Urban Landscape and Canopy Vegetation Strategy* – as rightly they

should; that is their task in part. Council also resolved to write to the minister. Well, on 23 June 2003 the Minister for Planning refused C153. It is noteworthy that similar controls just across the border in the City of Whitehorse do exist. So we have a double standard here. These are frustrating delays for this council. These delays, and I quote from this document here:

... are doubly frustrating given the recent State Government comments in The Age newspaper that tree controls are the responsibility of local Councils through their planning schemes ...

And here we have a council which for five years now have sought to implement schemes in the best interests of their constituents. There is a need for action. Now, two years on after refusal and after they have also put an interim scheme and amendment, C153, to the minister, they have yet to hear from this government. The action I seek is immediate action from the planning minister to either approve the council's current request for interim tree removal controls across Monash through the significant landscape overlay amendment C165 or to implement the proposed statewide tree removal controls as a matter of urgency.

### Public transport

**David ETTERS HANK** (Western Metropolitan) (18:28): (532) My adjournment matter is for the Minister for Public and Active Transport Gabrielle Williams, to whom I extend my congratulations on her recent appointment to this portfolio. A couple of weeks ago I attended a ball – a Bus Ball in fact – to celebrate Transport Equity Week. I donned my good gear and, together with a group of like-minded public transport devotees, hopped on the number 220 bus to Sunshine, and what a fine time we had of it. But of course for most residents in the Western Metropolitan Region getting around the western suburbs on buses is no fun at all; it is a nightmare. This is not the first time I have broached this subject – nor, I note, my colleague Trung on a similar theme. There is a dearth of transport options in the west. We know that reliable, affordable and accessible public transport is essential for promoting productivity and inclusion and reducing pollution and congestion. It allows people to access employment and education, health services, shops, entertainment and social activities. The lack of public transport in the west forces people to rely on cars, with households needing multiple vehicles to get around, creating enormous financial stress on families and increasing congestion and pollution. Those who do not have access to private transport face long and unpredictable travel times and often unbearable wait times for public transport. Buses would be a good alternative, but they do not operate in the evening or on Sundays, and during peak times the average wait time for a bus in the Western Metropolitan Region is 40 minutes.

**Matthew Bach:** 40 minutes!

**David Ettershank:** Yes, 40 minutes. With the fastest growing population in the state, the public transport system in the west is being pushed to the brink. The *Better Buses for Melbourne's West* report offers solutions to the public transport malaise in the west. It was developed by Melbourne University's Melbourne Centre for Cities and proposes replacing the current network with an entirely new grid. It is not a major infrastructure project that will cost tens of billions to implement or years to construct. This is restructuring an already existing bus network for little cost, which would dramatically improve accessibility and wait times for more than a million people in Melbourne's west. Real benefits in real time for minimal cost – what's not to love?

We have been told by the public transport minister's office that bus network reform cannot take place until the recontracting process is complete, as it consolidates multiple routes across a single contract. However, in the west a single bus company, CDC, runs 49 of the routes, covering large swathes of areas with the worst services. For example, a simple rerouting in the Hoppers Crossing area would increase accessibility by a staggering 1155 per cent. The action I seek is that the minister approve a pilot of the new bus network grid for the CDC-contracted routes based on the *Better Buses for Melbourne's West* plan.

### Literacy education

**Renee HEATH** (Eastern Victoria) (18:31): (533) My adjournment is for the Minister for Education, and the action I seek is for the minister to immediately release the taxpayer-funded study that has been blocked by the Department of Education in Victoria. The study, entitled *Transforming Evidence into Practice for Reading and Spelling Instruction: A Descriptive Study of Six Victorian Schools*, was based on a series of in-depth interviews with teaching staff in 2021 and 2022.

Something everybody in this chamber should be able to agree on is that we want to provide the very best education for Victorian children, and a strong literacy skill set is a strong foundation for learning. La Trobe University was commissioned by the Victorian Department of Education to look at six schools who changed from balanced literacy to the science of reading teaching. Its basis is: systematic synthetic phonics instruction, regular monitoring of progress, early interventions for students who appear to be struggling and the use of decodable books as take-home readers. Although the results were positive, the department has refused to publish the findings.

In an open letter to the department, the Code Read Dyslexia Network said it is unconscionable that the Victorian government is withholding robust academic research that supports the systemwide change to the way our teachers teach children to read – that it provides much-needed evidence to the Victorian education community that is embracing the science of reading and will lead to better literacy outcomes for all students. The network also said that balanced literacy needs to be removed from our primary schools and it is no longer acceptable for schools to choose their own adventure when the evidence is clear.

This research is a vital step in the right direction, and whilst one study on its own cannot answer all the questions, well-conducted research published in peer review journals contributes to the wider understanding and discussion. These publications create an environment where the department would have to take action and ensure that outdated practices are removed from our school system. Therefore I ask for immediate release of the report.

### E-cigarettes

**David LIMBRICK** (South-Eastern Metropolitan) (18:33): (534) My adjournment matter today is for the attention of the Minister for Health, although I hope that it will also come to the attention of the Minister for Police, the Minister for Mental Health and the Minister for Government Services. Another week and another news story about a tobacconist or vape shop being targeted by organised crime. In the early hours of yesterday morning a tobacconist in Reservoir was rammed by a car. Whilst I do not have any particular insight into what happened, it certainly seems that this is yet another blow in what has been described as an organised crime turf war over the illicit tobacco and vaping market.

While the illicit tobacco market is clearly a result of excessively high taxes, making the illicit trade a profitable enterprise, the inclusion of vaping in this turf war is entirely a result of this government's policy. To be fair to this government, it would be unfair to single it out. This is bipartisan policy failure. The former Morrison government introduced the failed prescription model for e-cigarettes, but it is also supported by the current federal Labor government, the former Andrews Labor government, the Allan Labor government, the Victorian Greens and many others. Now the situation that we have in Victoria, and indeed in Australia, is that a technology designed to deliver nicotine without the need for burning plant material and all the associated harm that it causes is far more difficult to purchase than tobacco, at least in theory. In practice, the products are widely available. You probably do not need to walk more than a few hundred metres from this building to purchase a dodgy vape that was imported illegally and distributed by organised crime networks. Whilst various public health organisations and politicians are very confident that they know best, the voting public tend to have better nonsense detectors.

The RedBridge Group have recently published some research which provides some interesting insights. Two per cent of voters were very confident that a prescription-only model will stop black

market sales, 15 per cent were somewhat confident, 39 per cent were not confident at all and 44 per cent were not particularly confident. What about the question: how well are governments in Australia managing the regulation of nicotine vaping products? One per cent of voters rated this as very good – 1 per cent. Three per cent rated it as good and 15 per cent as acceptable. Whilst the status quo is a disaster, perhaps it could be considered a silver lining that at least voters recognise it as such. It seems that evidence, international experience and a thriving organised crime war will not result in a change in approach, so let me try some self-interest. When asked how likely voters were to consider vape regulation policy when choosing whether to vote for a political party, 9 per cent were very likely and 52 per cent were somewhat likely. My request for the Minister for Health is to immediately begin work on the relevant policies to allow retail vape stores to legally sell nicotine vapes.

### Property and land taxes

**Bev McARTHUR** (Western Victoria) (18:36): (535) My adjournment matter for the Treasurer concerns his extension of the existing vacant residential land tax to include all of regional Victoria and additionally to cover all Victorian residential land underdeveloped for five years or more. I would like to illustrate the practical effect this can have on an individual, and I ask the Treasurer for reconsideration or, failing that, justification of his policy. My constituent owns a principal place of residence in regional Victoria and was bequeathed by his parents a very thin, tiny old cement sheet house less than 1 kilometre from his principal place of residence. He has also owned 3 acres of vacant land zoned rural residential for more than five years. He now faces a situation where both the tiny cement sheet house and the empty land are newly liable for tax. The house is so small and in such poor repair it can only be used for storage. It is entirely full and cannot be lived in; indeed the water supply is disconnected.

What is he to do: pay the tax for an uninhabitable building or pay thousands for storage and far more to redevelop the property? Since he bought the vacant land it has been my constituent's dream to build his own house. This remains his intention. But as with all but the luckiest of us, the vicissitudes of life, specifically funding and serious health issues, have meant the dream remains uncompleted. What is he to do here: pay the tax or sell up the land and ditch his dream? Of course the government might say he can just pay the tax, but why should he? He is not a rich man or a land banker. He owns his own property and bought a plot of land on which he intended to build another before selling the first. They might say he can sell up, but again, why should he? These have been the plans of a lifetime, and yet with one stroke of the Treasurer's pen my constituent becomes liable for two new taxes he cannot afford.

This is not targeting the wealthy or land-banking property barons, it is hitting a man with one house, an uninhabitable house used for storage and a plot bought to develop his dream home. He will now owe a brand new tax on two-thirds of his property. The action I seek from the Treasurer is confirmation that in both cases outlined the extended property and vacant land tax will be chargeable. I would also seek from the Treasurer, in the absence of a reconsidered policy, a justification of why the burden has fallen so heavily on a man in his situation. Was this really the intention?

### Schools payroll tax

**Matthew BACH** (North-Eastern Metropolitan) (18:39): (536) Some very interesting economic ideas have been espoused in Parliament this week. It was good to be here during question time when members of the Greens party were talking about their support, new-found as far as I am aware, for strict price controls – price controls which lead to a collapse in investment, scarcity and poverty, as they are currently doing in Venezuela and so many other countries around the world. But I was also interested to read some of the comments that have recently been made by the Minister for Education regarding taxation. You see, my understanding was that when a government imposes taxation on the producers of goods and services, under normal circumstances what you see is an increase in price of those goods and services. However, that is not Mr Carroll's understanding about the government's schools tax. He said in question time yesterday that private school fees are a matter simply for private

schools. He denied that increasing taxes by millions and millions of dollars upon independent schools would lead to increasing fees. This flies in the face of the available evidence, which demonstrates that the 60-odd schools on the government's hit list have very significantly increased their fees, but he said that the two were unrelated and stated:

... private school fees are a matter for private schools.

I would note that this has not always been the view of members of the Labor Party. I recall Mr Beazley many years ago, when he was leader of the federal Labor Party, talking about a schools tax – he called it a schools tax – to be imposed by John Howard's Liberal government. He was talking about the GST. And I have a copy of the Labor Party's 1998 election manifesto. He said that:

The Howard Government will increase the cost of education through the introduction of a GST.

His understanding was that if you imposed the GST on educational services, that would ultimately lead to higher education prices. He said education:

... will be more expensive as the GST increases the price of books –

seemingly not understanding that the price of books is simply a matter for those who produce books –

newspapers, computer software, Internet use, clothes, uniforms and public transport.

The GST represents a Government Schools Tax ...

Then he went on to say that for the average family the tax will be:

... likely to add \$360 per annum to the costs of schooling.

Mr Carroll's understanding, however, is very different. My view, notwithstanding the interesting educational theories being put forward by the Minister for Education, is that it is highly likely that schools in my electorate, which the independent Parliamentary Budget Office says will soon have to pay the tax, will be substantially worse off and will ultimately have to pass on that very significant additional cost to parents – schools like Luther College, Marcellin and the North-Eastern Montessori School. So the action that I would seek from the minister is a guarantee that he will not impose the government's crippling schools tax on these schools in my electorate.

### **Flood recovery**

**Wendy LOVELL** (Northern Victoria) (18:42): (537) My adjournment matter is for the Minister for Consumer Affairs. Post the 2022 floods, Anglicare was funded for two financial counsellors to deliver services to the flood-affected community of Rochester. This funding was due to expire in November this year, but last Friday the Premier and the Attorney-General visited Rochester and announced the funding would be extended until June next year. The problem is that Anglicare, the organisation that has delivered financial counselling services for every major disaster in Victoria since the 2009 bushfires, has informed me that these services are required for a minimum of three years post the disaster.

When I met with the financial counsellors in Rochester in July, they informed me that despite the enormous workload they were carrying, they had achieved many positive results for Rochester residents. For example, they informed me that nine families received a combined total of \$500,000 in additional insurance payments due to the work of the financial counsellors. It was also reported to me that, as of 20 July, the two financial counsellors had assisted 158 families, with 114 of these cases still ongoing, and that around 30 families were on a waiting list to be allocated a caseworker at that date. Unfortunately, due to the case load of the two counsellors, the wait time is approximately nine weeks for new clients to be allocated a caseworker, meaning it will be Christmas week before someone applying this week receives assistance. Rochester needs certainty that these services will continue to be provided for all residents who require assistance.

The action that I seek from the minister is for the minister to guarantee additional funding for the two financial counsellor positions in Rochester and that it be provided to Anglicare to enable the service to be delivered for a minimum of three years post the floods – that is, until November 2025.

### **E-cigarettes**

**Trung LUU** (Western Metropolitan) (18:44): (538) My adjournment matter is for the Minister for Health. The introduction of vape products has caught the government on the back foot. The action I seek is for the minister to consider introducing new policies to deal with the illegal sale of vaping products with nicotine. There is currently a nationwide ban on the retail sale of vaping products containing nicotine. A vape with nicotine can only be bought with a prescription. However, shops are allowed to sell vapes that do not contain nicotine. The problem is that many shops are illegally selling vapes that do have nicotine, but the packaging does not state that they contain nicotine and does not say who the manufacturer is or where the vape has come from. These illegal vapes have become very popular, even with children using and becoming addicted to them. Extra steps are required to protect children from these products.

New laws were recently introduced in South Australia that require retailers to provide information about their suppliers and show proof that any vape product that it sells is nicotine free. Concerned parents and my constituents would like to see a similar measure implemented in Victoria. So I ask: is the minister aware of the South Australian new laws, and will the minister consider following their example to protect the health of our children?

### **Responses**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:46): There were 11 adjournment matters this evening. All 11 will be sent to the appropriate and relevant ministers.

**David LIMBRICK** (South-Eastern Metropolitan) (18:46): I would like to request an explanation on overdue adjournment matters: 252 asked on 30 May to the Attorney-General regarding stalking legislation; 388 asked on 15 August to the Minister for Health about cannabis law reform; 399 on 16 August to the Attorney-General on anti-vilification legislation; 415 asked on 17 August to the Attorney-General regarding video on demand; and 441 asked on 30 August to the Minister for Tourism, Sport and Major Events regarding Falun Gong.

**The PRESIDENT**: I will call on the minister. I am sure she is happy to follow that up on your behalf.

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:47): Yes.

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

**House adjourned 6:47 pm.**