



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Thursday 6 February 2025**



# 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

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

### 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 <sup>1</sup>	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira <sup>2</sup>	Western Metropolitan	Lib	Ratnam, Samantha <sup>5</sup>	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem <sup>6</sup>	Northern Metropolitan	Ind
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina <sup>3</sup>	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David <sup>4</sup>	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard <sup>7</sup>	North-Eastern Metropolitan	Lib

<sup>1</sup> Resigned 7 December 2023

<sup>2</sup> IndLib from 28 March 2023 until 27 December 2024

<sup>3</sup> Appointed 14 November 2024

<sup>4</sup> LDP until 26 July 2023

<sup>5</sup> Resigned 8 November 2024

<sup>6</sup> DLP until 25 March 2024

<sup>7</sup> Appointed 7 February 2024

### Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;  
 Greens – Australian Greens; Ind – independent; 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 6 February 2025**

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

*Members*

**Acting Presidents**

**The PRESIDENT (09:34):** I lay on the table my warrant nominating an Acting President. I ask the Clerk to read the warrant.

**The Clerk:**

Pursuant to the provisions of Standing Order 2.12 of the Legislative Council, I hereby nominate:

Mrs Gaelle Broad

to be an Acting President whenever requested to do so by the President or Deputy President.

Given under my hand on 6 February 2025.

SHAUN LEANE

President of the Legislative Council

*Petitions*

**Residential planning zones**

**David DAVIS (Southern Metropolitan)** presented a petition bearing 259 signatures:

We, the undersigned citizens of Victoria, respectfully urge the Legislative Council to note:

- the Allan Labor government has announced 10 high-rise high-density zones in the municipalities of Bayside, Boroondara, Brighton, Darebin, Frankston, Glen Eira, Hume, Kingston, Monash, Moonee Valley, Stonnington, Whitehorse and Whittlesea where planning rights will be stripped from councils and communities, high rise development will occur as of right and planning control will be exercised undemocratically by the state government;
- that, in addition to a central activity district with as of right 12 storey development, these zones contain enormous “catchment areas” where planning protections will be removed, where 3 and 6 storey development can occur as of right, where municipal heritage overlays and designations will be overridden resulting in the destruction of thousands of irreplaceable heritage properties and where canopy tree protections will be overridden resulting in the loss of neighbourhood amenity and the exacerbation of heat island effects; and
- these plans are not accompanied by proper health or education service plans or plans for additional open space despite proposed massively increased local populations.

We therefore call on the state government to desist and recommence proper discussions and consultation with local communities and councils and heritage peak bodies in all 10 affected zones prior to taking any further planning actions to implement the announced high-rise high-density zones.

**David DAVIS:** I move:

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

**Motion agreed to.**

*Papers***Children's Court of Victoria***Report 2023–24*

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (09:35): I present, by direction of the Governor, the Children's Court of Victoria report 2023–24. I move:

That the report be tabled.

**Motion agreed to.**

**Victorian Health Building Authority***New Melton Hospital Project Summary*

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (09:36): I move, by leave:

That the *New Melton Hospital Project Summary* February 2025 be tabled.

**Motion agreed to.**

**Papers****Tabled by Clerk:**

Parliamentary Committees Act 2003 – Government response to the Electoral Matters Committee's Report on the Inquiry into the conduct of the 2022 Victorian state election.

Residential Tenancies Bond Authority – Report, 2023–24.

Rural Northwest Health – Report, 2023–24.

Sentencing Advisory Council – Minister's report of receipt of 2023–24 Report.

*Committees***Environment and Planning Committee***Inquiry into the 2022 Flood Event in Victoria*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: the government response to the Environment and Planning Committee's inquiry into the 2022 flood event in Victoria.

*Business of the house***Notices**

**Notices of motion given.**

**Adjournment**

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (09:39): I move:

That the Council, at its rising, adjourn until Tuesday 18 February 2025.

**Motion agreed to.**



*Committees***Electoral Matters Committee***Membership*

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (09:40): I move, by leave:

That Jacinta Ermacora and Evan Mulholland be members of the Electoral Matters Committee.

**Motion agreed to.**

**Parliamentary committees***Membership*

**David DAVIS** (Southern Metropolitan) (09:40): I move, by leave:

That:

- (1) Georgie Crozier be discharged as a member of the Procedure Committee;
- (2) David Davis be a member of the Procedure Committee;
- (3) Richard Welch be a member of the Public Accounts and Estimates Committee;
- (4) Richard Welch be discharged as a participating member of the Economy and Infrastructure Standing Committee; and
- (5) Richard Welch be a member of the Economy and Infrastructure Standing Committee.

**Motion agreed to.**

*Motions***Middle East conflict**

**Katherine COPSEY** (Southern Metropolitan) (09:40): I move, by leave:

That this house:

- (1) notes that:
  - (a) according to the 'Humanitarian Situation Update #261 – Gaza Strip', published by the United Nations Office for the Coordination of Humanitarian Affairs on 5 February 2025, since the ceasefire in Gaza on 27 January:
    - (i) it is estimated that over 560,000 people have returned to northern Gaza;
    - (ii) the World Food Programme, WFP, delivered more than 10 million metric tonnes of food to Gaza, reaching about 1 million people through household-level distribution of food parcels;
    - (iii) prices for both food and non-food commodities have started to decline; prices for many items remain up to 1200 per cent higher than precrisis levels;
    - (iv) across the strip, water sanitation and hygiene agencies are scaling up water-trucking activities to increase water accessibility and meet staggering levels of need, given the high level of damage to groundwater wells, water treatment units, trucking operations and sewage pumping facilities.
  - (2) further notes that United Nations Mine Action Service warns of higher exposure to the threat posed by explosive ordinance, but they are currently not able to conduct disposal operations; if an unexploded bomb or landmine is found, it is marked with warning messages; and
  - (3) supports calls for the current ceasefire to become permanent.

**Leave refused.**

*Members statements***Lunar New Year**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (09:42): Last weekend I had the pleasure of attending the annual Lunar New Year festival hosted by the Victoria Street Business Association. The event brings together the Vietnamese community across our state in Victoria Street, Richmond. The vibrant celebration, as it is, was particularly special this year as we reflected on and marked the 50-year anniversary of the first arrival of Vietnamese refugees on our shores. I also want to acknowledge the brave moves by the elderly and honour the ancestors of the Vietnamese community who made that journey to Australia, fleeing war and devastation. As a member of the Allan government, I am very proud of our contributions and support for our multicultural communities, because we do not just talk about multiculturalism, we actually deliver it through actions. This festival was also one of the festivals that we supported around our state, with over \$400,000 worth of support over four years. Developing and growing this festival is what I would like to see, and that is what the community is doing. This builds on the work we have done also together with the Vietnamese Museum Australia with millions of dollars of investment, and I look forward to the opening of the Vietnamese museum in the heart of the western suburbs in the coming years. I understand they are close to starting the project. It is a big project that is eagerly awaited by the Vietnamese community not only in the west but across our state. I want to take this opportunity to thank the leadership of the Vietnamese community, particularly the members of the Victoria Street Business Association, the Vietnamese Museum Australia and also the Australian Vietnamese Women's Association, a group that is close to my heart that does a lot of work in the corrections facilities. Happy new year in the Year of the Snake.

**Australia Day awards**

**Melina BATH** (Eastern Victoria) (09:44): We have a wonderful, wonderful rich fabric of citizens in Eastern Victoria Region, and I will try and list today just some of the recipients of both Australia Day awards and local citizenship awards. The wonderful Emily Beecroft from Traralgon received an OAM. Emily is too young to be an OAM, but she has been at the peak of her swimming standards for the last 15 years. Congratulations to Emily and family. John Smith was recognised for his service to community through local charities such as Gippsland Youth Services and the Latrobe Valley food bank. David Williams from Leongatha is cricket mad – and rightly so – and has supported youth cricket and cricket clinics and camps for many, many years. Bill Newcomen from East Gippsland was recognised for his extensive work in the community and also in the CFA and sailing programs at the Metung Yacht Club. Helen Thompson has been involved in Landcare and environmental community projects. Michael Turner was also honoured in relation to emergency services and relief efforts in disaster times. Congratulations to Michael. Jane Roberts from Yarram was recognised as an outstanding teacher, particularly in innovation and methods for teaching in rural schools. Margaret Brown was honoured for her contribution to the arts, art festivals and community productions; Dr Peter Johnson in health; and Emily Harris OAM in health. There are many, many more: Linda Matthews, Robert Jenkins, Dr Fiona Clarke and Kylie Sage in Baw Baw, and Maxx Jenkins, congratulations, Young Citizen of the Year over there.

**Tenants Victoria**

**Rachel PAYNE** (South-Eastern Metropolitan) (09:45): In the past, many Australians viewed renting as a temporary step between moving out of the family home and into home ownership. But today, with skyrocketing house prices, stagnant wages and a lack of housing supply, more people are renting than ever before. In Victoria alone almost a third of households are renting. If nothing changes, many of these households will be renting for life. Earlier this year I visited Tenants Victoria, where I had the pleasure of meeting with CEO Jennifer Beveridge and the team there, and the dedicated team work on policy, advocacy and law. I also got the experience of seeing some of the calls that the team received and the volume of information that they have to share and the volume of calls that do come

through. Those calls highlighted the insecurities that tenants often face. The power imbalance between them and landlords discourages self-advocacy, for fear of retaliation. In the past year alone Tenants Victoria has assisted nearly 10,000 people via this phone line, but with almost 2 million renters statewide, countless others were left without support. To meet this urgent need, greater funding is essential. I am really grateful to Tenants Victoria for taking me through their office. The incredible work that they do is crucial in shaping the future of all Victorians and Victorian renters.

### **Western Victoria fires**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:47): This morning I wanted to talk about the resilience and community spirit of Western Victoria, something that I am particularly incredibly proud of. Communities right across Western Victoria, unfortunately, have been affected by bushfires, from the South Australian–Victorian border right through to the Little Desert, obviously the Grampians, and of course we have also seen fires in the Otways and Apollo Bay. Their remarkable strength has been amazing to witness and to experience, and of course I do not leave out those communities that have also been forced to evacuate but have been able to go back into their communities unharmed. I would also take this opportunity to thank the firefighters and volunteers for their swift actions, along with the vigilance of residents, who have heeded early fire weather warnings. Property and livestock losses have been kept to a minimum so far. We are still in the thick of the fire season, and the community's vigilance has been absolutely fantastic. Tools like VicEmergency, VicTraffic and fire planner apps are invaluable, helping people make informed decisions that protect lives and property, supporting the efforts of emergency services. Can I also pay tribute to those in Dimboola who had to pack up very quickly only a week or two ago, and in particular can I give a shout-out to the Victoria Hotel in Dimboola, Meran and Stoph Pilmore, who are the publicans there, who have kept my family fed and sheltered many times over the past.

### **Indian community events**

**Evan MULHOLLAND** (Northern Metropolitan) (09:49): It was great to join Western Gujju Inc and thousands in attendance for Melbourne's biggest kite festival in Mount Cottrell, which is designed to celebrate the spirit of community and culture as they bring together people from all walks of life to enjoy the art of kite flying. A big thankyou to the Hindu community of the western suburbs, particularly Werribee and Tarneit, for welcoming me as their chief guest. A special thanks to president Bhavesh Patel and also to the Swaminarayan Gurukul Melbourne for their immense support in offering their land for the event and the volunteers for dedicating their time.

On 9 February I visited the Hoppers Crossing gurdwara with my colleague Matthew Guy and Liberal candidate for Werribee Steve Murphy. The local Sikh community live out the values of the community, volunteering and in particular helping those less fortunate, making the Sikh community a cornerstone of generosity in the western suburbs. Locals particularly raised the lack of a pedestrian crossing on Sayers Road in Hoppers Crossing. Despite many promises by western suburbs Labor MPs, no action has been taken, highlighting their neglect of the west.

I also joined the community at Sri Durga Temple in Deanside along with my colleague Matthew Guy and the great Liberal candidate for Werribee Steve Murphy. Thank you to temple president Kulwant Joshi for hosting us. I am looking forward to coming back for their Holi festival next month, hopefully with the newly elected member for Werribee Steve Murphy.

### **Government regulations**

**David LIMBRICK** (South-Eastern Metropolitan) (09:50): Here in Victoria it is very difficult to do good things, and I do not mean things that you think are good, like your hobbies, although this can also be true. What I am talking about here are things that are universally good: the uncontroversial, politically nonpartisan charitable deeds that ordinary Victorians do every day. Over the past couple of months I have met with several people and organisations that have been inspired to do some good in the world, only to be met with nonsensical rules and bureaucratic bullies doing everything they can to

prevent them. Roy, who invested his own money and time to create a wildlife sanctuary, has the Department of Energy, Environment and Climate Action insisting that he allow the critically endangered animals on his property to be exposed to predation. Lydia, who set up an organisation to tutor homeschoolers, school refusers and neurodiverse kids to ensure they still receive a quality education, is also battling bureaucracy. And Kelly from Narre Warren, who founded a charity to provide food relief – local planning rules are preventing her from properly using her property. These are just the recent examples that I am aware of, but the theme seems universal. Everywhere I go I meet people that are truly inspiring, seeing some problem in the world and doing their best to solve it. The government needs to get out of the way, stop creating a maze of red tape and let people do good.

### **Western Metropolitan Region health infrastructure**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (09:51): No matter where you travel in Melbourne's west you can see the major investment that the Allan Labor government is making to our health and hospital system. Recently I had the pleasure of visiting the site of the new, massive Footscray Hospital. It is like a city, one of the biggest health infrastructure projects in Victoria's history. The new hospital will provide additional capacity for our growing community, with an increase of nearly 200 beds. It will treat approximately 15,000 additional patients and enable around 20,000 more people to be seen by the emergency department each year. This massive investment continues in Melton, where Labor is getting on with building the new Melton hospital. The first all-electric hospital will have the capacity to treat 130,000 patients each year and will host a range of services, including maternity and mental health services. In Werribee we are expanding the emergency department at the Werribee Mercy. Once complete, the emergency department will allow the treatment of an extra 25,000 patients each year, and that is double the current capacity. These upgrades will provide much-needed support to our growing communities and get families the care they need closer to home. The Allan Labor government is getting on and delivering these important projects in our community in Melbourne's west.

### **Crime**

**Nick McGOWAN** (North-Eastern Metropolitan) (09:53): I had the good fortune of attending a local community function recently.

**Tom McIntosh:** Wow.

**Nick McGOWAN:** Yes, that is right. It was quite exciting; you should have been there with me. At that function I had a conversation –

**Jaclyn Symes** interjected.

**Nick McGOWAN:** Yes, I had a T-shirt. It said, 'Nick McGowan MP, your local member in Ringwood'. At that function I had a great conversation with one of the locals from Heathmont. Now, Heathmont recently has been going through what I would describe as somewhat of an unfortunate period, unfortunate because a number of residents at 2 and 3 in the morning are interrupted during their sleep by intruders – and this is not unusual in this state, very sadly. What we saw on display yesterday, by not only the Premier but then the police minister, was nothing short of embarrassing. So when I return to Ringwood at the end of this week and locals ask me what is happening with Victoria's bail laws, what is happening with the Victorian crime situation, which is clearly out of hand, what is happening with catch and release, which of course is a formal policy of the Victorian Labor Party, I will not know what to tell them because the government quite simply do not know either. When you have the Premier on one hand announcing a review and the minister who is charged with conducting a part of that review not even knowing he is doing the review and then flippantly referring to all of these papers and documents and proposals he has in his bottom drawer and how that might help prevent crime, but he is somehow holding and withdrawing that from the Victorian people, it is a travesty. It is actually a sad reflection of where this government is. It is too long in the tooth; it has to go.

### Housing

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (09:54): We have all seen, heard or maybe even lived rental horror stories: houses that have no insulation, hotter on the inside than it is outside; houses that only have enough water for one short shower a day; and houses that have shorting electricity circuits, leaking water or even leaking gas. Landlords would fix any of these issues immediately if they happened in their own home but too often ignore renters when they raise these repairs, hoping their tenants will just move out before they have to actually spend any of their own money on their so-called investments. A recent report by Anika Legal, *Too Hot, Too Cold, Too Costly*, found that 38 per cent of renters were cold almost all of the time in winter. Better Renting also found that 20 per cent of Victorian rentals consistently exceeded the healthy temperature to sleep overnight in the summer. There is a power imbalance – it is real. Every day more people are realising just who it is that is allowing this broken system to continue, and they have had enough.

### Carole Marple

**Jaelyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (09:56): Right now there are people gathering at the Devenish cemetery to celebrate the life of Carole Marple. Carole was a greatly valued person within the Benalla community and generously shared her time and efforts, making an enormous contribution in particular to the labour movement and the struggle for a better world. Carole was born in Benalla and worked as a primary teacher specialising in working with children with learning difficulties. She was a committed union and Labor Party member who at times led the Benalla ALP branch as president. She stood as the Labor candidate in the federal seat of Indi in 1980 and 1983 and was on the Victorian Labor senate ticket in 1984 and 1990. I am not the first Benalla-born MP. Carole was elected to the Victorian Legislative Assembly as the first member for Altona. She was determined to advance the social and economic interests of the working-class people of this electorate. Carole's commitment to protecting the environment, preserving the grasslands and wetlands of western Melbourne and reducing industrial emissions is a legacy we all appreciate. She served as Shadow Minister for Natural Resources from 1992 to 1993 and Shadow Minister for Agriculture and Rural Affairs from 1993 to 1996. Carole continued her active political involvement in the years since, and I personally greatly valued her insights, advice and support alongside her late husband Godfrey. Her presence will be deeply missed by all of those whose lives she helped and those whose lives she worked so hard to improve. She will be greatly missed by the Benalla community and supporters of the Benalla–Euroa ALP branch. My condolences go to Luke, Kate, Marion, Tony, Patrick, Sophie, Lewis, Shannon and Peggy.

### Bushfires

**Joe McCRACKEN** (Western Victoria) (09:57): In recent times large parts of my electorate have suffered through devastating bushfires. I want to particularly focus on the communities from the Grampians region up to the Little Desert, which have shown great resilience, community spirit and courage. I applaud and commend first responders, particularly CFA volunteers and SES volunteers, many of whom are fighting to protect their own families and communities and loved ones from the terror of bushfires. Many have also noted and been disappointed by lack of cool burns in preparation, let alone combating fires in old trucks, some over 30 years old. I do want to pay tribute to Emma Kealy, the Nationals member for Lowan in the Assembly. Emma not only knows every CFA brigade but she knows every community impacted by the fires. Emma has done an amazing job, and it has been awesome to see. I was proud to join Emma, along with my colleague Bev McArthur and Leader of the Opposition Brad Battin, in Ararat recently to talk to CFA volunteers and to local government representatives about the bushfires and the impact that they have had on local communities. There are many lessons to learn and significant changes to make to ensure that we never, ever experience these sorts of catastrophes again.

### Australia Day awards

**Lee TARLAMIS** (South-Eastern Metropolitan) (09:59): I would like to take this opportunity to congratulate the many Victorians recognised in the 2025 Australia Day honours. This recognition highlights their passion, selflessness, dedication and remarkable achievements. One of these inspiring recipients is Selba Luka OAM, the founder and CEO of Afri-Aus Care, a not-for-profit community organisation that empowers African and culturally diverse communities. Guided by the philosophy of ubuntu, meaning community, compassion and interconnectedness, Selba has made incredible impact through her work with at-risk youth, families and multicultural communities. Her efforts in mental health, youth development and education have made an immeasurable difference in countless lives. Selba's unwavering commitment to uplifting our community is a powerful testament to her leadership and her desire for positive change. This recognition is so well-deserved, and her influence will continue to inspire others and improve outcomes for our community. It is also important to acknowledge that Afri-Aus Care was recently awarded Community Group of the Year by the City of Greater Dandenong at the 2025 Australia Day awards. This is a true reflection of the collective efforts of their staff, volunteers and the entire community they serve. Another inspiring recipient is Gula Bezhan OAM, who founded Afghan Women's Organisation Victoria. Gula has been a tireless advocate of the Afghan culture and has supported newly arrived women and families from Afghanistan through their journey of resettlement and integration. Her dedication has provided strength and hope for the Afghan community, fostering empowerment, education and meaningful connections. Through her leadership and passion Gula has made a lasting impact, inspiring many and leaving behind a legacy of empowerment and cultural pride. It is great to see these two outstanding local women recognised, whose efforts are truly making a difference. Congratulations to you both, and thank you for your passionate and inspiring work.

### Australia Day

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (10:00): It was an honour to hear Dr Jeffrey Rosenfeld speak at the 77th Australia Day Council Victoria dinner, where we – and I quote from his address – ‘celebrate the diversity and wondrous achievements of past and present Australians in all endeavours’. I want to congratulate the many Australians who have been Australia Day recipients of Order of Australia Medals at the beautiful Woodlands Golf Club in Mordialloc and the Australia Day awards in Dandenong. I enjoyed meeting many constituents who became Australian citizens on Australia Day, acknowledging that the granting of Australian citizenship for the first time took place on 26 January 1948, which is how we came to call Australia Day by its name.

### Lunar New Year

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (10:01): Happy Chinese Lunar New Year to all in my Chinese, Vietnamese and Cambodian communities, and a special thanks and chúc mừng năm mới, xuân nián kuài lè to the Springvale Asian Business Association group, who worked tirelessly to present another wonderful Lunar New Year event in Springvale to welcome in the Year of the Snake. As always, it was a fabulous festival, with lion dancing, food stalls and fireworks, and I ended the evening with a delicious community dinner with friends from the Cambodian Association of Victoria. Saum arkoun.

### South-Eastern Metropolitan Region communities

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (10:01): Happy Indian Independence Day to my Indian communities and residents in the south-east and happy Thai and Tamil Pongal to all my Thai and Tamil friends and community groups. I enjoyed attending three Tamil Pongal events. I thank Esha Lakshana and others for the massive event management and warm hospitality in Caulfield. In Pakenham I thank the Australian Tamil Sangam team and Mr Dhileepan for his hard work. Yesterday I had the privilege to co-host a colourful nonpartisan Tamil Pongal event of singing and dance at Parliament with colleagues from across the chamber, and I thank chairperson Sivasuthan. Romba

romba nandri. It was an honour to attend the Consul General's Thai Pongal celebration with the Parliamentary Friends of Thailand, and I thank Tessa Sullivan.

### **McCrae landslide**

**Tom McINTOSH** (Eastern Victoria) (10:02): Last month's landslide in McCrae has left residents in 19 houses currently not in their homes. I met residents and heard from them about how distressing and how difficult the event and the time since has been for them, being out of their homes. A smaller group spent time with me walking the local streets, showing me firsthand and giving me a deep understanding of the situation. I just want to acknowledge how difficult this has been for those residents that I have met and heard from and give my commitment to do all I can to support them in this time.

### ***Business of the house***

#### **Notices of motion**

**Lee TARLAMIS** (South-Eastern Metropolitan) (10:03): I move:

That the consideration of notices of motion, government business, 278 to 806, be postponed until later this day.

**Motion agreed to.**

### ***Bills***

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

#### ***Second reading***

**Debate resumed on motion of Gayle Tierney:**

That the bill be now read a second time.

**Georgie CROZIER** (Southern Metropolitan) (10:03): I rise to speak to the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. This bill is another important bill that has come before the house in terms of providing health care and providing support to healthcare frontline workers in this state. As you all know, in terms of what I have said about our health system in Victoria, it is in crisis. It remains in crisis. There are issues right through the system. There are workforce issues. There are cultural issues with various organisations, and I will come to that in relation to Ambulance Victoria with the latest Victorian Equal Opportunity and Human Rights Commission report. There are issues around infrastructure and ability to build. With the latest report that will be tabled, I have seen that there are just so many problems with this government's ability to manage budgets properly – the blowouts, the waste – and that ultimately leads to issues with the ability to deliver health care.

What this bill does is it amends the Drugs, Poisons and Controlled Substances Act 1981 to establish paramedic practitioners as a class of registered paramedics and to authorise paramedic practitioners to obtain, possess, use, sell and supply certain substances. I understand and I am aware that this was a commitment of the government at the last election, given the intense lobbying from the union that the scope of practice be expanded for paramedics. That is what the election commitment was about. That is why we are debating this bill today, and that is what the bill goes to. It expands the scope of practice for paramedics to be able to administer and prescribe certain drugs.

I want to go through a little bit of that. What the bill aims to do is allow paramedics, with additional training and extending that scope of practice that I have mentioned, to assess, diagnose, administer medication, treat patients on site, make clinical decisions and prevent the transfer of a patient to a hospital if they do not need to be transferred to a hospital. On the face of it, I completely understand them. I completely understand why the government would see that this was a good utilisation of expertise within the system, of the paramedics within the system, because as we know we have got

extensive ramping. Ramping is occurring across the state outside hospitals as I stand here right now. That has not changed.

There are delays and issues right through the system. The government is looking at that. They are amalgamating hospitals and forming networks. Those issues will still not resolve the lack of action on addressing the health needs, which were before COVID very substantial. The elective surgery waitlist before COVID was at record levels. We do not have the latest data; it is well overdue. It was due on Friday. The latest Victorian Agency for Health Information data had not been made available the last time I looked, an hour ago. It was still reporting on the quarter from July to September of last year. We do not have September to December data, and it is now February, for goodness sake. This government is completely incompetent in providing proper transparency and in providing proper solutions to those issues.

So what I say is the many issues in the health system were there prior to COVID, and of course they have been exacerbated through COVID, but despite the government's assurances that all would be well, things are not, and patient outcomes are still very significant. The issues are having a massive impact on the ability for good patient outcomes. I spoke about this last week. I was alerted to somebody whose young child had been waiting in the system for years to have a tonsillectomy. They had not been able to attend early education and they are going to have their primary schooling delayed. This is a symptom and just a classic example of the failures within the system, where the system is failing right throughout. That example is a direct result. So they are back on the waitlist, and it is unknown when they are going to get their surgery. That is a classic example of the failures in the system.

What this bill does is try to prevent some people from attending emergency departments, where they are very busy because of examples like that I just gave. When they are so sick, they have got nowhere to go and they end up in emergency to try and get the attention that they need. Our emergency departments are just so overrun. I speak to emergency department nurses all the time. They tell me about the issues that they are facing. The very real issue of occupational health violence, which is at record levels, is very extreme. There are very concerning levels of occupational violence. This issue with the ED and the system being so clogged is just a failure of a government which has not addressed the many concerns that our Victorian community has. The government will crow about this role and say it is the first jurisdiction to introduce this system. There are other jurisdictions that have brought in things like assistant physicians and all sorts of other personnel to try and deal with various aspects of the failures in the health system. It is intended that the first 25 paramedic practitioner graduates will be deployed in rural and regional Victoria in 2026. That is because there are such huge gaps in rural and regional Victoria. My colleagues who represent those areas understand the shortfalls and the failures and the real impacts that their communities are experiencing. Sometimes tragic consequences have arisen as a result of a failed system.

I will not go through every clause, but I did just want to go through a number of the important clauses to highlight what the bill actually achieves. Clause 4 defines a paramedic practitioner as:

... a registered paramedic who –

- (a) has completed a prescribed postgraduate qualification; and
- (b) satisfies the prescribed experience requirements ...

This qualification is completion of the master of paramedic practitioner, which is as I understand it delivered by Monash University. What that will then enable one of these paramedic practitioners to do is to obtain, possess, use, sell or supply schedule 2, 3, 4 or 8 poisons. That is really the important part of this bill that we are discussing today, and I want to drill down a little bit into that and the concerns of some stakeholders that I have spoken. I will be asking in the committee stage about some of these issues.

Just to go back to the scheduling of the poisons, schedules 2 and 3 poisons are pharmacy medicine or pharmacist-only medicines such as local anaesthetics and analgesics that are commonly referred to as



over-the-counter medicines. Schedule 4 poisons are local anaesthetics, antibiotics, strong analgesics such as Panadeine Forte. Schedule 8 poisons are probably the ones I want to draw attention to because of the issues that we have had with paramedics and schedule 8 poisons in the past. They require strict legislative control and are drugs such as opioid analgesics, pethidine, fentanyl, morphine, oxycodone, methadone, buprenorphine, benzodiazepines and ketamine. They are very, very powerful drugs, and they should not be allowed to be used freely without proper strict guidelines. The reason I say that is because IBAC back in 2017 undertook an inquiry into what was happening within Ambulance Victoria – Operation Tone – which was a special report concerning drug use and associated corrupt conduct involving Ambulance Victoria paramedics. The report specifically talks about this group of drugs – the drugs of dependence. The report states:

In this report, drugs of dependence refers to prescription medicines that have a recognised therapeutic need but also a potential for misuse, abuse and dependence.

Fentanyl, morphine, cocaine and ... (MDMA) are all classed as drugs of dependence pursuant to Schedule 11 of the *Drugs, Poisons and Controlled Substances Act 1981* (Vic). Fentanyl and morphine are also listed under Schedule 8 ...

That is what this bill refers to – schedule 8 drugs, not schedule 11 but schedule 8 – but they are still very highly powerful drugs and drugs that, as the IBAC report found, could be misused, be abused and lead to dependence.

This, I think, is very important because a number of paramedics were stood down, a number resigned and a number went off to do ethical courses as they were found to be involved in this corrupt and wrong behaviour. I think that is concerning for the Victorian community given that we need to ensure that there are absolutely strict controls so that that sort of misuse does not occur again. I raise that because with those drugs, as I said, misuse can be very, very dangerous. Fentanyl, which is being discussed as a drug of concern around the world, is very highly potent and can be fatal on many occasions. We have seen tragic circumstances, and there are even more drugs coming into the illicit drug market, and people have just got no chance to even respond properly and get the care they need.

So there are some strict guidelines that are required around those schedule 8 drugs, and I think that obviously the government understands that, given that very important IBAC report that was done on the misuse and the corrupt conduct of those paramedics at the time. If you go back to what was reported on this very issue, it was around the security around the drugs. It has apparently been improved. But I note that the former CEO of Ambulance Victoria Tony Walker said it was ‘a wake-up call’. He said that the abuse that was going on was a wake-up call. I will quote him from an article from the *Age* in September of 2017:

He said that while the IBAC report focused on the actions of paramedics in the Barwon South region, that illicit drug-taking among ambulance staff likely occurred in other parts of the state.

So that is why I make mention of this very important issue, because it is only in recent years that this has occurred, and I think we need to be understanding that there are those safeguards in place for these paramedics that have got access to these schedule 8 drugs. What they are doing is actually – we are not going to have that situation arise again.

On that basis, clause 10 goes to a bit of that security around the issues around these very potent drugs and the access. Clause 10 enables access to the monitored poisons database, which contains records of patients’ prescriptions through SafeScript and supply history for high-risk medicines to paramedic practitioners. This is aimed at facilitating safer clinical decisions and preventing the misuse of high-risk medicines and drugs of dependence. I think that clause there is a very important clause, and I hope that it is there, as I said, in understanding of what happened just a few years ago with paramedics.

To move on to various stakeholders around their concerns with this bill. And there are concerns, and I will be asking in committee just to get on the record some of those issues that have been raised with me. Obviously the ambulance union is highly supportive of this bill. They put it forward. It is part of the government’s election commitment, and I have got no doubt that that was a done deal between the

union and the government. But very important stakeholders such as the AMA and also the college for emergency medicine have got concerns around this bill. The AMA have stated that they understand that it is a government commitment, but they do have concerns around the expansion of the scope of practice and that it may have serious health implications for some patients.

I want to just tease that out a little bit more. The AMA, which obviously represents their body of doctors, say that they understand that there is a need for more timely healthcare delivery and access in rural and regional areas. They are well aware. The AMA Victoria president Dr Jill Tomlinson has spoken at length very eloquently about her concerns in terms of government's approach to the networks, because she understands the access for rural and regional patients will be impacted by these amalgamations and mergers. They have an understanding and they believe that what this bill, in terms of these practitioners, will do is that it will conflict with the fundamental principle of delivering the right health care at the right location by the right person.

They talked about the case study that was on the department's website – and when I was speaking I was getting some feedback. They talk about the case study presented in the consultation document provided by the Department of Health, which they say exemplifies this concern. The scenario which was provided to me was a paramedic practitioner managing an 82-year-old woman with diabetes and painful lower leg cellulitis. The paramedic's role in stabilising the patient's condition, educating her on potential complications and prescribing antibiotics raises significant questions about the appropriateness of such an expanded scope of practice. The complexities associated with diabetes management require a depth of knowledge and experience that typically falls within the purview of medical practitioners, not paramedics.

I am particularly interested in this case study. As a former nurse, a former midwife and a former diabetes educator I understand this area particularly well. I understand the very complex nature of the medical condition of people with diabetes and how it can impact significantly. I took up further study to get my ability to work with endocrinologists, physicians, ophthalmologists, renal specialists, obstetricians and dietitians so that I was part of that team to deliver the best possible care for somebody with diabetes. You have an extensive knowledge of how a person's medical condition – their entire medical condition, as explained with this scenario – is managed, because having an infection can alter diabetes control very quickly and that can then lead to some very significant medical complications. As I said, having that knowledge and understanding and having dealt with many high-risk patients – these are often very high-risk diabetic patients – I understand just how sick they can get and how their comorbidities can be extended should the wrong management be undertaken.

I think the point of what they were trying to say was that an 82-year-old with cellulitis can be treated in their home and not be transferred into the emergency department. That is probably what the government and this bill is trying to get around, in terms of something pretty simple. However, I do take on board the AMA's concerns around the complexities of some patients' complex comorbidities and how that can impact their renal failure, their eyesight, their heart, their heart conditions and vascular conditions very, very significantly. For a diabetic, cellulitis is not a simple condition. It can be very serious if it is not managed properly, because the vascular damage done to someone by the disease of diabetes is very, very significant. I do understand why they picked out that particular case study, because I can envisage what they are worried about. That is one aspect that I wanted to highlight.

They also say that the expansion of prescribing rights to paramedic practitioners, including the authority to check SafeScript and apply for schedule 8 permits, exacerbates their concerns. They argue that those people accessing those schedule 8 drugs, as I have described before, should only be available for those that have appropriate medical training. Likewise, the Australasian College for Emergency Medicine understands that roles are expanding, but they would like to see proper supervision with this. They understand that there is room for scope of practice, and they support an extension of scope of practice with nurses and others in emergency departments, but there they have the oversight of medical practitioners. They make a very good case for saying, 'Well, sure, we understand that scope of practice

can be extended, but you have that overall supervision which is undertaken in the emergency department.'

There has got to be some practicality around this. I will be asking about what the government intends in terms of reviews of this, how they intend to undertake a review process to ensure that it is working properly and that those issues that have been highlighted by the AMA and the college for emergency medicine are understood and that they are not exacerbating issues for patients. I think it needs to be closely monitored. I do not know how the government is going to do that or how they will actually be monitoring that or whether AV will be doing that. AV is in such chaos and a total mess; they have hardly got any capacity to be undertaking this. I want to understand exactly what will be happening in terms of the review and to see that some of these issues that I have highlighted actually do not occur.

In saying all of that, our paramedics do a sensational job. I understand that scope of practice too in terms of having that ability to do as much as you are legally allowed to do. As I said, as a diabetes educator I was doing a lot of diabetes management for those patients in close conjunction with the endocrinologists, physicians, obstetricians and paediatricians that I was working closely with. I do understand the scope-of-practice proposition and I am supportive of it, but I do want to understand also: when the paramedics are going through and this training is fulfilled and they are in the field, what will it look like? What will that review look like?

The other point that the college makes is they are unsure about the impact on emergency departments, and I want to understand what the government has in relation to that. They say:

The College is yet to see any evidence to suggest that the PP – especially with the number of positions, and the breadth of the health system they intend to cover – could possibly make any meaningful reductions to ED workload.

Because that was one of the pitches that the government gave, and I think that is something I will also be asking in committee, around what evidence you have and what impact is it actually going to have on the emergency departments, especially as there are only 25 rolling out next year. I am not sure when they intend to be rolled out and where they will be going. What areas have been identified as to where their greatest need is, and how will that impact emergency departments? I do not think it will have an iota of an impact on the emergency departments in metropolitan Melbourne, because they are overstretched, as I have explained. They are seeing increased numbers of people who are getting sicker. They are waiting longer to get their vital surgeries. They are getting sicker and they have been waiting. We warned about this years ago with the shutdowns of surgery, and it is all coming through. We are seeing it in children, we are seeing it in young adults and we are seeing it in the elderly. It is a very concerning picture when people cannot be treated on time and they are out of work. There are huge, huge pressures within households from the cost of living. We have heard about that in relation to cancer treatments, where people just cannot even take their loved ones to cancer appointments because they cannot afford to take time off work, and the Cancer Council is getting increased calls to their helpline. That is not new. That was happening at least two years ago when I was visiting the Cancer Council. They were talking about the impacts and the delays to surgery, and of course some of those patients also will end up in our emergency departments. This bill is not going to address any of those very significant concerns in the system. This is just really a bandaid measure. It is a deal done with the union. That is what this is about.

But nevertheless, I will be interested to see how the government thinks the bill will impact on our emergency departments, as has been raised by the college for emergency medicine. I would like to get some understanding from the minister about the consultation the government had with these stakeholders to allay those issues that have been raised with me – and I am sure they were raised with the government – and what the government has provided to them in assuring them that what they have raised will not occur. But again I say: I think there is a real need for a significant review of this when it gets rolled out.

With those words, I will leave it to others, but I am, as I said, interested in this bill. It is an important bill that we are debating today. There is merit in the intent, but there are also concerns, and I await prosecuting those issues further in the committee stage when we get to that.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:31): I rise with great pleasure to speak about this very important bill today, the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. It is really pleasing to see this bill now coming before the Parliament, because this was an election commitment of the then Andrews Labor government. It is always pleasing to see when we are in a position to deliver on one of our very important election commitments. We are a government who, when we say we are going to do something, deliver, and consistently what we promise we deliver. This is an important bill, particularly because we know that our paramedics do a fantastic job helping to keep Victorians well. It is a very important commitment that we made to them. Again, I just want to shout out to all the paramedics who work for us across the state keeping us healthy and safe.

This bill is an important bill because it also goes to, as I said, enacting the commitment and the promise that we made to paramedics that we would introduce a paramedic practitioner role. It is an important role, and it is one where we listened quite closely to what paramedics were saying they needed to do. It is an important piece of work because it will ease pressures on our hospital system, and it will also enable people to get care closer to where they are in their time of need. The Victorian government at the time, in 2022, committed to establishing and implementing a new paramedic practitioner role in Victoria in order to increase the recognition of this important workforce and address workforce shortages in these public and primary healthcare challenges, with at least 25 paramedic practitioner graduates to be placed in regional and rural Victoria by the end of 2026. As I said, it is important to recognise that people who live in rural and regional Victoria should have the access to health care that they need, when they need it. The paramedic practitioners will be able to assess, diagnose and treat patients in the field, with the aim of eliminating the need for a trip to hospital for many patients. As we know, this becomes critically important for people who live in rural and regional areas if they do not have access to a local hospital nearby.

As I said, this was followed by a public announcement of the initiative in June 2023 by the former Premier Daniel Andrews. To support the establishment of a paramedic practitioner role, the Victorian government committed to providing scholarships over four years, starting in the 2024 academic year. These scholarships are being delivered by Monash University and will enable registered paramedics who have at least five years experience working as a paramedic to pursue postgraduate studies with masters level qualifications under Australian Qualifications Framework level 9. So as you can see, the qualifications and the framework that underpin the role of the paramedic practitioners are second to none. It is really excellent training, which is required to support the paramedic practitioners so Victorians can have confidence in the level of care that they will be receiving from these eminently qualified paramedic practitioners. So I am really pleased to be able to speak on this.

There is also some other good news which I will just quickly touch on. A shout-out to Ambulance Victoria; I know Ms Crozier was quite critical of them in her statement, but I want to actually give a shout-out to Ambulance Victoria, because –

**Georgie Crozier** interjected.

**Sonja TERPSTRA:** Contrary to what Ms Crozier says, it is actually not a mess, because what I can say is that just recently Ambulance Victoria and the unions reached agreement on the Ambulance Victoria enterprise bargaining agreement, and I can say that the turnout rate for people voting on this agreement was at 78.9 per cent. What that actually means is that employees who work for Ambulance Victoria and our paramedics had confidence to turn out to the extent of 78.9 per cent. The voter turnout was extraordinary, because as a former trade union official I can tell you that some voter turnout on some of these EBAs is as low as 50 per cent, and that is always concerning. But there was such a high turnout, and 97.3 per cent of those people who turned out voted in support of the enterprise agreement.

What that tells me is that the workers in the workforce and Ambulance Victoria were able to reach agreement, which is what we actually want to see, despite all the negativity that comes from Ms Crozier over there. What we see is that workers and the employer were able to agree on reaching an important agreement that will see the delivery of tangible improvements for people who are paramedics, from their experience at work to how they are supported, to their salary and career, to work-life balance and mobility and to improved equity and access to conditions and opportunity. Now, that is important because we do not want people to leave. Often when people go and work for an organisation like that, burnout is the thing that drives them away. So Ambulance Victoria is doing a great job in recognising and listening to their workforce and making sure they can get around the bargaining table and reach agreement on things that are important to their workers.

Also importantly the agreement recognises the need to deliver a better end-of-shift experience so more paramedics can leave work on time, because what was happening was that paramedics could not get home to their families and rest and recover. So this is an important agreement, and I congratulate Ambulance Victoria and of course importantly the unions – the Victorian Ambulance Union and the United Workers Union – for their collaborative and constructive approach to these negotiations. The agreement is now with the Fair Work Commission, and hopefully it will be approved in due course.

Whilst Ms Crozier has been heckling me over there about how terrible things are, I have a sense of optimism about this, because what we have seen is this government, the previous government, made a commitment to make sure that we could get paramedic practitioners in the field to be able to deliver important health care to people where they need it the most. Despite what Ms Crozier says over there, what this will mean is it will take pressure off our emergency departments and provide much-needed access to primary and urgent care to those in rural and regional areas. And as has been previously noted, to implement this commitment the Allan Labor government has also invested \$20.1 million in the 2023–24 budget. This is part of the work where we have established Australia's first ever paramedic practitioners masters degree, as I said earlier, at Monash University, and we have 30 graduates who began in 2024 and a second cohort to begin early next year. So What that tells us is that those paramedics who saw it as an opportunity to gain further qualifications to work in the field, to undertake this important role, have taken that up with great vim and vigour, so it is great to see.

Paramedic practitioners are used in other international health systems as well around the world, in particular the UK, Canada and the Netherlands, so it is great to see that we are looking across the world to see what action we can take to make sure that Victorians have access to the best health care they can get access to in Victoria. This work is on the back of our government's strong belief that our healthcare workforce – in particular nurses, midwives and paramedics – should be empowered to work their full scope of practice.

Again – I cannot state this point often enough – we back in our healthcare workers, we back in our nurses and midwives and we back in our paramedics, unlike those opposite. When they were last in government they went to war with paramedics, they went to war with healthcare workers. What this government is about is making sure that we can deliver Victorians the best health care that we can offer them when they need it through our very important publicly funded public health system. We do not have people selling their houses to pay for health care here in Victoria, thank goodness for that. What we do is we make sure we encourage and enable those healthcare workers to get the qualifications that they need and pay them in recognition of the important work that they do. Unlike Ms Crozier, who wants to run down our paramedics, our healthcare system and our nurses, we are about lifting people up. We are about actually funding our healthcare system to ensure that people can get the health care that they need where they live and when they need it.

We have always backed our hardworking paramedics, and I want to thank them for everything they do every day, as I said earlier. We have invested \$2 billion in our ambulance services and we have grown AV's on-road staff by more than 50 per cent, with more than 2200 more paramedics on our roads since the Liberals were last in office. Again, our commitment is obvious. We have supported our paramedics to respond to increased demand, with more than 1300 paramedics recruited over the

past three years, and I have talked about those paramedics who have stepped up and taken the opportunity to now train as paramedic practitioners.

Despite the efforts of those opposite to talk down the work of our paramedics, according to the national report on government services, Victoria has more registered paramedics than any other jurisdiction, and that is something we are incredibly proud of. According to the same report, Ambulance Victoria's response time is better than that of New South Wales, Queensland, South Australia and Tasmania. When those opposite were in government, Victoria's ambulance response times were the worst on the mainland. And as I said, I think Mr Davis, when he was the health minister, delayed the release of data by up to 18 months. He did not want to talk about the delays that were going on when they were in government, because that is something they cannot manage. What we know is that things went to crisis. When our government came in we improved things, because we had a legacy of problems left by those opposite.

Within two years of coming to government, we ended the war of those opposite. You went to war with our paramedics. Our ambulance response times improved, with 80 per cent of code 1 cases responded to within 15 minutes. They do not like the facts. They try to rewrite history and say how amazing they were, but no-one can rewrite that history. It was such a terrible history – a terrible, terrible history. David Davis tried to hide those poor times and data, and it took 18 months for us to actually get hold of them. Victorians should never forget how terrible it was and the cuts and the wars that were started with workers who were basically on the front line in helping keeping Victorians healthy and safe. But we did not stop there when we came into government. In 2019, five months prior to the onset of the pandemic, Ambulance Victoria recorded their best ever response times. We know our paramedics are dealing with record demand – demand 30 per cent higher than prepandemic levels. Despite this, the most recent quarterly data shows paramedics are arriving 16 seconds faster compared to the previous quarter. So you can see our investment and the ability of Ambulance Victoria to work with their staff have meant we have seen great improvement in the way that Victorians' healthcare needs are being responded to, and that is something that our government is incredibly proud of.

We will back in our important healthcare workers, paramedics, nurses and midwives every day, because we know that is what Victorians expect of Labor governments. We know that they expect to be able to access the health care that they need when they need it. So to help our paramedics manage the demands that I recently spoke of, the most recent budget provided an additional \$146 million to support a range of operational priorities for Ambulance Victoria, including medium-acuity transport services and expanding Ambulance Victoria's secondary triage. This is an important commitment. Ambulance Victoria's secondary triage system is one of the most advanced in the world. It diverts 20 per cent of 000 calls to alternative care pathways, because we know when some people ring 000 for assistance, they do not necessarily need an ambulance to take them to a hospital. So the secondary triage system is important, and it can divert up to 20 per cent of 000 calls to an alternative care pathway, so people are still getting the care that they need.

To assist our paramedics we have also doubled the capacity of the Victorian Virtual Emergency Department, which has seen 400,000 presentations, with a diversion rate of over 85 per cent. That is incredibly important. Our virtual EDs are working, and people have confidence in them. They are using them, with 400,000 presentations and a diversion rate of over 85 per cent – that is critically important. Paramedics have a direct referral pathway within those virtual departments as well, which allows patients to be treated at home and avoid transfer to hospital and gets our ambos back on the road as well.

We have strong ongoing support for Ambulance Victoria's infrastructure. We have invested \$279 million since 2015 to deliver 51 ambulance stations, providing better working conditions for paramedics and ensuring life-saving emergency care is available for all Victorians. I attended the opening of the Templestowe Ambulance Victoria station, which was closed under those opposite. We have made sure that we have got appropriate Ambulance Victoria infrastructure in those regions across

Melbourne where it is needed so that paramedics can get out to the job when they need to and can then get back to the station and be on call, ready to go again when that next phone call comes in.

As I said, we have reached an in-principle agreement with our paramedics around their EBA, which is with the Fair Work Commission now. That will see them remain amongst the highest paid paramedics in Australia. As you can see, our commitment to paramedics and our healthcare workforce is demonstrable; it is without question. As I said, I am really pleased to be able to make a contribution on this bill today. There are other government speakers who will also be making fantastic contributions. I just want to give again a big shout-out to our paramedics and our healthcare team, who do great work keeping Victorians healthy each and every day and help deliver the health care Victorians need where they need it. I commend this bill to the house.

**Renee HEATH** (Eastern Victoria) (10:46): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. I always find it very interesting listening to the government's contributions. Sometimes they sound like they are talking points straight from the propaganda unit, which are ignoring all the facts, because let me tell you, there is a ramping crisis in this state, there is a healthcare crisis in this state and there are over 60,000 people on the surgical waitlist who are getting sicker and sicker while they are waiting for extended periods of time. I find it a bit upsetting that rather than listening to Ms Crozier's genuine concerns out of her experience and then addressing them, sometimes people try to shoot her concerns down, and some of them are very serious.

I believe that this bill is actually a step in the right direction. I think that paramedic practitioners are a fantastic idea, similar to nurse practitioners. They fill an absolutely vital spot in our healthcare needs in this state. What they will be able to do will expand the scope of their practices – as is being done in other places in the world – which will allow them to assess, treat and administer medications where they have not been able to do that before. I think that is a fantastic idea, because often ambulances do attend non-life-threatening crises that people are having. Rather than having a healthcare crisis where more and more ambulances are ramping and taking up vital resources, those people will be able to assess, diagnose and treat those patients without needing them to come to hospital. I think that is a fantastic idea. It is one step forward.

I want to talk also about the two steps back that this government is taking by closing CERTs across regional areas. For those of you that do not know, CERT stands for community emergency response team, which play an incredible role in rural and regional areas. It has been a huge concern of mine that, for instance, the CERT team and the CERT house in Lang Lang have been shut down despite the community really needing them. Ms Terpstra said those in rural and regional areas should have access to health care when they need it. I absolutely agree. But the fact is they do not, and with 30 graduates coming out and the closure of CERTs they will not, unfortunately. There are some serious issues that need to be addressed here.

Victorians have completely lost confidence in the Victorian healthcare system. They do not have access to health care when they need it. You will remember that in the last sitting week last year I spoke about a tragic situation that occurred in Gippsland where a lovely young girl in her 30s was in severe pain. She got told by the person taking the call that it was period pain and they would not send an ambulance. After three or four calls to the ambulance they finally, days later, sent a non-emergency ambulance from Morwell. By the time they got there and assessed that this girl was in a critical condition, they then had to get an emergency mobile intensive care ambulance and another ambulance from the Sale Hospital that they had refused to send days earlier. This girl then had to undergo multiple surgeries. She had to be revived twice and is now left with lasting impacts. This is a serious issue, and we need to do better. It is absolutely devastating.

I have also told stories about constituents in my electorate that, while they were members of the more than 60,000 people that are waiting for elective surgery, got sicker and sicker and sicker and had other complications develop, and I told you about the one constituent of mine who unfortunately died while

waiting for that surgery. So we have some serious issues. I think it is very good that we are taking bold steps to move forward and lead the way in the nation – not in the world, as plenty of other places are doing it in the world, but in the nation certainly – to be the first that is training ambulance practitioners. I think it is fantastic. I think nurse practitioners also play a fantastic role, particularly in rural and regional areas, where we just do not have the personnel to service the population.

The real concerns about the state's health policy mismanagement have flowed through to paramedics in this state, and this will persist for another two years while these 30 people are being trained. We do not know if the 30 people are going to finish the course. That is another issue, because attrition rates are not great in this state, and there are many reasons for that – the cost-of-living crisis, different pressures. It is something we have to look at.

Often we have seen in this state that rather than investing in health care in rural and regional areas like mine – and, by the way, the further you are away from metropolitan centres if you get cancer, the more likely you are to die within five years. That is fact and it is devastating. We do need to do something to bring equality into our healthcare system across the regions, because my area does not have as good outcomes – they are not great in Melbourne either – as city areas, and the statistics are quite devastating. There are some serious systemic issues such as ambulance ramping, workforce shortages and underfunding that are compounded by the lasting effects of the pandemic and the neglect in regional areas. Without targeted investment and reforms, the strain on the regional health system is unlikely to ease.

But I do want to just spend some of my time talking about the closure of the community emergency response teams and the impacts that that will have, because let me tell you, even if every one of these 30 postgraduate students completes their course, it is not going to fill the void that this government is leaving by pulling out those resources in communities. The CERT closure is part of a broader pattern of neglect towards regional health care in Victoria. Ambulance response times have deteriorated. They have got a lot worse – I will go through the statistics of those if I have time later on. Hospitals are underfunded. Big Build projects in Melbourne receive priority while regional health care suffers. This has been an ongoing pattern.

The closure of CERTs will make ambulance and emergency response times even worse in Eastern Victoria, leaving rural and regional residents without crucial early medical intervention. The CERT in Lang Lang will close after 20 years of service. This is another major blow to regional emergency response services in our area. Another thing Ms Terpstra said was that healthcare practitioners should be able to rest, recoup and recover. This is another thing: the Labor government took away the funding for the CERT house in Lang Lang, which allowed healthcare practitioners to come and stay there on shifts. They are now closing that, so these people will have nowhere to rest and recover. It is really not good enough.

CERTS played a crucial role in bridging the gap between emergency calls and ambulance arrivals in rural and regional areas. They are actually critical. Ambulance Victoria says that the closure was due to failing volunteerism, but members of my community disagree. They say that AV mismanagement is ignoring the processing of applications and has done so for at least 12 months. Sometimes there is a real big disconnect between the narrative and the reality, because I have spoken to at least four people that wanted to volunteer in the area of Lang Lang and I have spoken to people that have volunteered there for over 20 years, and they are now getting sidelined and their skills are being lost. It is really tragic for people in rural and regional areas. Former CERT workers have spoken out, stating that their knowledge and skills are now going to go to waste.

Why is this important? CERT volunteers provide volunteer-based – so no cost, apart from the training, to the government – teams training to provide life-saving support and first aid and stabilise patients in remote areas before ambulances can arrive. This is really crucial when you look at a region like mine, which is 44,000 square kilometres and takes up roughly 20 per cent of the state in terms of landmass. We do not have quick access to health care here like other people do or have the ability to have. They



were crucial during the onset of COVID, and CERT responders actually won awards for their incredible efforts. They were often the first on the scene for heart attacks, strokes and trauma incidents, especially in regional and rural areas, where just because of the area that people have to travel, they have long wait times. They would never transport patients, but they played a crucial role in assisting paramedics and reducing response delays.

The justification from the government is that CERTs were not required under a modernised emergency response team. The reality is that the removal of CERTs has left rural and regional towns without immediate care, as the promised new emergency response model has not been adequately implemented. The closure of CERTs is absolutely devastating in Eastern Victoria Region. Many small towns relied on them, and they have no emergency response until an ambulance can arrive. I think it is absolutely wonderful that the ambulances that will arrive will possibly be more highly qualified and more able to assess, diagnose and treat, but the wait times are getting longer and longer. This is a particularly critical issue in my area, where ambulance wait times exceed 30 or 40 minutes due to ramping and staff shortages. Ambulance Victoria claims that CERTs would be replaced by more paramedics and more new responder units. The reality is there has been no clear evidence that their replacements will materialise in Eastern Victoria Region.

I just want as well to pick up on another thing that Ms Terpstra said. She really gave the Liberals a bit of a hammering about our apparent relationship with emergency services teams. I just want to highlight that while you can sometimes pick out a bit of a flaw, do not ignore your own, that emergency services in this state have to use their vehicles as a vehicle of protest by putting signs on the back of their –

**A member** interjected.

**Renee HEATH:** For years. I think at some stage you just have to address the issues that are in front of you, because we have had 10 years of Labor governments and we have got people using their emergency services vehicles as placards. I think it is quite extraordinary that over the last 25 years there has been a Labor government – apart from four – in this state, yet apparently everything is the fault of the Liberals. It is a government that has refused to take responsibility. You have driven us into so much debt that we have more debt than New South Wales, Queensland and Tasmania combined. We are paying a million dollars per hour in interest alone, so you do not even have the money to solve the problems that you have created. All you do is continue to point the finger. It is actually pretty transparent and disgraceful.

I just want to talk about one other thing while I have about 2 minutes left, which is the shortages in staff. There has been quite a focus on new facilities and things like that, which by the way have not been delivered. They are well and good, promises like that, but if we do not have the staff to man those buildings, there will not be outcomes. It is just going to result in more government waste. There are currently over 60,000 people on the elective surgery waitlist, and one key reason is a chronic lack of hospital staff. Regional hospitals such as Latrobe Regional Hospital in Traralgon and Bairnsdale regional hospital have been grappling with these staff shortages for years. The problems are just being exacerbated by the mismanagement and the increased delays. Patients in smaller towns like Sale and Maffra are often transferred to larger facilities like Traralgon or Melbourne for specialised care, adding strain on ambulance services because of the interhospital transfers.

I have got 30 seconds left, so I just want to say that I do believe that this is a step forward. I do believe that we should be upskilling and training our staff better. We should help them do better in their jobs and receive the training that they need. I welcome the change, but I wish it was not met by the two steps backwards of the closure of CERTs.

**David ETTERSHANK** (Western Metropolitan) (11:01): I rise to make a brief contribution to the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024, and let me open by just saying that Legalise Cannabis Victoria is delighted to support this bill. I have nothing but the utmost respect and admiration for our paramedics. I have been involved in a few medical

emergencies in recent years – a product of the passage of time – and I recall the profound sense of relief that I experienced when I saw those paramedics walking up the path to the front door, knowing in my heart that I was in the hands of professional, competent and compassionate health professionals who would take on board the challenges that were confronting us. I do not think we really understand or appreciate just how important paramedics are until we need them. I am not hoping that people do need them, but it is fabulous to know that they are there.

I think we also mostly think of paramedics showing up in ambulances and responding to emergency calls and basically then doing immediate treatments and transferring people to hospitals. The paramedic practitioner is a new and wonderfully extended role. Paramedic practitioners will be qualified to provide greater levels of care in settings outside of emergency patient transportation, including but not limited to GP surgeries, community health centres, public and private hospitals, aged care facilities and alcohol and other drugs facilities. They will operate in much the same way as nurse practitioners have for some years now in the community, and clearly that exercise with the nurse practitioners has been a terrific success. Paramedic practitioners will provide primary care services like health promotion, disease prevention, acute care and assistance with management of chronic health conditions. They can follow up with patients, enabling that continuity of care, and can also refer patients when necessary.

Critically, paramedic practitioners will be able to handle and administer scheduled medicines, allowing them to prescribe and supply medications on the spot. And this is the substance of the bill before us, if you will pardon the pun. The bill before us amends the Drugs, Poisons and Controlled Substances Act 1981 to define a paramedic practitioner, and that is a registered paramedic who has completed the relevant postgraduate qualifications and meets the prescribed experience requirements, and to authorise them to practise autonomously. It gives paramedic practitioners the authority to obtain, possess, use, supply, sell, administer and/or prescribe schedule 2, 3, 4 or 8 medicines. It allows them to access and disclose information on the SafeScript database and inserts a requirement for practitioners to check the database before supplying or prescribing a monitored poison.

There are currently, as I understand it, 29 paramedics undertaking the paramedic practitioners masters degree, and once they graduate they will be deployed primarily to regional areas. The government, I am pleased to see, has also committed to funding scholarships for a further 100 paramedics over the next four years, and I have no doubt that these numbers will grow. Paramedics have limited career opportunities currently. We lose all too many paramedics through burnout because it is a tough gig, and unfortunately they end up leaving the sector.

The CEO of the Australasian College of Paramedicine John Bruning has warmly welcomed the professional recognition and expanded career opportunities for paramedics, stating that the:

... creation of a Paramedic Practitioner role in Victoria is a transformative step for the profession and for the healthcare system as a whole ...

This is something that has been advocated for and by the ambulance union for some time. The member for Melton in the other place Mr Steve McGhie, who is also a former secretary of the ambulance union, mentioned that he had approached the then health minister about the idea back in 2016. It has the support of the ambulance union and the paramedics association, so it is great that it is finally being rolled out.

Victoria is the first state in Australia to introduce paramedic practitioners, but they have been operating in the UK since the early 2000s and have, over time, accounted for an approximate 50 per cent reduction in patients unnecessarily being transported to hospital. In that context I do not think anyone in this place could be anything other than supportive of this initiative. We commend the government for taking this step to reduce the number of people that unnecessarily end up in our emergency departments. We believe it will go some way to relieving the pressure on our overstrained health system and hopefully may also help to retain more of our dedicated and hardworking paramedics.

**Jeff BOURMAN** (Eastern Victoria) (11:07): I am just going to make a quick contribution on this. I rise in support of this. Over the years I have had both professional and personal interest in ambulance paramedics, and I have found them to be almost faultless. When I say ‘almost’, one of the problems I have had is their inability to sometimes give fairly straightforward drugs that would fix problems at the time. They had to take patients to the hospital – ramping – and then we have the disaster where we are at the moment.

This is a great step forward. Our paramedics on the whole are probably better trained – and they are certainly very experienced – than most in the world. Our level of expectation of our paramedics is much higher, and they deliver and they deliver well. This is going to take it to another degree. I obviously believe wholeheartedly that they will just step into this. It is something that will make their life easier, make our lives easier and help the patients, and it will start to address things like the ramping problem. I do not believe anyone is against this, nor should they be. I commend this bill to the house.

**Ryan BATCHELOR** (Southern Metropolitan) (11:08): I am pleased to rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024, as speakers have reflected, an incredibly significant piece of legislation that will deliver on an election commitment by the Labor government to better support our paramedics and to create and enshrine in law this role of paramedic practitioner.

The amendments that will be proposed to the substantive act by this bill will help establish and implement the new paramedic practitioner role here in Victoria and expand the scope of practice not recognised in the existing legislation by authorising paramedic practitioners to autonomously obtain, possess, use, supply, administer and prescribe scheduled medicines under instruction. Those authorised paramedic practitioners will be those who are registered and have completed prescribed postgraduate qualifications that ensure that they have got the experience and expertise required.

The amendments in the bill will also allow paramedic practitioners to access, use and disclose information on the monitored poisons database, otherwise known as SafeScript, and to require that these paramedic practitioners check SafeScript before supplying or prescribing a monitored poison, similar to the obligations that exist on registered medical practitioners and nurse practitioners. It is a sensible expansion of these revisions to this new role that is being developed that will – and I will come to this in a minute – assist our broader healthcare system by ensuring that these health supports can be provided in settings other than emergency departments. The bill will also ensure that legislative amendments are in effect to provide authorisation in time for the first deployment of paramedic practitioner graduates in 2026.

The legislation before us today is significant not only for the substance of what it is delivering but also because it puts Victoria at an Australian-first, nation-leading position yet again in the delivery of innovation in our healthcare system, in the delivery of better outcomes for those who from time to time do fall unwell in the community, and it is a hallmark of the way that the Labor government has approached the question of health policy, that we are always seeking to improve, that we are always seeking to make sure the system is better and is responding to contemporary demands that are facing the Victorian community, and that it is always able to evolve and adapt and support the development of our healthcare workforce.

One of the critical things that we always need to remember in supporting our healthcare workforce is that we have got to provide opportunities for these professions to grow, for these professions to undertake and improve their set of professional qualifications so that there are both career trajectories but also that the structure – the employment structure, the qualification structure – recognises and values the work that they do, because as many in this debate have already pointed out, the skills that paramedics bring when they arrive at the scene of an emergency situation are so valuable and valued by the patients that they serve. The new role of paramedic practitioner that the Labor government committed to developing, which will be enshrined in this legislation, and that we are right now training

for in our higher education institutions so that they are ready to be deployed in 2026, will mean an expansion of the skills and a recognition of the expertise that exists in our paramedic workforce.

The reason we are doing this is for the workforce, of course, to provide those career pathways, to provide the recognition of the skills that they have. It will also help take pressure off our emergency departments, because we know that public hospitals and our hospital emergency departments are feeling the strain of increased demand, an increase in demand that is undeniable, and I have spoken in the past in this chamber about the challenges that our healthcare system is facing through increased demand. What this measure is designed to do is provide more capacity for healthcare professionals, our paramedics, to deliver more healthcare services out in the community and do the things that need to be done when they get there without having to transport someone into an emergency department so that certain medications can be prescribed and dispensed. It will take pressure off those emergency departments. It will allow the emergency physicians in those emergency departments and the nurses who support those patients to be focused on higher level emergencies, and to be focused on the higher acuity patients that are presenting.

This bill is about expanding how our healthcare system can support Victorians, and to support that, we as a Labor government invested \$20.1 million in the 2023–24 budget. We have established Australia's first ever paramedic practitioner masters degree at Monash University. Following the 30 graduates who began in 2024, we have a second cohort about to commence and we are providing scholarships over four years to help support those undertaking that course. It is Victoria leading the nation, a first-in-the-nation set of reforms, but it is based on experience in some other jurisdictions, in the UK and Canada and the Netherlands, where this sort of an approach has proved particularly effective. So we are learning from overseas and we are innovating and nation leading here at home.

It obviously complements some of the other changes that we have been making across the healthcare system: the rollout and support of nurse practitioners and the support we are giving to general practitioners. I was with the Minister for Health and my colleague Mr Berger recently talking to some new general practitioners in the Southern Metropolitan Region about the support that the state government has provided them to continue their training and practice. That is one example. This is another example here today of how the Labor government is supporting our healthcare workforce to get the skills and training they need to serve the healthcare needs of the Victorian community.

We know that our paramedicine workforce plays an exceptionally critical role in our healthcare system providing prehospital care, first on scene care, first responder care and emergency medical response to over 6.7 million Victorians. Paramedics regularly assist with the transfer of people with serious conditions to hospitals, and with the advanced clinical training for the new masters program and postgraduate qualification, these new paramedic practitioners will be better able to assess, diagnose and treat patients in the field, assist with the making of clinical decisions and assist the emergency departments and their workforce to be able to more easily focus on higher acuity cases and presentations in EDs. It is just another example of how the Labor government has been supporting our paramedic workforce and our hardworking paramedics and ambulance staff. Since being elected we have invested more than \$2 billion into our ambulance services. Our on-road staff in Victoria have grown by more than 50 per cent. More than 2200 more paramedics are on our roads than when the Liberals were last in office. We know that there is increasing demand; that is why Labor has been investing so much in our paramedic workforce. More than 1300 paramedics have been recruited in the last three years.

The opposition in their contributions like to talk down our paramedic supports, like to talk down our healthcare system and try and suggest that there has not been record investment from the Labor government. I thought it would be perhaps a bit instructive then to look at some facts, because I know the opposition does not like it when facts get injected into debate. It undermines their narrative because it exposes the truth. When you go and look at the facts and you look at what an extended period of a Labor government investing in our paramedic and ambulance services means, you can see the value. You can see how Labor has made a difference to the ambulance services here in Victoria by looking

back at what they looked like when the Liberals last had the opportunity when they were in government to make decisions about what mattered to them. Because that is what budgets are about. They are about making investment decisions about what matters to you, and what this Labor government have demonstrated in the budgets that we have handed down since being elected in 2014 is that supporting our healthcare system, supporting our healthcare workforce and supporting that system and workforce to deliver better health outcomes for Victorians who need support, who are unwell, who are sick and who are injured and providing them with that support is what this government has done.

We have in Victoria more qualified ambulance officers than any other state – more qualified ambulance officers than any other state right here in Victoria. Why is that? That is because of the investments that this Labor government has made. We have got more qualified ambulance officers than there are in New South Wales, despite New South Wales having a higher population than Victoria. Despite New South Wales having a higher population than Victoria, there are more ambulance officers here in Victoria according to the latest data from the Productivity Commission in the report on government services. But it was not always like that, because if you go back there is a handy table in the report on government services, the 2022–23 report that was released about a year ago. The latest set of data is being released tonight at 10:30 for those who are willing to stay up late to get the update. But if you go and have a look at what that report tells you about the situation that existed 10 years ago, you can see the priorities that have existed, because whilst Victoria today has the highest number of ambulances officers in the nation, more than New South Wales despite having a smaller population, in 2013–14 when the Liberals were last in power, New South Wales had more ambulance officers than we did.

When we came to government, we were behind New South Wales in the number of ambos on our streets and today we are ahead. I think that goes to show the priority that Labor has placed on paramedics, on ambulance officers and on supporting our healthcare system since the time we were elected to government in 2014. It reflects the sustained commitment that this Labor government has had to supporting ambulance officers, to supporting paramedics and to supporting our healthcare workforce, despite some particularly challenging times. I will not go into that. But since 2013–14 Victoria moved from second to first in terms of the number of ambulance officers employed by the system. Also, I should say in terms of the amount of direct government funding to ambulance services, it is very clear that we have made significantly more investment than probably the other comparable jurisdictions in the nation.

We know there are challenges to our healthcare system. We know that both the volume and the complexity of the demands that are being placed on our healthcare workforce are growing as our population grows, as the sorts of presentations that are being made to healthcare workers and the sorts of issues that our paramedics and ambulance officers are responding to on a daily basis grow. We know that that complexity is growing and we know that the volume of demand is growing, and that is why we are continuing to invest. We are continuing to support our ambulance workforce.

My colleague Ms Terpstra talked about the quite significant pay deal that was reached between the Victorian government and the ambulance workforce and the ambulance unions late last year. That locked in the kind of support that is necessary to support that workforce going forward and received overwhelming support. Their enterprise agreement received overwhelming support from the workers in the ambulance system – paramedics, ambulance workers and others – when it was put to a vote recently. I think it is a demonstration that this government stands up for our paramedics, stands up for our healthcare workforce and stands up for our ambulance workforce. It is not just something we talk about; it is something we deliver, and it is a track record of delivery since we were elected in 2014 that speaks for itself – more ambulance officers than any other state compared to a situation that was different 10 years ago and continued investment in the professional development of the ambulance workforce.

This bill today enshrines a brand new, nation-leading paramedic practitioner qualification that is going to better support Victorians who need an ambulance, who call out for support out in the community, and it will have broader benefits for the healthcare and hospital systems. I am very proud to stand and support it here today.

**Gaelle BROAD** (Northern Victoria) (11:23): I am pleased to be able to rise to speak in this chamber today about the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. This bill does seek to open the door to further training for our paramedics so that they can be out and about assessing, diagnosing and treating people to reduce the number of cases that are transferred to emergency departments and to try and relieve some of that pressure on a very burdened health system.

I do want to correct the record. On this side of the house, we certainly do not talk down the role of paramedics. In regional Victoria, I can tell you, they are our heroes; I know from personal experience. A member of my family had their life saved last year by a very prompt response by a MICA paramedic. That saved their life, and I will be forever grateful for that. So we do not oppose this bill. This is a step in the right direction. But we do need to be very real about the challenges that are faced in our community, particularly in regional areas.

I know in Bendigo, and I have spoken about it in this chamber before, I have seen up to 10, 11 ambulances ramped outside Bendigo Health. We know the same has been happening in Wodonga. It has also been happening in Shepparton, and it has been raised by my colleagues in the other chamber. This is a sign of a very sick health system, because we need to ensure that ambulances can transfer patients to the hospital to get the care that they need so that the ambulances can be out on the road again. But there are challenges. We know Bendigo Health has had a code yellow, and the *Bendigo Advertiser* has reported extensively about the stress and the pressure that is on the staff there at the hospital. I have heard stories from people that have been in wheelchairs in corridors because no bed has been made available to them, not just for a few hours; we are talking 24 hours. I have heard of other people that have taken family members to Heathcote and been unable to access a doctor there, with the nursing staff having to connect via telehealth to get assistance.

We know in Bendigo that the funding for the clinical support nurse educator roles has been cut. They are the people that help train the new nursing staff that are coming through. I have spoken with nurses who are concerned because they already have a very full workload, and now they are being asked to take on that additional training, which is quite a unique skill. We need to ensure that we have the nursing staff coming through, because there are quite a number of nurses that have left the system and who continue to leave the system because they have been under pressure. We particularly saw that through the COVID pandemic. We know in regional areas there is a lack of GPs. We want to see more training conducted in regional areas to enable them to live there – to bring their families and stay and support our health system and the demands that are there.

Obviously the government has been aware of some of these issues. In 2023 they established an independent expert advisory committee. It was established to look into and consider how to improve access and equity of our health services for all Victorians. But I would question how independent it was, because Bob Cameron, who is a former Labor member for Bendigo West, a former Labor minister, led that review. He was a former chair of Bendigo Health, and – surprise, surprise – Bendigo Health is now the lead in one of these networks. Bendigo Health is certainly expanding. We have got Boort covered in Boort District Health, Cohuna District Hospital, Echuca Regional Health, Heathcote Health Service, Inglewood and Districts Health services, Kerang District Health, Mallee Track Health and Community Service, Mildura Base Public Hospital – which I will add is about 400 kilometres away from Bendigo – Robinvale District Health Services, Rochester and Elmore District Health Service and Swan Hill District Health. These are huge networks. This got announced in January. It is meant to be implemented in July, and it raises lots of questions. What does this mean? Who is going to manage it? How will it be funded? What extra work is this going to impose on our already burdened hospital staff? It is certainly another layer of bureaucracy, and there is no sign of how that layout is

going to be funded through Hospitals Victoria, a new agency in the Department of Health. I guess this government does like to make things bigger – they like big debt and are big on control – but they are certainly not always better.

I am interested that this bill does look at expanding the role of paramedics and the services they provide, which is very important, but I would say there is also work that we can do to further alleviate the pressure that our health system faces by looking at pharmacies and the number of services that are provided by pharmacies in Victoria. We know that a pilot program took place to expand the services they offer, and there were five new services covered by that. But other states like Queensland have been a real leader in this space, and there are an additional 20 or so services that are provided in other states, which would be good to see happen in Victoria. The things that other states have made moves to provide are things like pharmacists assisting with the treatment of moderate acne; weight management for obesity; asthma, which is very common; allergies; ENT, like ear infections; type 2 diabetes; acute nausea and vomiting; and even for smoking cessation. There is a lot of work that the pharmacists are keen to see added, I guess, to their list just to really reduce that pressure of having to go to your GP or present to emergency. Pharmacists do an incredible job in our communities. I know that 760 pharmacies were involved in that pilot program. We had a round table at my office just last week with David Littleproud, who is the Nationals' federal leader.

**A member** interjected.

**Gaelle BROAD:** Yes, he came. Andrew Lethlean was there, who is the federal candidate for Bendigo at the next election, and we also had Darren Chester, who is all about regional development. It was great to have representatives there from Latrobe, from pharmacies in Wedderburn, from Kerang and from throughout Bendigo talking about the important work that they do and how willing they are to provide that additional support that the community needs to reduce that pressure. I know my colleague Georgie Crozier, the Shadow Minister for Health, also talked specifically about diabetes as a former diabetes educator. There are quite a number of people that end up in hospital that could be prevented from doing so, and it is about identifying those areas. As I mentioned, diabetes is one of those extra services that pharmacies can provide assistance with in other states, so I hope that Victoria heads in that direction.

We certainly need to reduce ambulance ramping. We need to reduce the number of people that are attending our emergency departments, and we need to get ambulances out of hospital car parks and back onto the road, providing that emergency support. I have heard from people in Bendigo – this is very close to a major hospital – that have been told, 'No ambulance is available. You need to get a taxi.' I have had a patient that actually had a fire service respond because no ambulances were available. I heard from another family member in Donald, and I have mentioned this previously, who unfortunately waited over 2 hours for an ambulance – they were 200 metres from the hospital in Donald. Unfortunately, the father passed away the next day. We do not want to see this kind of response happen in future. We certainly, as I mentioned, do not oppose this bill. It is a step in the right direction.

**David LIMBRICK** (South-Eastern Metropolitan) (11:32): I am very pleased to speak on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. I will say at the outset that the Libertarian Party will be strongly supporting this bill. What this bill does is set up a new class of paramedic, called a paramedic practitioner, and give them certain abilities to possess, sell and supply certain substances, which would mean drugs in most cases. One of the things that I think is important to acknowledge is the work that is done by paramedics in this state. It is a very difficult job. They work very, very long hours. They are exposed to extremely stressful situations and traumatic situations, and I commend the work that they do.

This bill or this this action will effectively create a new career pathway for paramedics, allowing them to upskill and obtain new abilities that they can work with to help Victorians. One of the things that I would like to focus on in this bill is around the issue of pharmacotherapy. I have been a strong

supporter of expanding pharmacotherapy options for heroin addicts in Victoria, in particular. In my own area of Frankston, as I am sure the minister would be very well aware of – and I have worked with the minister on this – we had a very big problem with only a single doctor effectively prescribing pharmacotherapy to patients in Frankston. Eventually they were going to shut down, and it caused huge problems. I am glad to report that Peninsula Health has taken over that function, and my understanding is that it has now stabilised, which is fantastic news.

I would also like to commend the government on their expansion of pharmacotherapy options in Victoria. It has long been my view that a big contributor to people getting off heroin, getting out of the hands of organised crime and stopping committing petty crime to feed their addiction is to get them on pharmacotherapy, but we had this situation where only a very small number of GPs could prescribe these medicines, and it was very, very difficult for people to obtain them. Many people ended up just going back onto heroin and back into the hands of organised crime, and this is a problem. I know that the government is expanding this, but one of the things that this bill will do once the paramedic practitioners step into action is allow them to be able to prescribe these substances. This will be a small but very significant increase in availability and options for distribution of these medicines to help stop people going back on heroin and to help people get off heroin and stabilise their lives and eventually, hopefully, get clean. This will hopefully also stop or at least somewhat reduce the number of people requiring pharmacotherapy who present to emergency departments, because the paramedic practitioner will be able to prescribe these medicines. Hopefully, that will increase the efficiency of emergency departments also, so that they can focus on more acute cases. As we all know, for some time emergency departments have been under a very heavy load, and anything that we can do to reduce that load is a good thing. This is one thing that will help, I believe.

I know that the government has committed to a trial of a new pharmacotherapy option, hydromorphone. It is a limited rollout at the moment, but it is my hope in the future that this will be expanded, because the more options that we have to get people off heroin and into the health system, the better for Victoria. It is good for the people who have these problems with drugs. It is good for undermining organised crime, which we all know we have a huge problem with in this state. It is also good for preventing petty crime that people commit to feed their addiction, because they no longer have to feed their addiction through crime, they can merely get a prescription from a doctor or from a paramedic practitioner, which is a great thing, I think. We need to do as much as we can to help these people get out of the hands of organised crime. It is too much of a problem in this state. Organised crime has infiltrated so many different areas, and we need to do everything we can to undermine it.

I am often very critical of the government on many, many things, but in this case I am not critical of the government. I think that this is an excellent move that the government is making, and this will be strongly supported by the Libertarian Party.

**John BERGER** (Southern Metropolitan) (11:37): Today I rise to contribute to the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. This bill provides amendments the Drugs, Poisons and Controlled Substances Act 1981. These amendments establish the legal framework for Victoria to champion the paramedic practitioner role within the national workforce framework. The Allan Labor government responds to the growing and increasingly complex demands on both urgent care services and health services in Victoria in this bill. These services are responsible for the medical care of 6.7 million Victorians. This year alone the Victorian ambulance service received 2790 emergency calls per day and provided emergency medical care to almost 400,000 Victorians who experienced code 1 lights-and-sirens ambulance emergency events. The paramedics that arrive at these emergencies are tirelessly dedicated, compassionate and operating under immense pressure. I commend them for the hard work that they do, often under less than ideal circumstances, and for their services to Victorians.

I thank my friend in the other place Minister Thomas, our Minister for Ambulance Services, Minister for Health and former Minister for Health Infrastructure, for her work on this bill as well. It is a great piece of legislation that tackles many of the issues affecting our urgent care services and in turn our



paramedics that operate within their frameworks. Our support for paramedics and ambulance services is essential. This legislation is one facet of ensuring that they have the necessary resources and training to provide timely, reliable and effective emergency care to our communities. The Allan Labor government will always stand with the frontline healthcare workers, and I am proud to support legislation, like this bill, that does just that. Through these reforms we support paramedics, and we will protect Victorians.

The provisions of this bill and its proposed amendments are as follows: firstly, they establish the paramedic practitioners as a class of registered paramedics; secondly, they authorise this new class of paramedic practitioners to obtain and use certain substances; thirdly, they expand access to a monitored poisons database to paramedic practitioners. The paramedic practitioners initiative works alongside other initiatives of the Allan Labor government to improve the efficiency and capability of our health system. These include our Victorian Virtual Emergency Department, which is a video telehealth medical consultation service that is accessible to Victorians 24 hours a day, seven days a week. Like the introduction of the paramedic practitioners to our frontline emergency health system, the VVED is the first of its kind in Australia.

The VVED has seen over 400,000 Victorians since its pilot in 2020 and has been available statewide since 2022. It sees over a thousand Victorians daily. It provides clinical assessments, medical advice, treatment and local referrals to Victorians experiencing non-life-threatening emergencies. These services are provided to patients through a range of qualified health professionals, such as GPs, specialist nurses and emergency physicians. Through its services 86 per cent of its patients have been able to avoid unnecessary trips to emergency departments. This has reduced overcrowding in these departments and improved quality of care for patients.

The first provision of the bill will establish paramedic practitioners as a new class of registered paramedics, as I said earlier. These paramedic practitioners will have a greater ability to treat and medicate their patients than existing paramedics. Under this legislation the term 'paramedic practitioner' will refer to a registered paramedic that has completed a prescribed postgraduate qualification and satisfies prescribed experiences required. At present the prescribed postgraduate qualification is the master of paramedic practitioner and is available as a part-time, three-year course at Monash University for registered paramedics with five or more years experience. Under this bill the authority that currently governs nurse practitioners will also govern the new class of paramedic practitioners who have completed their postgraduate qualification.

The provisions of this bill, secondly, will authorise paramedic practitioners to obtain, possess, use and supply certain medications. This new class of paramedic practitioners will all be able to autonomously assess and diagnose patients and make clinical decisions. Effectively this enables paramedic practitioners to treat individuals requiring emergency medical attention in the field, at the site they were called to, at their discretion.

They will have multiple roles in improving the function and efficiency of our emergency healthcare services. These can be broken into four key parts. Firstly, as I said before, their ability to treat individuals in the field will prevent transfers of these individuals to hospitals where it is unnecessary. Secondly, the prevention of these unnecessary transfers will free up space in our emergency departments. Through this, the presence of the paramedic practitioners on our front line will reduce pressures on emergency departments, public hospitals and general practitioner patient loads. The bill focuses on emergency medical care, these situations where there is a time-critical factor. Lastly, the introduction of the paramedic practitioner class will improve the efficiency of our emergency healthcare system. Victorians who experience a medical emergency will receive a quicker response from both ambulance services and emergency staff. This is because a greater proportion of patients utilising ambulance services will be able to be fully treated at the scene and will not have to wait for their admittance to inpatient care at an emergency department for their treatment to be completed. Additionally, the emergency departments will not be overwhelmed by patients that have been

transferred unnecessarily. This will reduce their overall patient load and enable patient care to be provided to the individuals who need it most.

The final provision of the bill will expand access to the monitored poisons database SafeScript to paramedic practitioners. This is the database that contains records of patients' prescriptions and their supply history of high-risk medicines. Paramedic practitioners will be able to access, use and disclose information pertaining to the patients on SafeScript and will be required to check this database before prescribing or supplying a monitored poison. These are the same regulatory standards that medical practitioners and nurse practitioners abide by.

Experienced paramedics will also be provided with a new avenue for career progression and greater career opportunities through this bill. Providing greater scope for these things is a fantastic measure both to encourage young Australians to join the paramedic workforce and to retain its existing members. The bill acts to extend and reach out our health system as well as increase accessibility and timelines of health care, particularly in rural and regional areas. That is what this bill legislates and what our paramedic practitioners will do. I would like to take a moment to expand on the credential paramedic practitioners will be able to attain as part of this role. Firstly, I reiterate what I briefly outlined earlier: the term 'paramedic practitioner' will refer to the class of registered paramedics that has completed the master of paramedic practitioner program. The program is being delivered by Monash University at their Peninsula campus. It requires students to have at least five years experience as a registered paramedic and is available to domestic students and holders of the Australian temporary visa that have full study entitlements. It is a three-year part-time course. This will enable its students to continue working as paramedics while they study. The master of paramedic practitioner program was developed by Monash in consultation with multiple relevant industry representatives; these include Ambulance Victoria, Safer Care Victoria, paramedics, clinicians and unions.

Under this legislation Victoria is set to become the first state in Australia to introduce the role of a paramedic practitioner. In 2023–24 the Victorian state budget invested \$20 million into funding this initiative. A significant proportion of this money has been allocated to supporting scholarships for paramedics completing the program. The second cohort that will complete this course will begin their studies in February of this year and will include 30 students. Upon their completion of the masters program, paramedic practitioners will be qualified to assess, diagnose and treat a greater range of medical issues locally. Part of this will be handling and administering scheduled medicines and prescribing and supplying medicines at the scene.

Paramedic practitioners will play a key role in delivering integrated, multidisciplinary and modern health care tailored to the needs of the Victorian community. The first graduates from the program will be deployed in regional areas to accommodate this. This is where our health system is most poorly equipped and most overwhelmed. I am particularly proud of this initiative, and I think it is a fantastic program and a demonstration of the Allan Labor government's commitment not only to our health sector but to our education sector. Through this bill we will not only deliver on reforms for our emergency health system but expand our tertiary education opportunities as well. We will keep Victoria being the Education State, and I say this – and I just want to touch on this briefly – because we know that we cannot train the required number of ambos without an education sector that has the capacity to do so.

The Allan Labor government has also achieved record levels of investment in education. From January 2025, a month before the second cohort of paramedic practitioners commence their course, 5200 new fee-free TAFE places will be made available to Victorians; this will include 1300 pre-apprenticeship places. They will target and address critical skills shortages. Nationwide, 508,000 have enrolled in fee-free TAFE since its launch. Our investment in education is not limited to tertiary education. We are also opening 19 new schools across the state in 2026; these will include 13 primary schools, three secondary schools, two specialist schools and one year 9 school. Over the past 10 years the Victorian Labor government has invested \$16.9 billion in building new schools and providing school upgrades; these include \$1.8 billion in investment in the 2024–25 budget. The investment has funded

2200 school upgrades and supported 26,000 jobs in construction and associated industries. Our other investments in education include scholarships, financial incentives for hard-to-fill roles and paid placements for individuals training to be teachers. These initiatives have grown the government schools teaching workforce by 1700 teachers in the past year alone and have totalled \$139 million. Our initiatives and investments mean that our students, Victorian students, are engaged in education at the highest rates in the country.

I am the husband of a nurse, the son of a nurse, the brother of a nurse and the father of a nurse. I am exposed to this every day; in fact we all are. Everyone has been cared for by a healthcare practitioner from the moment they are born, and despite what those opposite might want to do to talk down our paramedics, we on this side of the chamber will not. According to the national report on government services this state has the most registered paramedics in the country, more than any other jurisdiction, and the same report said our response time is better than in New South Wales, Queensland, South Australia and Tasmania. When those opposite were in government our ambulance response times were the worst on the mainland. We know that there is always more work to do, and we are not letting this go by. Within two years of coming into government we ended the war on paramedics, and as result response times improved. It meant that 80 per cent of code 1 cases were responded to in 15 minutes. We know that Labor governments are governments trusted by the people to stand up for the healthcare system – for Medicare, which celebrated its 41st birthday over the weekend federally and in Victoria, where we have continued to innovate. I was proud the other week to have the Minister for Health in the other place, Minister Thomas, visit my community of Kew to talk to the general practitioners about our incentives and work in providing a kickstart for careers as GPs. There is more than that to do.

We know that growing the population of paramedics is part of our health network, and we are dealing with a record demand – the current number is 30 per cent higher than prepandemic levels – but despite this, most recent data shows that our ambos are arriving 16 seconds faster than the previous quarter. Does that mean that the work is done? No. There is always more to do and that is what we are doing today. That is why the most recent budget, in 2024–25, provided \$146 million. This will provide a suite of support for Ambulance Victoria, including medium-acuity transport services and expanding Ambulance Victoria's secondary triage.

On that point, Ambulance Victoria's secondary triage system is one of the most advanced in the world, and we deserve nothing less. It diverts 20 per cent of 000 calls to alternative care pathways, reducing the load on our ambos. We are also helping our ambos assess, diagnose and treat Victorians by doubling the capacity of the Victorian Virtual Emergency Department. This has seen over 400,000 presentations, with a diversion rate of almost 90 per cent, and ambos also have directed referral pathways that allow patients to be treated at home. They provide better conditions for ambos, ensuring they continue to deliver world-class services to Victorians.

To wrap up today, I want to say as a proud unionist – I was branch secretary of the Transport Workers' Union – how important it is to get a fair day's pay for a fair day's work. That is why I am so pleased to see we have reached an in-principle agreement with ambos that will see them remain amongst the highest paid in the country. In fact, of the 78 per cent of the eligible voters who voted, 97.3 per cent voted in support of the agreement, which says a lot of things. We will be investing in more staff in the communication centre and in our frontline staff. That includes a new end-of-shift management procedure. It means our ambos will be getting home sooner and more safely. I commend the bill to the house.

**Sheena WATT** (Northern Metropolitan) (11:52): I am pleased to follow other speakers and make a contribution in support of the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. I must say this is a bill that goes to the heart of why Victorians trust Labor governments to govern this state. We know that health care is always one of the most important issues for Victorians, and the Allan Labor government keeps Victorian health care in safe hands. That is why this government has consistently backed our healthcare workers, in particular our nurses, our midwives and our paramedics. We know that they have some of the toughest jobs in our workforce.

During the pandemic, Victorians did what we do best: we came together as a community and supported each other to get to the other side. We would not be able to do that without the dedication and expertise of our frontline health workers.

While we tend to think of healthcare workers as superhuman, I know that they also experience very real workload pressures. They too often miss out on precious time with families and friends, and often their own health is impacted by working long hours on shift rotations. I also know that as the population of our great state grows, more and more people will be accessing our world-class health services. We need to take action now to prepare for future increases in services demand.

We want to take the strain off the workforce wherever we can and free up these incredibly important essential workers to get on with the job as much as possible. Paramedic practitioners do just that. They can deliver urgent care in the field so that patients can avoid going to hospital if they do not need to, allowing them to recover at home closer to family and closer to friends. This will free up our emergency departments, relieving some of the strain on our hardworking frontline hospital staff so they can get on with the job of treating people with life-threatening illnesses and injuries. Let us not understate the importance of the bill before us. It is a genuinely life-saving bill that will allow more life-threatening cases to be seen by emergency doctors sooner. I do not know how anyone could consider voting against this. It is a bill that is very close to my heart because, as I have said many, many times, I care deeply about the health care of Victorians, and in particular stroke care. Many of you know I have been joined here by a former member of Parliament, Heidi Victoria, as she hosts a range of Stroke Foundation events in her role there, and can I take a moment to acknowledge her work.

Paramedic practitioners do such incredibly important work to take the pressure off emergency departments so that they can attend to the people most needing it, including folks suffering a stroke, because as I have said before, time is brain, and every moment that you are waiting for treatment, more and more of your brain cells are dying. So can I just encourage people to go to emergency only when it is indeed that – an emergency. That is why we have got urgent care clinics and others right across our state. Indeed I have been fortunate to work with a number of health-related NGOs across the state, including the Stroke Foundation, and I know from my work there that these organisations will continue to support paramedics in the work that they do and that the inclusion of paramedic practitioners will be invaluable in improving the health outcomes of all Victorians.

Whilst I did take a moment to acknowledge Heidi Victoria and her work, can I also acknowledge others in the Stroke Foundation, particularly the health professionals, and take a moment to join with so many and celebrate the inclusion of the stroke ambulance in our state. I do not know if folks have had the good fortune to see it zooming about here in this part of town, but the stroke ambulance is a wonderful addition to our ambulance fleet and one that I know is there each and every day saving brains and saving lives. So to the organisations that got behind it, including some very exceptional donors that made that possible, can I give you my thanks. I know that it is now being expanded out to Monash, so those folks that are out near the Monash health zone will also have the benefit of the support of the stroke ambulance in our state. I know that in Victoria we indeed have a very proud history and an established track record of investing in Victoria's health care under the leadership of the Allan Labor government, and we spoke yesterday about investment in women's reproductive health, another issue that I was very happy to make a contribution on. Let me remind those that are here that we have invested \$153 million in a women's health package to transform women's reproductive health care across the state, and that means that we can expand those services just about everywhere, including into our regional areas.

Can I just talk a little bit more broadly about our investment in ambulance services. Since coming to government we have indeed invested \$2 billion into ambulance services. This has allowed us to put 2200 more paramedics onto the road since those opposite were last in government, and we have recruited more than 1300 paramedics over the last three years. That is why, according to the national report on government services, Victoria has more registered paramedics than any other jurisdiction. So let us take a moment to say that our ambos' response times are better than New South Wales, they

are better than Queensland, they are better than South Australia and they are better than Tasmania. That is something that is worth us all taking a moment to reflect on here in the chamber.

Since the last election, it is worth also noting, we have committed \$15.8 million to the training and hiring of 40 additional MICA paramedics – that is the mobile intensive care ambulance paramedics – and these paramedics are another type of highly specialised worker who deliver life-saving care to the most urgent cases. Sometimes you will see them right here in our city as they support folks in the CBD. I did see them particularly around the Royal Melbourne Hospital, which is a proud hospital in the Northern Metropolitan Region. I have got to tell you, the MICA paramedics in this state are the best of the best when it comes to emergency health care, and with their higher clinical skill set they can perform these more technical medical procedures.

**Business interrupted pursuant to standing orders.**

*Questions without notice and ministers statements*

**Suburban Rail Loop**

**David DAVIS** (Southern Metropolitan) (12:00): (789) My question is to the Minister for the Suburban Rail Loop. Minister, why did the government fight for three years to prevent the release of the SRL risk register? Was this to avoid embarrassment due to its obvious inadequacies?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:00): Thank you, Mr Davis, for that question. When you say ‘the risk register’, what you are doing there is betraying your lack of understanding about what it means to have an integrated strategy and financial management framework. The Financial Management Act –

**David Davis:** You have got to be joking.

**Harriet SHING:** I will pick up that interjection. Mr Davis, the joke here is that you have not read the business case which was released on 19 August 2021. You have not read about the integrated management framework that exists under the Financial Management Act, which applied when you were last in government. You have not delivered any major projects – no, wait. The major project that you delivered when you were in government was to close the New Street, Brighton, level crossing. What you have missed thus far to the point is it is not ‘the risk register’. It is not ‘the risk register’, it is an ongoing process of being able to report the costs and benefits aligned with the delivery of a major project, Mr Davis.

When we look at the business case – and I am not sure whether you have – and we see that the benefit–cost ratio realised is between 1.1 and 1.7, that is a far cry from what was developed and delivered by you.

**David Davis** interjected.

**Harriet SHING:** Do you want to talk about rubbish, Mr Davis? An 11-page business case from you lot on the east–west link –

**David Davis:** On a point of order, President, it is a very simple question I have asked. It is a narrow question about one project. It is not a question about the opposition or to attack the opposition. It is an opportunity for the minister to answer the precise question that was asked.

**The PRESIDENT:** I believe the minister was being relevant to the question up until the last 10 seconds or so.

**Harriet SHING:** The unfortunate part of perhaps me straying from the question itself was the interjection and the very defensive approach being taken by Mr Davis, perhaps belying the fact that he has not ever had to be part of delivering a nation-shaping project like this. The investment

management standard, Mr Davis, if you have a look at the business case – actually, you know what, what I might do is I am happy to seek to table this document today on the basis that it might well assist.

**David Davis:** It has already been tabled in the chamber, but –

**Harriet SHING:** Let us go again, Mr Davis.

**The PRESIDENT:** Can you do that outside?

**Harriet SHING:** Outside? Sure, President.

**David Davis:** Just by leave, I wonder if I might table the risk register.

**Harriet SHING:** It has been released publicly. You have got it already, Mr Davis.

**The PRESIDENT:** I want to get the minister to acquit this question and the follow-up question, and then I will pause briefly if any member wants to move by leave if they want to table any type of document. The minister to continue her answer, hopefully in some silence.

**Harriet SHING:** While we are on show-and-tell, Mr Davis, why don't we go to 3.1 of the business case, which was published on 19 August 2021 –

**David Davis:** On a point of order, President, it is not a business case, it is an investment case.

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

**Harriet SHING:** The Financial Management Act creates obligations under any public sector agency – that includes the SRLA – to have a risk management framework. Mr Davis, I am just wondering if you have any risk management frameworks, under for example occupational health and safety, that you might also like to table as they relate to the activities of your office.

**David DAVIS (Southern Metropolitan) (12:05):** I note the minister did not directly answer the question about the delay in releasing this information. I ask therefore: Minister, the 2020 register points to the high risk and places red against the issue of funding. The register was initially produced, as I said, in 2020, and it is now 2025. Minister, isn't it a fact that the risk is now even greater, given that almost five years have elapsed and that the Commonwealth still refuses to add any additional funding?

**Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:05):** Thank you, Mr Davis. There is a fair bit in what you have just said. I will try to cover it with the time that I have available. There is actually an entire section in the annual report which goes to the risks and contingencies and valuation judgments of the SRLA, and that is at page 65 of that report. Mr Davis, again I reject the premise of your question saying that this is 'the' register. There is an ongoing process of analysis and assessment as to risks and realisation of benefit. You would be well advised, Mr Davis, to start with a document that is at least a year ahead of the document you are referring to in order to understand the basis upon which the ratio and the rationale for the SRL has been developed.

Mr Davis, there is \$2.2 billion in the federal budget. Prime Minister Anthony Albanese has been very clear that the project is a defining priority for the building of this nation. If Peter Dutton is going to scrap the regional rail link and the Suburban Rail Loop investments that we are making and continue to make as part of developing Victoria into the future, he needs to say so, and you need to say whether you back it in.

**David DAVIS (Southern Metropolitan) (12:06):** I move, by leave:

That the 2020 document, the risk register, as it is called, be tabled.

**Leave refused.**

### Suburban Rail Loop

**Evan MULHOLLAND** (Northern Metropolitan) (12:07): (790) My question is to the Minister for the Suburban Rail Loop. Minister, in response to a very specific question on Tuesday regarding the year the government expects the Suburban Rail Loop to reach Werribee, you responded, ‘Read the business case.’ I will take you to section 1.7.2 of the investment case, which says the SRL West to Werribee will begin ‘as soon as possible’ but also specifically states there is no business and investment case yet for SRL West and that if the development is sequential, it could not start until 2053. Is the latter half of this century ‘as soon as possible’, or can the minister now provide a more accurate year the SRL West will reach Werribee?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:08): Mr Mulholland, it seems that perhaps someone in your office at least has read the business and investment case, and maybe they might like to share any kind of summary with your colleagues, who clearly have not. When we talk about the answers that I have already given, again I just want to confirm that 2035 is the date by which we will have trains on SRL East. I also want to be really clear that when we are talking about a multidecade project, we need to make sure that as it is staged and as we work through everything from value capture through to development, we are doing so in a way that is careful, that is based on information, that is current at the time and that is responsible. Mr Mulholland, this is a project that even former Premier Jeff Kennett thinks is a good idea, so you might want to, next time you are at the Melbourne Club, perhaps catch up with him about it.

I do just want to actually take you to timeframes, because when you have nation-defining infrastructure projects that are about land use and about planning development, it is about making sure that you stage those projects properly. As I said, \$14 billion of the investment that we have made is about making sure we have got tunnel-boring machines in the ground next year. If you are going to scrap it, you need to say what will happen to that work. If Peter Dutton is going to scrap it, he needs to say what will happen to that work. The city loop, Mr Mulholland, was first proposed in 1929, and it was delivered in 1985.

**Evan Mulholland:** On a point of order, President, I asked for a more accurate year. Given the minister would not answer the other day, I asked for a more accurate year the government expects the SRL to reach Werribee, and she still has not answered the question.

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

**Harriet SHING:** Mr Mulholland, there are contingencies here, and those contingencies, as much as anything else, relate to whether or not you have appetite and courage enough to be able to have a nation-building project that provides an orbital rail line around the city. Toronto has done it, London has done it, Sydney has done it –

**David Davis:** On a point of order, President, this was a very specific question about a date and the timeline, not a general swathe or attack on the opposition and others. She just needs to answer it.

**The PRESIDENT:** I stated before that I believe the minister has been relevant to the question.

**Harriet SHING:** So \$14 billion later, and as we get on with the work at the Sunshine precinct –

*Members interjecting.*

**Harriet SHING:** I heard some conjecture about the western suburbs – look at the \$80 million for Ison Road. Look at the Werribee line being level crossing free by 2035. You did not build a single school. Seven new schools, two upgraded schools, a record investment in housing –

**David Davis:** On a point of order, President, the minister is answering a set of different questions, not the simple question about when the SRL will reach Werribee.

**The PRESIDENT:** There were actually two questions asked, and I think the minister has been relevant to the first one.

**Harriet SHING:** The problem is that when you write questions that are about a gotcha and there is material that takes you directly to why it is responsible government to do the right thing in careful planning around land use and around transport delivery and infrastructure, it actually just shows that you can google something in the business and investment case but it does not actually mean that you have read it. So again, let us take you back to first principles. Mr Davis has indicated it has already been tabled, but I will happily, happily take you through it. I have got dozens of copies of this, and I am very pleased to share them with you.

**Evan MULHOLLAND** (Northern Metropolitan) (12:12): Minister, the business and investment case also says that the SRL West will be coordinated with the *Western Rail Plan*, electrifying the train line to Wyndam Vale – which has now been shelved by this government, depriving the people of Werribee – and that the SRL West will be subject to further investigation, planning and development. When will the further investigation, planning and development begin, or is the SRL to Werribee just like the *Western Rail Plan*, another empty promise to hoodwink the people of Werribee?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:12): See, Mr Mulholland, you were almost stacking it up in terms of a legitimate supplementary question until you got to that last sentence. When we talk about investment in the west, when we talk about investment in Werribee – and again it is really interesting to note your sudden interest in this part of the world that you neglected so significantly when you were last in government, to the dismay of the people who represent, at least from your side of things, that part of the world.

**David Davis** interjected.

**Harriet SHING:** Mr Davis, the work that we are doing goes on around making sure that we are delivering infrastructure and that we are delivering everything from roads to connections to ensure that as Melbourne's fringes grow they are growing responsibly. In and of itself we hear constantly from people around the importance of connection, the importance of proximity and the importance of access to precincts. That is why it is always so curious to hear the paradox of you saying that in fact these things are not important in terms of our growth of population, amenity and the right of people to live closer to where they grew up. Again, Mr Mulholland, the work goes on, and we are the ones who are delivering it.

#### **Ministers statements: mental health workforce**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:14): I rise to update the house today on the Allan Labor government's record on growing Victoria's mental health workforce. The mental health workforce is the backbone of our mental health system and the central pillar of our transformation of Victoria's mental health system. I want to take this opportunity to acknowledge these highly skilled and dedicated workers for their tireless support of Victorians when they need it the most. Since 2021 the Allan Labor government has invested more than \$600 million to stabilise, grow, support and retain Victoria's mental health professionals. Guided by our mental health workforce strategy, this represents the largest dedicated investment in the mental health workforce in our history. And it is working. Despite health workforce shortages around the globe, our government's action has resulted in a 25 per cent increase in the workforce between 2021 and 2024.

That is more mental health nurses, more allied health professionals, more lived-experience workers and more psychiatrists. In fact it is more than 2100 FTEs – additional staff – providing expert mental health care to Victorians in need. These growth rates are almost 250 per cent higher than historic averages. It also means that we remain on track to double the mental health workforce by 2031. I am sure every mental health worker in this state would attest that there is more work that needs to be done,



and that is why we are reviewing our workforce strategy to make sure that we have got the settings right for the next stage and to make sure that this incredible workforce grows and continues to be supported in the future.

### Pill testing

**David LIMBRICK** (South-Eastern Metropolitan) (12:15): (791) My question is for the Minister for Mental Health and is related to data from the drug-checking service trial. As the minister knows, I am not opposed to this service in principle, although I do think that the government should have taken the opportunity of a free trial rather than taxpayers funding it. Nevertheless, the service has been established now and the government thinks it is going well, as they have been quoting selected data in the media to justify this claim. I like to see things for myself, though. That is the reason I went out there to inspect the service, and it is also the reason I attend so many protests and other events to see things for myself in person. But I cannot see this data and neither can the rest of the public, so my question for the minister is: will there be a public release of data from the drug-checking service at Beyond the Valley?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:16): I thank Mr Limbrick for his question and his interest in not only our pill-testing reforms but our AOD strategy more broadly across the state. It was wonderful to see Beyond the Valley as the first festival where pill testing operated. I have given some high-level data from that event, but just for the benefit of the house, there were more than 700 predominantly younger Victorians who accessed the service during the festival, and that is the largest number of any festival around the country that has a similar type of testing program in place. Seventy per cent of those young people had never had a conversation with a health professional about their drug use previously – so an important opportunity for education. Forty per cent said they would consume a smaller amount of drugs, and one in six intended to discard their drugs altogether. They are obviously high-level stats from the first festival that we have been out to.

I did just the other day announce the next four festivals where pill testing will occur: this Saturday at Hardmission in Werribee and at Pitch, Ultra and the Warehouse Project over the next few months. We have always said that the trial over this summer and next summer is an opportunity to test the model and to find out what the best way forward is for a permanent arrangement post the trial, and that will be the subject of not only data gathering but also an evaluation process that my department will coordinate. We have got every intention of not only continuing the testing service but also learning as we go. I think that there were some early learnings from the first festival that we were at around how to manage demand during the day at a multiday festival. I am sure there will be other learnings out of single-day events – particularly Hardmission tomorrow at Werribee – that are going to have a lot of people attending.

It is a continuous process. That evaluation will be done in a rigorous way, as it always is by my department, and we will take those learnings. The government has got no issue with being transparent about how this testing program is going. I will say that the early indications are very encouraging, and this is about providing that vital information but also about saving lives.

**David LIMBRICK** (South-Eastern Metropolitan) (12:19): I thank the minister for her answer, although I am not sure the minister actually answered when the data will be released. Nevertheless, I think that it is really important that this kind of data is transparently published with as much information as possible and appropriate – acknowledging that there is some information that would not be appropriate to publish – because this is a trial, and if there are aspects that might not be working well or raise some questions, we should not shy away from having those discussions. So my question to the minister is: will the minister commit to ensuring that broad and comprehensive data is published as soon as possible after future events?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:20): I thank the member for the supplementary question, and I have got

absolutely no problem with, in principle, what you are saying. Of course some of the data is confidential in nature. It is a confidential service, so we need to acknowledge that and make sure that any data that we do release is de-identified.

**Georgie Crozier** interjected.

**Ingrid STITT:** Ms Crozier, I will take up that interjection because I am actually in the process of answering a question around whether the government will provide data, and the government has got no interest in hiding data that is about saving lives. So I want to give everyone in the house an assurance that this is about making sure that we get the best possible model going forward and that we learn the lessons from the trial, and of course data collection is an important part of that, not least of which is strengthening our drug alerts surveillance system, which is an important part of the AOD service that we provide.

### Suburban Rail Loop

**Richard WELCH** (North-Eastern Metropolitan) (12:21): (792) My question is to the Minister for the Suburban Rail Loop. The SRL risk register from 2020 has been released by VCAT. In contract law the deliberate withholding of material risk may undermine the enforceability of the contract at best, and it may in fact be an illegal act by the directors at worst. It is of deep concern that the government has sought to keep the risk register secret. In any democracy suppression of information as a risk mitigation strategy is not only corrupt practice, it is quite possibly illegal, and it should be treated very seriously. Is it the government's policy to suppress details of material risks to commercial partners and the public?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:22): There are so many questions in the contribution that you have just made, Mr Welch. As I hope you are aware, if you are interested in financial management and the statute that applies to regulate it, the principles of sound financial management create obligations under any public sector agency, which includes the SRLA, to provide a framework for risk management. There is also an entire section, as I indicated in my response to Mr Mulholland's question – perhaps Mr Davis, I do not know; the same person obviously wrote all of them – that talks about risks, contingencies and valuation judgements.

Mr Welch, what I would encourage you to do is perhaps refresh your understanding of the interaction between common law and statute, and statute, which is the framework by which sound financial principles are applied under the Financial Management Act, is very different to the references that you have made to contract. When we are talking about contract, we are also talking about the obligation that government has to make sure that projects are managed, developed and delivered in accordance with the principles that apply under the acts that regulate their own financial principles and parameters. Mr Welch, if you are saying that in fact a risk management framework should not be developed and that a register should not be updated from time to time; Mr Welch, if you are saying that a document from 2020, which was overtaken by numerous –

**Richard Welch:** On a point of order, President, the minister is rephrasing my question for me. That was not the question. The question was regarding the disclosure of material risk as a legal and moral requirement.

**The PRESIDENT:** I think the minister was being relevant to the question in rejecting the premise.

**Harriet SHING:** It is unfortunate that Mr Welch then again provided a question that has given me such fertile ground to talk about the interaction between common law and statute. The fact that he now appears to have gone to equity as part of another canon within legal interpretation perhaps shows that he is scrambling around for discussions around how sound financial principles and management apply.

Mr Welch, if you are saying that there should not be a process that evolves over time to understand risk and benefit, if you are saying that you do not understand the distinction between what a third, a

third, a third looks like on value capture, on asset management, on land use and on planning processes for Australia's largest infrastructure project, then Mr Welch, what I would suggest that you do is look to a document from 2020, see how that has been superseded, including by an investment and business case tabled and produced on 19 August 2021 that clearly outlines the basis upon which this multidecade project will be delivered and needs to be delivered and the fact that as it is done in stages the risk assessment will vary over time, as it should. If you think that being stuck back in 1929 informs a case for the city loop that opened in 1985, then heaven help us if you are in charge of managing a project like this.

**Richard WELCH** (North-Eastern Metropolitan) (12:25): I do not think that answers the question in any way or form. But the supplementary is: have the mitigation measures identified and approved under the SRL risk register been implemented?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:26): Again, I am going to take issue with one word in that question: 'the' risk register.

**David Davis** interjected.

**Harriet SHING**: Mr Davis, you have just interjected there. You are talking about a document from 2020, right, and you are implying that that is a static document?

**Wendy Lovell** interjected.

**Harriet SHING**: All right. So, Ms Lovell, I am going to take you up on that interjection. You have just said the risk register is updated. Well, bingo. At least somebody on that side of the chamber understands that the nature of a project of this magnitude occurs in consultation and discussion on funding envelopes. Again, \$14 billion is there and allocated for the purpose of being able to deliver SRL East. Come and see the sites. Come and see what it is that we are doing, and you will be able to see the magnitude of the project we are talking about. That is why when we look at sound financial management it is a process that evolves over time. To do anything other than that would be deeply irresponsible. I look forward to seeing how you would develop as you go.

**David DAVIS** (Southern Metropolitan) (12:27): I move:

That the minister's answer be taken into account on the next day of meeting.

**Motion agreed to.**

### **Ministers statements: water policy**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:27): It is a privilege to make my first statement to the chamber as Minister for Water. I take this opportunity right at the start to make crystal clear our government's unwavering commitment to safeguarding the communities of the Murray–Darling Basin. I acknowledge the enormous efforts of the immediate former Minister for Water Harriet Shing and her fierce advocacy for Victorian communities. I will continue this fight because we know what is at stake. Water plays an essential role in the health, prosperity and identity of our basin communities. Northern Victoria accounts for 90 per cent of Victoria's grapes, fruit and nuts and around 30 per cent of the state's dairy and vegetable production. The Goulburn–Murray irrigation district is the largest irrigation district in Australia, home to thousands of farm businesses and connected industries that provide employment and services across the region. There may have been a change in minister, but there is no change in Victoria's position. We are committed to the objectives of the basin plan. We oppose untargeted, non-strategic buybacks. We will always put Victoria first, and we will continue to stand up to the Commonwealth regardless of what party is in power. Victoria's position is set out in the strongest possible terms in our prospectus, and that will be the position that I advocate as minister. It is contained in this booklet. If you have not read it, I urge you to read it. The language is very strong, and it is very articulate in terms of those that are of this ilk in support of the government's position. Victoria's position is set out in the strongest

possible terms, and we will continue to push it. Large-scale, untargeted, open-tender water purchase programs expose our northern Victorian communities to risk. As Minister for Water, I will continue to keep the fight up.

**The PRESIDENT:** I remind members that the use of props is against the standing orders.

### Health funding

**Georgie CROZIER** (Southern Metropolitan) (12:30): (793) My question is directed to the Treasurer. Treasurer, given that the health department secretary – or the now-outgoing health department secretary – and minister wrote to all health services in May last year telling them no further funding would be provided in addition to their agreed budgets and then a Treasurer’s advance of \$1.5 billion was provided in August to bail out cash-strapped health services, will you be providing any further Treasurer’s advances to health services this financial year?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:30): I thank Ms Crozier for her question. What it demonstrates is the Allan Labor government’s commitment to health in Victoria. Not only are we providing the services that Victorians rely on, whether they are in the metropolitan hospitals or regional hospitals or in the mental health portfolio, Victorians can always rely on a Labor government to put health as one of our number one priorities. In relation to budget decisions, Ms Crozier, they will be part of the normal budget process.

**Georgie CROZIER** (Southern Metropolitan) (12:31): We look forward to that, given what last year’s budget actually did and that the minister and the department secretary said –

**Jaclyn Symes:** More money in health than ever before.

**Georgie CROZIER:** No, no, no. You have stuffed it. We all know you have stuffed the budget. Treasurer, my question to you is: what discussions have you had with the Minister for Health about additional funding for the commencement of the networks on 1 July?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:31): I can confirm, Ms Crozier, that Minister Thomas and I speak regularly. In fact she was in my office yesterday talking about a range of her priorities. It is not my practice to detail the discussions that I have with ministers.

### Duck hunting

**Jeff BOURMAN** (Eastern Victoria) (12:32): (794) It is that time of the year again. My question is for the minister representing the Minister for Outdoor Recreation. In recent years, Victorians have endured delayed duck-hunting seasonal arrangements and the negative impacts that has on hunters, their employers, regional towns and businesses. The science is clear that the adaptive harvest model works. I am happy that the AHM has been adopted, but we still seem to have delays to the arrangements being announced. So will the government give some reassurance to hunters and regional businesses and commit to an earlier announcement and release the season details now?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:32): Mr Bourman, absolutely correct – it is that time of the year again, isn’t it? And so I expect a couple of other questions along the same lines, although with different content, from other members of the house over the coming weeks. I will refer this matter to the Minister for Outdoor Recreation, and I am sure that they will respond as per the standing orders.

**Jeff BOURMAN** (Eastern Victoria) (12:33): I thank the minister. It is going to be kind of predictable for a couple of months. A worry for the hunting community is the shape that the competency training will take. Will the government offer confirmation that the proficiency testing rollout is meant for new licensed shooters in the first year and that any other changes to existing licences will be upon renewal?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:33): Again, Mr Bourman, I thank you for your supplementary question. That will be referred to the Minister for Outdoor Recreation.

**Ministers statements: Western Plains Correctional Centre**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:33): I rise today to update the house on the progress towards the opening of the new state-of-the-art Western Plains Correctional Centre. This new maximum-security facility is on track to open from the middle of this year, and it is a key part of the transformation of Victoria's corrections system.

Recently I was joined by the corrections commissioner Larissa Strong and prison operations manager Corey Stipceovich to announce new job opportunities. Right now we are recruiting new staff for Western Plains. New recruits will receive an \$8000 sign-on bonus when taking up one of over 600 new jobs at Western Plains. Working in corrections is a rewarding career for many Victorians, and Corey is a great example of this. He told me how, 12 years ago, he made the career change from hospitality to being a prison officer and he has never looked back. For those who are interested, he is a Geelong local as well, so a good westie. He shared the many different aspects of working in corrections, ranging from general duties, such as patrols and security checks, to also helping people in prison engage in rehabilitation programs, like counselling, education and work. Since joining Corrections Victoria as a prison officer, Corey's career has gone from strength to strength, and he now manages a team of corrections workers.

Corey's story demonstrates that people from all walks of life can build a successful and rewarding career in our corrections system. That is why we are looking to recruit people from a range of personal and professional backgrounds, including tradies, retail and customer staff and many others. New recruits can look forward to joining a modern, safe and effective prison system where they will be able to make a real difference, keeping Victorians safe and supporting people to turn their lives around. As we enter a new year, I encourage anyone looking for a new career to look closely at the opportunities in our corrections system. You may be more suited than you think. The possibilities are truly endless.

**Mental health services**

**Melina BATH** (Eastern Victoria) (12:35): (795) My question today is for the Minister for Mental Health. The devastating bushfires in western Victoria have left many residents requiring urgent mental health support. Recommended by the 2021 Royal Commission into Victoria's Mental Health System, a mental health and wellbeing local should have been opened in Horsham by now. Instead, bushfire-impacted Dimboola residents suffering from trauma have been told to drive to their nearest local, which is over 2½ hours away in Ballarat. Minister, when will the Horsham local be open?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:36): I thank the member for the question. Of course I firstly want to acknowledge the devastating impacts that emergencies like bushfires, floods and storms can have on communities right across the state, including in western Victoria. I know that they have been dealing with a lot, including the recent bushfires this summer.

Our government is fully focused on making sure that we are expanding our mental health services right across the state, and that includes the rollout of our mental health locals. In terms of the Grampians and western Victoria area, we have made sure that there have been mental health supports available to the community on the ground in the immediate aftermath of those emergencies. They are matters that are standard practice in the aftermath of any kind of emergency event – that the department provides support through Minister Blandthorn's department but also that through the health department those community services are rolled out.

In terms of having access to support in that western Victoria region, we do have the supports through the hub in Ballarat, and they have been doing some assertive outreach. They also stand ready to work with our health services in those areas should there be a requirement for any additional support. We have got a range of different programs in place. Of course members would be aware that we are continuing to provide new services, and that is as a result of the investment through the mental health levy but also through the work of continuing to roll out the recommendations of the royal commission. It is incredibly important that these services are able to respond to the community, and that is why assertive outreach is part of the model. I would encourage any member who has people in their communities who need to be connected with those local services and those additional outreach arrangements to always feel free to get in touch with either the health service in that area or directly with my office.

**Melina BATH** (Eastern Victoria) (12:39): I thank the minister for her response. I note that she did not actually reference the Horsham local specifically, but she did talk about services across the state. Minister, similarly in East Gippsland, residents are still waiting for their Bairnsdale and Orbost locals to offer the full suite of promised services required to accommodate the ongoing trauma of bushfires and floods over there. There seems to be no firm timeline for the Horsham local and others are only partially completed. Has this Labor government decided to scrap the remaining mental health local hubs altogether?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:39): I just want to remind Ms Bath and also anyone else who is actually listening that there is no other jurisdiction in the country doing more when it comes to investing in mental health services for communities. Our government held a royal commission and now has a very strong plan for how it is that we will continue to increase services to the community. The locals have already been able to assist over 16,000 Victorians, many of them in regional and rural areas where, frankly, before locals were rolled out there was nothing other than travelling fairly long distances to get the support that they need. So of course we are investing in these services. The last budget also included an investment of \$15.7 million to increase the workforce so that we can continue to expand our community mental health services, because we understand that they need to be close to where people live.

### Housing

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (12:41): (796) My question is to the Treasurer. Given that the government is spending hundreds of millions of dollars demolishing public housing estates like Barak Beacon, with over \$474 million in service payments to private developers over 40 years for just the four ground lease 2 sites and an estimated cost of \$1.3 million per community housing unit – significantly higher than the cost of building public housing – how can the government justify this model as a cost-effective solution to the housing crisis?

**Jaclyn Symes**: On a point of order, President, given the minister for housing is directly to my left, she would be well placed to respond to the member's question as it sits squarely within her portfolio.

**The PRESIDENT**: Is Ms Gray-Barberio happy for that question to be directed to the Minister for Housing and Building, or is she happy to leave it at the response that the Treasurer has given?

**Anasina Gray-Barberio**: I am happy for the housing minister to respond.

**The PRESIDENT**: Did you get the question, Minister?

**Harriet Shing**: If Ms Gray-Barberio could just repeat the question, sorry, that would be great.

**Anasina GRAY-BARBERIO**: My question, now to the housing minister, is: given that the government is spending hundreds of millions of dollars demolishing public housing estates like Barak Beacon, with over \$474 million in service payments to private developers over 40 years for just the four ground lease 2 sites and an estimated cost of \$1.3 million per community housing unit –

significantly higher than the cost of building public housing – how can the government justify this model as a cost-effective solution to the current housing crisis?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:43): Thank you, Ms Gray-Barberio. I am very pleased to be able to assist you with perhaps some of the context around the premise of your question. I would take issue with the calculations you have used for the purpose of understanding the cost per unit of community versus public housing as part of the overall delivery of social housing stock across the state. Often that includes land acquisition and often that includes a range of other factors that are not present in public housing, particularly on sites that already exist for the purposes of remodelling, refurbishment and development.

You did take us to the ground lease models 1 and 2, and this is a really important part of the way in which we increase the inventory, the homes, the volume and the locations of housing for people most in need. When we talk to increasing availability and affordability, it is also about opening up locations so that we can provide more, for example, build-to-rent properties. That is where we take pressure off other parts of the housing system. For example, homelessness statistics indicate that around 40 per cent of people who are accessing those homelessness services for the first time are coming from private rentals, so being able to prevent people from coming into homelessness by making sure that they retain or can access private rentals is one big part of addressing the challenge around housing issues and shortages. The sites that are being developed under the ground lease model will collectively, under ground lease models 1 and 2, deliver 2740 one- and two-bedroom homes.

In addition to that, the development of the towers sites – which is, again, a multidecade process – is about making sure that we can update those really outdated and noncompliant buildings. If we were to approach the management of these towers and this ageing stock from the perspective of retrofit and refurbishment, we would be ignoring the fact that they fail against flood, fire and seismic risk, disability access and compliance, amenity, natural light, ventilation, doorway width, ceiling height, and the list goes on. The communities who call these towers home are proud, they are determined and they are also deserving of housing that meets their needs, including as they age in place. These are investments, again, that would require, based on the rationale you have talked to, all residents to relocate while any refurbishment took place.

We will disagree on the basis by which you say that that can occur without the sort of displacement that we have understood as part of funding models to be really at the heart of what would drive inequity. But we are continuing the work through the record investment in housing; through the \$5.3 billion Big Housing Build, of which at least \$1.25 billion has gone to regional Victoria; through partnerships with the Commonwealth; and through record investments – \$197 million over the budget estimates for homelessness, plus \$300 million and the \$1 billion Regional Housing Fund. The work goes on, but it has to take place in a way that partners with all parts of the housing sector in best use for land management as well.

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (12:46): Thank you, Minister. I guess we will have to agree to disagree. I do agree that homelessness is an issue here in Victoria and across Australia, but why does modernisation require privatisation? Other states have successfully upgraded public housing without selling off public land. Why won't the Victorian government do the same?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:46): Again, I take issue with the concept of privatisation. Your predecessor in this place made a lot of that concept, in fearmongering and scaremongering to people who want to actually know that they will have a place to call home. And this is why the uplift of at least 10 per cent in social housing across those tower sites is so important. It is also important to note that, when we look to acquiring or developing sites, we understand that a mix of housing needs to be provided. This includes key worker affordable housing, it includes build-to-rent and it includes ground lease model options for people. And that is, again, about

making sure that people, irrespective of where they sit on the housing continuum, have an opportunity to live in a way that meets their aspirations, that meets their opportunities and that is connected to the communities around them. As our population grows – and we have touched on this in a range of other questions in this place in this sitting week and throughout the term – we need to make sure that there are homes available for people who need them. That includes in locations that are well situated, that make the best use of land that we have. Privatisation – this is, however, not the case.

### Ministers statements: disability services

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:47): I rise to update the house on the launch of the refreshed Australian disability strategy at the VALID 2025 Having a Say conference last week. It was a pleasure to be in Geelong with my federal colleague Minister Amanda Rishworth and the member for Geelong and Parliamentary Secretary for First Peoples Christine Couzens MP from the other place. It was great to see and meet with so many people from the disability community. The Victorian government is pleased to have worked closely with the Commonwealth government and other states and territories to refresh and update Australia's disability strategy. The updated strategy helps us to think about how all governments will work together to uphold the rights, inclusion and participation of people with disability in all areas of Australian life.

Here in Victoria we are committed to making all parts of the community inclusive and accessible for everyone. In our state this work is guided by our state disability plan, *Inclusive Victoria*. We are now halfway through *Inclusive Victoria* and we recently tabled the midway report, at the end of last year. This report tells us how we have tracked over the first two years of the plan, and I am pleased to report that of the 175 original actions in the plan, 28 are completed, 139 are on track to be completed and there are a further 11 actions that have been added because we can and we should do more. Some of the things that we have done so far include establishing the disability and family violence crisis response initiative and the children with complex disability support needs program, creating disability liaison officers in the health system, upgrading 450 government-owned properties to meet the needs of people with disability and continuing the delivery of Victoria's disability advocacy program to improve and expand advocacy that results in long-term system change.

We know that there is always more to do, and the Australian disability strategy and *Inclusive Victoria* are helping us build a safer, fairer and more accessible Victoria so that people with disability get the services and supports they should.

### Written responses

**The PRESIDENT** (12:49): Can I thank Minister Tierney, who will get from the Minister for Outdoor Recreation the answers for both of Mr Bourman's questions, in line with the standing orders.

### Constituency questions

#### Eastern Victoria Region

**Tom McINTOSH** (Eastern Victoria) (12:50): (1347) My question is for the new Minister for Regional Development, who I might add, is a fantastic Labor minister from regional Victoria who now continues the work of another fantastic Labor minister from regional Victoria, Minister Tierney. The Allan Labor government is backing over 200 community-led projects through our \$20 million Tiny Towns Fund to make our smallest communities even better places to live, work and visit. I got the chance to celebrate with groups across Gippsland on the day we announced the first round of recipients. In Nyora, the local football–netball club received over \$11,000 for new change rooms for their umpires and Loch Memorial Reserve got over \$41,000 for upgrades to their playground, while the Korumburra Friends of Coal Creek received \$50,000 for repairs to the train carriage's roof, to name a few. Minister, can you please inform constituents in Eastern Victoria how the Allan Labor government is continuing to invest in Victoria's regions to ensure thriving tiny towns into the future,



so I can discuss with locals how the government is continuing to invest in Victoria's regions, especially in Gippsland and the Mornington Peninsula.

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

**Nick McGOWAN** (North-Eastern Metropolitan) (12:51): (1348) My question is for the Minister for Emergency Services. Over the summer break I was fortunate enough to visit two of the fire stations in the electorate of Ringwood, namely, Nunawading and Ringwood itself. I was aghast of course to find that neither station actually had the appliances that they are gazetted to have. This should concern every Victorian. It should certainly concern every local in my electorate of Ringwood. At Ringwood station they have now not had a teleboom for some 12 months, so for some 12 months they have not had one of the two critical appliances they need to fight fires. The other appliance was a pumper tanker. The pumper tanker they had in their fire station was commissioned in 1998. It is 27 years old, and it was non-functioning when it was on automatic mode. In the Nunawading station they do not have a rehab unit – one of two units they have in their station house. I would like to know from the minister when both of these stations will have the appliances they are gazetted to have.

### **Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (12:52): (1349) My constituency question is for the Minister for Water. A wildlife carer from the Macedon Ranges Wildlife Network reached out to me over the break about the high number of native animals needing rescue within the Coliban waterways network. Just last month a kangaroo had to be euthanised after being rescued from a section near Taradale. No-one knew how long he had suffered before he was found. It is often joeys that fall in, after not making the distance when attempting to jump over the treacherous terrain. In areas that rescuers are permitted to go to, saving animals is really hard work. The banks down are steep and dangerous, with the current unpredictably strong. There would be countless unreported animals dying in this system. Despite having to constantly remove drowned wildlife from their waterways, Coliban have been unwilling to assist. Will the minister intervene to ensure prevention measures are put in place to reduce this unnecessary and deadly issue?

### **Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:53): (1350) My question is for the Minister for Climate Action. How can my constituents in Southern Metro who live in apartments get support to install solar panels? If you travel around many of the suburbs in Southern Metro Melbourne there are a lot of apartments. In the 1970s there was an apartment building boom, with a lot of three- or four-storey apartment buildings, usually made out of brick. Many of them have not been able to access support to install solar panels under previous programs. That changed thanks to the Labor government. The new Solar for Apartments program gives apartment blocks of up to eight storeys the ability to get rebates of up to \$2800 per apartment or \$140,000 per property to install solar panels. All the residents need to do is get together with their owners corporation and make an application. Applications under round 2 of the Solar for Apartments program close on 28 February. I urge all apartment dwellers, whether they are owners or renters, to investigate the program and benefit from solar savings.

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

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:54): (1351) My question is to the Minister for Police, and I ask: Minister, since the most common location for criminal offences to occur in the City of Casey remains in homes – for example, 10,530 were recorded at the end of the fiscal year in June 2024, which is a 5 per cent increase – what action is being taken by you and this government to ensure that the residents of Casey are going to be adequately protected, because by the end of 2024 the City of Casey had seen an 11.3 per cent overall spike in recorded offences. Last year Victoria Police's acting deputy commissioner of regional operations said the reality is, 'Behind every statistic is a victim of crime.' This is what this government fails to recognise. These statistics are real

people in trouble, and the government just continues to ignore my calls, Victoria Police's calls and the community's call for help.

### Western Victoria Region

**Sarah MANSFIELD** (Western Victoria) (12:55): (1352) The community of Geelong is approaching the end of a lengthy consultation process regarding the environmental implications of Viva Energy's proposal for a floating gas terminal in Corio Bay. As the minister's decision looms, they are left with many unanswered questions, especially when it comes to Viva's unrealistic estimates of the impact of dredging on the bay's marine ecosystem. Minister, Gladstone harbour in Queensland faced extensive delays, cost blowouts and unforeseen environmental impacts when it came to developing the harbour for LNG tankers. In fact fishing in the harbour was temporarily shut down because of the significant impact on the marine ecosystem. So my question for the Minister for Planning is: will the minister require a secondary environment effects statement for the Viva gas import terminal should additional dredging of Corio Bay be required for the passage of LNG tankers?

### Western Victoria Region

**Bev McARTHUR** (Western Victoria) (12:56): (1353) My question is for the Minister for Police. When will you commit to revitalising our police force and incentivising more recruits to urgently address the rising crime rates in Victoria? A simple glance at the Ballarat news and the seven crime-related stories today shows Victoria is in chaos – the crime capital of Australia. A 32-year-old man pleaded guilty to a 12-hour crime spree, including car theft, police chase, bashing and imprisoning a woman. A teen allegedly stole \$150,000 worth of jewellery, threatened commuters at knifepoint and broke into homes, all while on bail. Two days ago marked one year since Samantha Murphy's disappearance – her body is still not found – and the list goes on. And this is just in Ballarat. We need action, not another whitewash inquiry or report. Victorians demand justice.

### Northern Victoria Region

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:57): (1354) My constituency question today is for the Minister for Roads and Road Safety, and it pertains to the situation a constituent, Margaret, currently faces with her drivers licence. Margaret is a diabetic and is required to provide a current medical report to VicRoads to prove her condition does not negatively impact her ability to drive. Margaret submitted her medical report from her GP within the required timeframes, and VicRoads acknowledged its receipt but requested a further report by a specialised optometrist. These reports were completed and submitted and Margaret awaited her VicRoads assessment. In the meantime, Margaret was shocked when she went to renew her licence and was told by VicRoads staff that it had been suspended, without any warning, because it was claimed that no medical reports had been received. Clearly, VicRoads received the documents and has erred by suspending Margaret's licence without any notification. Will the minister ensure that VicRoads follows proper procedure in the future and provides notification to drivers regarding licence suspensions on medical grounds?

### Southern Metropolitan Region

**David DAVIS** (Southern Metropolitan) (12:58): (1355) The Suburban Rail Loop and the Minister for the Suburban Rail Loop are my focus for this constituency question, and many of the stations and the proposed coverage is in my electorate of Southern Metropolitan. This is an absolute debacle. We have seen the risk register and the fact that the government has not dealt with many of these issues. They have not been transparent; they have not been open. The fact is there is a series of corrupt practices that have been occurring at the Suburban Rail Loop Authority, going back to its establishment by James MacKenzie and Nick Foa, the corrupt involvement of Luke Sayers and the significant movement of people from the then Treasurer's office – now the departed treasurer – directly into the Suburban Rail Loop office. This corruption, this incompetence, this outrageous approach needs an urgent investigation and an urgent independent inquiry. We need to have that established. Will the minister establish such an inquiry into the corruption and incompetence at the Suburban Rail Loop?

### South-Eastern Metropolitan Region

**Rachel PAYNE** (South-Eastern Metropolitan) (12:59): (1356) My constituency question is for the Minister for Roads and Road Safety. My constituent is a resident of Rowville. In January 2024 a road fatality devastated his community. In the aftermath my constituent joined other residents in calling for safety measures at the intersection of Wellington Road and Braeburn Parade in Rowville. Father-of-two Yunesh Naidu lost his life when a truck ran a red light at this intersection. Tragically, Mr Naidu is not the first to suffer this fate at this intersection. Locals know this area is dangerous and have spent years pleading for change, yet this government continues to ignore community concerns. So my constituent asks: will the minister commit to implementing speed and red-light cameras at this notorious intersection?

### Northern Victoria Region

**Wendy LOVELL** (Northern Victoria) (13:00): (1357) My constituency question is for the Minister for Roads and Road Safety. Will the government upgrade signage at the intersection of Lorenzs Road and the Murray Valley Highway to a stop sign and improve road safety features, including installing rumble strips on the approach to the intersection? Lorenzs Road runs parallel with Labuan Road, just to the east of the notorious Labuan Road intersection where five people lost their lives in a horrific accident in April 2023. Lorenzs Road shares many of the same dangerous features as Labuan Road did at the time of the accident. It is a country road with a speed limit of 100 kilometres per hour that approaches an intersection with a major highway that is only controlled by a give-way sign and that has an old rail reserve, which causes a hump on the road that obstructs the view of the highway. Local residents have raised concerns about this intersection and the need to upgrade safety at it. Lorenzs Road needs a stop sign and better warning on the approaching intersection, including rumble strips. I urge the minister to fund safety improvements at the intersection.

### Eastern Victoria Region

**Melina BATH** (Eastern Victoria) (13:01): (1358) My constituency question is for the Minister for Consumer Affairs. My constituent from Koo Wee Rup suffered a very frustrating and quite financially debilitating event. She locked herself out of her home. She rang and was quoted \$100 to open it, 5 minutes work, and unfortunately there were standover tactics involved – physical intimidation and verbal standover tactics – by the locksmith, allegedly. Eight hundred dollars later she paid in order for them to go. She has contacted Consumer Affairs Victoria. Your office knows about it, and I am happy to provide additional information with regard to this specific case. But clearly there is something wrong when the department knows that these people are operating – rogue operators – and they are enabled to continue on with their work. So my question is: what is the minister doing to better protect people in Eastern Victoria Region, including my Koo Wee Rup constituent, from rogue operators that your department is well aware of?

### Western Metropolitan Region

**Trung LUU** (Western Metropolitan) (13:03): (1359) My question is for the Minister for Transport Infrastructure regarding the proposed closure of Champion Road. I recently received correspondence from my constituents and the mayor of Hobsons Bay detailing their concern around the proposed closure of Champion Road and a new development at Maddox Road and Akuna Drive. This proposed closure of Champion Road in the current state does not fully fit the best interests of the community at heart. Maddox Road has a primary school and a childcare facility, and the proposed development would increase road usage and reduce overall community safety. So could the minister please update my constituents on whether the government will urgently review the proposed position on the closure of Champion Road, listen to community concerns and put community interests first?

### Eastern Victoria Region

**Renee HEATH** (Eastern Victoria) (13:04): (1360) My question is for the Minister for Transport Infrastructure. Minister, on 21 December last year Hastings station was set ablaze by what was

believed to be a teenage girl while waiting in the waiting area, and Myki terminals were destroyed. Commuters along the Stony Point line are now left with a temporary shelter for a train station. This station was rebuilt in 1980 and, much like other infrastructure in my electorate, was completely neglected by this government. Its condition was absolutely deplorable. There were planter boxes that were empty. Vegetation along the fences was overgrown, and there were potholes everywhere. Minister, what specific plan does the government have to rebuild this station, including the total costs and timeline on delivery?

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

**Richard WELCH** (North-Eastern Metropolitan) (13:04): (1361) My question is directed to the Minister for Public and Active Transport. In Box Hill, in my electorate, the surrounding shopping centre is one of the key hubs for locals to meet, gather and shop, and as part of the train station precinct shopping area, Box Hill Central serves 13 different bus routes that all head to all corners of our city. However, for the past two months and maybe longer the escalators between the bus station and the station precinct in the main shopping centre linking the train station have been out of action – much like the escalators and lifts at Union station. This has been raised with me by several constituents of mine, who worry that the lifts are often overloaded and that members of the public with their shopping in hand are trudging down the concrete fire escape stairs. Will the minister update me and my community on when the escalators at the Box Hill station bus interchange will be fully repaired and back online?

### **Southern Metropolitan Region**

**Georgie CROZIER** (Southern Metropolitan) (13:05): (1362) I appreciate the opportunity to rise and ask the Minister for Roads and Road Safety a question. I was contacted by a constituent last month on 3 January about how she was home-invaded. Four intruders broke into their home in Camberwell at 4:37 am. These are two seniors and they had two cars stolen. One was found in somebody's garage in Lynbrook and the other one was abandoned on the Monash Freeway with ripped tyres. The police were doing all that they could do, and they had nowhere to go. They were contacted about the Lynbrook one, but it took seven days for VicRoads to notify both the police and my constituents that their car had been found on the Monash with ripped tyres and abandoned. So the question I ask is: why did it take seven days for VicRoads to notify the police and the owners of this car that their car was in this state on the Monash Freeway?

**Sitting suspended 1:07 pm until 2:12 pm.**

### ***Bills***

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

#### ***Second reading***

**Debate resumed.**

**Sheena WATT** (Northern Metropolitan) (14:12): It is good to be back here with an opportunity to continue my contributions on the bill before us, and just for the chamber's benefit that is the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. As I was saying before question time, I was talking about our MICA paramedics, and some may recall and some not just how good they are; they are the very best of the best when it comes to emergency health care in this state. With their higher clinical skill set they can perform really technical medical procedures, so any efforts to have more of these highly skilled and trained crew on our roads will ensure that patients are getting the very best care in the most urgent of circumstances.

I am really delighted to continue to make some remarks, and I of course will draw the attention of the chamber to the scholarships that are available, because it is a big thing to undertake a range of studies in paramedic practice and there is now a masters degree available to complement that study. That is available at Monash University, and I am very proud to say that we have got a campus at Monash

University in the Northern Metropolitan Region, one that I managed to spend a lot of time at, and that specialises in pharmacy and other health courses there. I am so pleased to see that the very first intake of students commencing their study in the master of paramedic practitioner course at Monash University will commence their study in February 2025. Can I take a moment to wish them well – all of those students who are commencing their studies this month. We will soon see cohorts of students graduating and immediately relieving the pressure on our hospital network, with the first paramedic practitioners set to graduate and be out in the field in regional Victoria in 2026.

The Allan Labor government is also leading the way in paramedic education with the first centre of excellence in paramedicine. Further west this will be delivered, and that centre will be at Victoria University. That is a partnership with Victoria University, which I know has a long and esteemed history in health education, including a great number of nurses that I understand graduate from Victoria University. There will be capacity there to train around 1500 paramedic students every year at the centre for excellence in paramedicine in partnership with Victoria University. The new centre will also provide state-of-the-art simulation equipment, ensuring that paramedic students and also the paramedics that we have already got out in the field get access to this really high-quality real-life educational experience that they deserve. They are really important to me because, as I said earlier, the Northern Metropolitan Region is home to world-class hospitals, hospitals that support Victorians and indeed interstate visitors from all over the nation.

It is fitting that our government is constantly looking for expert advice to improve our healthcare services and keep them in line with global best practice. This bill before us is in line with evidence-based policies that have been introduced in other international health systems. I will draw your attention to the United Kingdom, Canada and the Netherlands. As I said, the Northern Metropolitan Region is home to some of the very best hospitals in the country, including the Royal Melbourne Hospital. The standard of care there is absolutely exceptional, underpinned by the outstanding work of paramedics, who provide really critical emergency care, which will continue to be embedded in the bill before us. The community will be able to access leading standards of health care without needing to leave their home sometimes, which I know does cause an awful lot of distress for a lot of folks – just the very prospect of entering our emergency departments. Can I say that improving access to urgent care is just so critical. If it reduces the strain on our emergency departments, it can only be a good thing. It will enhance patient outcomes, particularly by integrating paramedic practitioners.

Victoria continues to strengthen its commitment to efficient, accessible and high-quality health care, ensuring timely medical attention in the home, in emergencies, in our communities, and that is and can only continue to be a good thing. Part of this is reducing the barriers for community to access critical medicines when they need them most. Something that certainly has happened with nurse practitioners and now will happen with paramedic practitioners is authorisation under the act to administer particular medicines, and that includes the ability to obtain, possess, use or supply prescribed scheduled medicines. Under current guidelines there are sometimes too many points of contact for people accessing emergency health care. I have got to tell you this is exciting if it makes it easier for Victorians to access all the care that they need as soon as they need it. Included in that of course are efforts to reduce red tape and allow paramedic practitioners to get on with the job of saving lives without being hamstrung by the bureaucracy. I cannot support this enough.

Can I just take a moment to reflect on the contribution made on this bill in the Legislative Assembly and draw particular attention to the member for Melton Steve McGhie. As may be known to particular members on this side, he has been a very strong advocate for changes, particularly during his time as secretary of the ambulance union. He has been a fierce, fierce proponent of paramedic practitioners inside this government, and can I take a moment to acknowledge and honour that. This work has been carried on under the leadership of the current secretary of the Victorian Ambulance Union Danny Hill, representing our hardworking paramedics, who have the wellbeing of all Victorians at heart.

This is an important reform for our state, one that will have positive effects and will change Victoria indeed for the better. I support this bill so strongly, and I commend it to all here in the house.

**Jacinta ERMACORA** (Western Victoria) (14:20): I speak today on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. As has been previously referred to by my colleagues, the purpose of this bill is to establish a new class of paramedics, to be known as paramedic practitioners. A paramedic practitioner is defined as a registered paramedic who has completed prescribed postgraduate studies and satisfied the prescribed experience requirements. The bill will authorise paramedic practitioners to practise autonomously in certain key areas – for example, they will be able to obtain, possess, use, supply, sell, administer or prescribe scheduled medicines. The bill also authorises them to access the monitored poisons database, which is SafeScript, in a similar way to a registered medical practitioner or a nurse practitioner.

The Allan Labor government is proud to have always backed our hardworking paramedics. They do an incredible job, and Victorians deeply value the work they do looking after our loved ones and saving lives 365 days a year, and I want to thank them for everything that they do. I am proud of this government's record of supporting Ambulance Victoria and our paramedics to provide the care that Victorians need in what is often the most stressful moment of their lives: that moment when they have called an ambulance.

Professor David Anderson, Ambulance Victoria's medical director, said on 19 February 2024:

Our focus is on ensuring Victorians get the care they need, when and where they need it – and the skills of our future paramedic practitioners will better help us achieve this.

This bill is one of the many great initiatives that have come out of the relationship of respect and collaboration. We have just reached agreement with our paramedics which will see them remain amongst the highest paid paramedics in Australia. Under this agreement we will be investing in more staff in Ambulance Victoria's communication centre to support our front line. And there was enormous support of the union's vote in favour of the EBA. The agreement also includes a new end-of-shift management procedure, supporting our paramedics to get home sooner and safer.

This positive relationship is reflected in the fact that Victoria will be the first jurisdiction in Australia to establish paramedic practitioners. We learned from the positive experiences in other countries that have paramedic practitioners, in particular, as my colleague Ms Watt said, the UK but also Canada and the Netherlands.

The Minister for Health, Mary-Anne Thomas, said on 19 February last year:

Victoria continues to lead the nation in innovative models of care because our government has always backed our hardworking paramedics – boosting workforce numbers, delivering modern ambulance branches and rolling out advanced training.

And we are making it happen; 25 paramedic practitioners will be on the road by the end of 2026.

Importantly, the first tranche of qualified paramedic practitioners will be developed in rural and regional Victoria. Victorians living in rural and regional areas are more likely to have to travel longer distances to access health care; I certainly know that as one of the long-distance travellers in this chamber. This puts greater strain on the patients, the paramedics who have to transport them to hospital and the emergency departments who have to treat them. Treating people at home where appropriate makes enormous sense, and to quote again Ambulance Victoria's press release on 19 February 2024:

This innovative model of care will complement existing health workforce models and support the delivery of contemporary healthcare that meets the needs of our community, particularly in rural and regional areas.

So what exactly is a paramedic practitioner, and what will they be doing? Paramedic practitioners are specialised paramedics with additional qualifications and experience, and I know that in the ambulance service the additional experience is an important part of their qualifications, not just the actual academic qualification. They will be able to independently deliver urgent care in the field without transporting patients to an emergency department. This includes urinary catheter care, wound care and

closure, minor infections, dislocations and fractures, and they will also be able to administer and prescribe certain medications. It is an important addition to our healthcare service.

In their submission on 4 September 2024 to the department's consultation on the proposed changes, the Australian Institute of Paramedic Practitioners said:

We feel that implementing such a position would enhance delivery of care ... given the Paramedic Practitioner's higher level of clinical practice and ability to provide longer consults, more patient centred care associated around keeping patients, if suitable and clinical stable, at home, within their community.

This enhancement would also benefit the emergency departments, as many patients that would fit the paramedic practitioner response pathway would no longer require transport to an emergency department. Not only does this alleviate the load for emergency departments, but it also alleviates that unavailability of ambulances during that period where they are transporting a patient, who may simply need a catheter change, to the emergency department.

I do note the concern of the Australian College of Nurse Practitioners about the potential overlap. The experience overseas is that the two roles can be complementary, rather than duplicating or displacing existing roles, and we know how overrun our emergency departments are because of the shortage of GPs. International research has shown paramedics collaborating effectively with multidisciplinary teams. I myself have been part of a multidisciplinary team as a social worker in a community health setting. It works very, very well. The Department of Health will provide advice on collaborative practice models for paramedic practitioners and nurse practitioners.

I also note the issues raised by the Australian Medical Association and the Australasian College for Emergency Medicine about the adequacy of qualifications of paramedic practitioners. This bill will ensure that paramedic practitioners receive comprehensive, masters-level education. The training includes supervised clinical experience akin to that required for nurse practitioners. The course at Monash University is based around a robust curriculum designed by a cross-disciplinary team. It includes clinical placement hours and rotations in acute hospital and primary care settings. This is the incredible strength of ambos, particularly in our state. The knowledge that they hold, the experience that they hold – why would we not harness that, bolster it and use it in a logical way?

As Monash University said in their press release of 4 June 2023, the program:

... will deliver care in areas where people are falling through health system cracks, complementing existing medicine and Nurse Practitioners.

They went on to say:

Paramedic Practitioners will train in advanced assessment techniques, diagnostics, clinical decision-making, treatment planning, and legal and ethical considerations.

The Allan Labor government invested \$20.1 million in the 2023–24 budget to establish the role of paramedic practitioner. We worked with Ambulance Victoria, Safer Care Victoria, paramedics, clinicians and unions to develop the pathways needed. The first cohort of paramedics is currently undertaking the nation-leading masters degree at Monash University. A second cohort will begin the course this year. The new degree is being delivered at no cost to eligible paramedics who have more than five years experience in the field. The Allan Labor government is providing scholarships starting in the 2025 academic year. These commitments highlight our ongoing support for paramedics and acknowledge their commitment to their profession.

Since 2014 the Labor government has invested more than \$2 billion into ambulance services, recruiting more than 2200 additional paramedics, delivering 41 new or upgraded ambulance stations and establishing a new centre for paramedic medicine in partnership with Victoria University. This is in stark contrast to the track record of those opposite. Victorians remember the chaos that ripped through our ambulance services under their watch. Response times went backwards every year under those opposite despite there being no global pandemic. As a result, those opposite just stopped

releasing the data of ambulance response times. Most concerning was that this decline was due to not just their mismanagement of the service but their complete contempt of the workforce of paramedics. Paramedics have not forgotten the disgraceful behaviour of the former Minister for Health David Davis in 2013–14. He wrongly accused them of staging a photo at the Frankston emergency department, a practice that would likely be endorsed by the member for Polwarth – and I do say that is my electorate in Colac – at the Colac hospital. He went around calling frontline paramedics thugs, liars, militants, stooges and hard line. When you compare our most recent budget to their last budget, we have invested \$1.4 billion into ambulances compared to \$661.9 million in their budget. The secretary of the Victorian Ambulance Union summed it up best when he said:

The Liberals back then were the virus, the Liberals back then were the factor ...

I don't ever want them near my members again.

The Allan Labor government takes a different approach. We are working with our health services to determine what they need. For example, the government is supporting the training of 40 additional mobile intensive care ambulance paramedics – that is the MICA qualification – with Ambulance Victoria welcoming their largest cohort of MICA trainees in history. These investments are as important as ever, with the latest quarterly data revealing that paramedics attended close to 100,000 code 1 call-outs. We also committed to another Australian first, the first centre of excellence in paramedicine, and this is being delivered in partnership with Victoria University, who are co-contributing \$10 million to the centre, making it a \$20 million total investment. The centre will have the capacity to train around 1500 students per year to become the next generation of paramedics. This partnership between Victoria University, Ambulance Victoria and the government will be located in the heart of Melbourne's west. We know there is more work to be done to get us back to the record response times achieved prior to the pandemic, but this government knows this will only be achieved by working with our paramedics, not against them. I heartily commend this bill to the house.

**Tom McINTOSH** (Eastern Victoria) (14:35): I am absolutely delighted to stand and speak to and support the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. It is a historic piece of legislation. I took the time to have a listen to the contribution of one of our colleagues here Mr McGhie, the member for Melton, who of course was the secretary of the union before coming into this place. I listened to him put into context what it means for workers, what it means for Victorians, what it means for all of us, the work that went into developing this over the years and to be able to see workers being trained to go out into these roles, which are particularly going to benefit regional and rural Victorians. I really enjoyed listening to his contribution because it really shows that to deliver for people, to deliver for communities, it starts with a set of values that can inform a vision, can inform a plan and can inform policies – that you do the work to make legislation to make real-life differences in people's lives, like this. I want to start with a tip of the hat to Steve, the ministers that have held the portfolio over that time and of course the members within the union, the workers and anyone who has looked at examples from around the world of how this can be done and why it should be done and the benefits that it will bring to all of us to bring us to this point.

Paramedic practitioners are specialised. They are able to independently deliver urgent care in the field without the need to transport, not only taking pressure off our hospitals but also assisting people more quickly, which for any of us who have had to call an ambulance – and I had to do this within the last 18 months for somebody – having that skilled support arrive is such a relief in what is a very difficult and traumatic time. To implement this commitment the Allan Labor government invested \$20.1 million in the 2023–24 budget. As I touched on before, we have established Australia's first ever paramedic practitioners masters degree at Monash University. These 30 graduate students who began in 2024 will begin soon, in the coming year. To support those undertaking the course the Allan government is providing scholarships over four years starting in the 2025 academic year.

Paramedic practitioners are used in other international health systems, as I said before, looking at other best practice around the world – the UK, Canada and the Netherlands. I think this sits squarely amongst our commitment to healthcare workers, whether that be nurses and recognising pay gaps, historical



pay gaps for our nurses and midwives and dealing with that, or having a fundamental belief in the need for good pay and conditions for our frontline service workers for the incredible work they do. We know that for those opposite their economic policies are to drive down wages. We know that their fundamental starting point is not one of going out and looking to support our workers, the ones that do so much for our state. When you look through history, whether it is the 1990s, when there were 200,000 workers out the front against Jeff Kennett, or whether it was David Davis in his stint as health minister and the disdain he showed to the health workforce, I am proud to be part of a party that has in our DNA an absolute commitment to workers.

This bill will include a definition of a paramedic practitioner in the act, and a paramedic practitioner will be defined as a registered paramedic who has completed prescribed postgraduate study and satisfies the prescribed experience requirements. To enable paramedic practitioners to practise autonomously, the bill will provide them with authorisation under the act equivalent to a nurse practitioner, including the ability to obtain, possess, use, supply, sell, administer or prescribe scheduled medicines and to access, use and disclose information on the monitored poisons database, and it will require that paramedic practitioners check SafeScript before supplying or prescribing a monitored poison, similar to a registered medical practitioner or a nurse practitioner.

As I said, there are a number of ways we are supporting our ambos and indeed our health workforce, and since coming to government we have invested an additional \$2 billion into our ambulance services. We have grown Ambulance Victoria's (AV) on-road staff by more than 50 per cent, with more than 2200 more paramedics on our roads since the Liberals were last in office. Again, something Steve McGhie touched on in his contribution is the incredible uptake in that workforce. Our workforce responded to increased demand, with more than 1300 paramedics recruited over the past three years, which given all the global workforce pressures that exist I think is an incredible, incredible outcome. According to the same report on the national government services, we had more registered paramedics than any other jurisdiction and Ambulance Victoria's response time is better than that of New South Wales, Queensland, South Australia and Tasmania. Again, coming back to the point, within two years of us coming to government we had ended the war of those opposite with our paramedics and ambulance response times improved to 80 per cent of code 1 cases responded to in 15 minutes.

We know our paramedics are dealing with record demand, but despite this the most recent quarterly data shows paramedics are arriving 16 seconds faster compared to the previous quarter, and to help our paramedics manage this demand the most recent budget provides an additional \$146 million to support a range of operational priorities for Ambulance Victoria, including medium-acuity transport services and expanding AV's secondary triage.

I also want to talk about the investment we are making in infrastructure, and during a contribution I made this week I was talking about the importance of supporting the workforce with their pay and conditions but also the infrastructure equipment around them. I am really fortunate to have had the opportunity to visit our paramedic teams and see the investments that we have made in their facilities. Across Eastern Victoria I was able to visit the team at Mornington in their new building. We have got upgrades in Foster. I have caught up with the teams in Paynesville, Yarram and Morwell. There are new stations to house these teams, who are doing such incredible work that when you dive in and you talk to residents within those communities and the pool of small towns that benefit from them, they are so incredibly, incredibly appreciated. At other times I have been able to catch up with the team up at Maffra and surrounds. It is just a really rewarding time personally, and having known people when I was younger working in the area, I just appreciate what it means for them as a commitment and the sacrifices they make personally and for their families.

At the last election we also committed \$15.8 million to the training and hiring of 40 additional mobile intensive care ambulance paramedics, another type of highly trained paramedics who deliver life-saving care to the most urgent cases. Our MICA paramedics are some of the best in the world when it comes to emergency health care, managing complex head injuries, administering intraosseous – intra-bone – drugs, treating life-threatening chest injuries and providing advanced

management of cardiac conditions. They have a higher clinical skill set and can perform more technical medical procedures. Having more of these highly skilled crews on the road will ensure patients are getting the best care in the most urgent circumstances. We are beginning to see the benefit of this commitment with, this year, AV having the largest ever cohort of MICA trainees in AV's history. This means we will have more of our highly skilled ambos available to respond to the most urgent cases.

Also, there is our commitment to another Australian first: the first centre of excellence in paramedicine. This is being delivered in partnership with Victoria University. The centre will focus on training the next generation of paramedics, providing advanced teaching methods. With the capacity to train around 1500 paramedic students each year, the new centre will also offer state-of-the-art simulation equipment, ensuring the highest quality real-life educational experience for undergraduates, students and paramedics in the workforce. These commitments highlight our ongoing commitment to paramedics and acknowledge their commitment to their profession.

While those opposite might like to laugh and smirk, when you talk to paramedics, they know which side of politics will support them in their pay and conditions and respect the incredible work they do for people in need – the incredible work that touches the loved ones of all of us at various times throughout our lives. They know that it is Labor that will invest in the infrastructure to ensure that they have the buildings and the equipment to work with to deliver that world-class treatment. I am really proud to be part of a government that is delivering Australian firsts, because as I said at the start of my contribution, it is the values we have, it is the values that underpin the planning, the policy and the investment, that can take something from being an idea and over the years develop it into something that results in workers being trained to deliver Victorians continually better health services. I know personally and I am sure on this side it is something that collectively we stand together on, as one, and we are very, very proud of that.

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (14:48): I thank all members for their contributions in relation to this bill and also welcome the very broad support that this bill has across the chamber. At the last election the Labor government was very proud to stand with our paramedics and announce that we would establish a nation-leading paramedic practitioner role in Victoria, and with this bill we are delivering on that commitment. We have already invested over \$20 million in the 2023–24 budget to support the training of our first paramedic practitioners, and with this bill we are providing the legal framework to get paramedic practitioners on the road. I want to acknowledge our hardworking paramedics, who work each and every day to support Victorians with the health care they need, often at their most significant hour of need.

The introduction of paramedic practitioners opens up a new pathway for our paramedics to upskill and recognises the important role they play in the health system. This innovative, Australian-first model of care will complement other health workforce models, including nurse practitioners and general practitioners. This mirrors how paramedic practitioners are used in other international health systems, in particular the UK, Canada and the Netherlands. Having paramedic practitioners on our roads will mean better care and treatment options, particularly for rural and regional Victorians, where they will take pressure off primary and urgent care.

With respect to comments regarding the number of trainees, I want to emphasise that this is the first cohort of trainees, which will be coming online in 2026. I also want to emphasise that this is a national first and that the role and place of paramedic practitioners will establish itself within our system over a period of time. It is also important to acknowledge again that paramedic practitioners will play a role in rural and regional communities initially and that this will make a positive impact on access to urgent care. In essence this is enabling legislation – the beginning of the role not the final rollout. I understand that there will be some questions in committee, which I would be very happy to take, but I do commend the bill to the house.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clause 1 (14:51)**

**Georgie CROZIER:** Minister, I raised in my contribution to the debate some concerns from various stakeholders. I am just wondering what engagement the government had with stakeholders, who were they, and specifically I reference the AMA and also the Australasian College for Emergency Medicine. Could you provide the committee with feedback on the conversations you have had with those two particular stakeholders, given they have some specific questions, and which other stakeholders the government spoke with?

**Ingrid STITT:** Maybe if I deal with the second part of the question first and just give you a snapshot of the organisations that we did consult with. I think that there was quite extensive consultation with peak industry representatives, and there was a consultation paper that was produced called the *Introduction of Paramedic Practitioners*, which formed the basis for the consultation that the Department of Health undertook. I should say that obviously the consultation process followed the approval in principle of the bill so that we could get that early indication from not just peak bodies but also representatives in the workforce about the model.

We consulted with senior representatives from the following organisations: the Australasian College for Emergency Medicine, the Australasian College of Paramedicine, the Australian College of Nurse Practitioners, the Australian College of Nursing, the Australian College of Paramedic Practitioners, the Australian College of Rural and Remote Medicine, the Australian Medical Association, the Australian Nursing and Midwifery Federation, the Health and Community Services Union, the Pharmaceutical Society of Australia, the Royal Australian College of General Practitioners, the United Workers Union, the Victorian Ambulance Union, the Department of Education, the Department of Energy, Environment and Climate Action, the Department of Families, Fairness and Housing, the Department of Government Services, the Department of Jobs, Skills, Industry and Regions, the Department of Justice and Community Safety, the Department of Premier and Cabinet, the Department of Transport and Planning, the Department of Treasury and Finance and Victoria Police.

I will take you to some of the specific feedback from the AMA first. The AMA did express concerns regarding the introduction of the paramedic practitioner role, and they raised a number of key issues around how the paramedic practitioner role would work within the system. I think that the government has taken the view that this is to be a complementary role, and not to duplicate the work of a general practitioner, but it will also, we say, take pressure off the primary health system by having another role in the system that is able to take some of the less complex care away from GPs. I can give you –

**Georgie CROZIER:** I can ask specific questions, if you like.

**Ingrid STITT:** Yes, that would be probably easier, I think.

**Georgie CROZIER:** These are some of the questions that came from the AMA to me, so if I could get some responses. They asked: what evidence supports the appropriateness of paramedic practitioners expanding into roles traditionally reserved for medical practitioners, particularly concerning chronic disease management and prescribing rights?

**Ingrid STITT:** Just one second, Ms Crozier. I have just got to check with the box. I have got a number of different indexes here, so just bear with me for one sec. Apologies.

Paramedic practitioners will focus on providing urgent and unscheduled care. They will be managing acute presentations and supporting chronic disease management within the scope of practice. The

example that was used in the consultation paper was a paramedic practitioner would attend to a patient with cellulitis by ensuring the patient is not at risk of systemic changes, treating a mild case of cellulitis and referring the patient back to their GP for ongoing management and monitoring. This would ensure that the condition improves and the patient's diabetes is managed appropriately. So paramedic practitioners in that scenario would stabilise patients and, as required, refer them back to their GP or to the emergency department as appropriate. Their training would include developing skills in clinical assessment and recognition of red flags that may indicate serious underlying conditions. Paramedic practitioners will have protocols for referral to GPs or specialists when conditions fall outside their scope of practice or when ongoing management is required. This collaborative approach aims to enhance patient care without compromising patient safety, experience or care.

**Georgie CROZIER:** My question was: what was the evidence that was given to government? Was there any modelling done? Was there any evidence? What prompted the government to do this? Was it just because the union wanted it, or was there some evidence to suggest this was required? Where is that evidence to back up the government's initiative?

**Ingrid STITT:** Well, it certainly was not as you put it, Ms Crozier, just because the union wanted it, although I will say that the ambulance union has a very deep commitment to making sure that we are skilling up our paramedics in a way that means that they can support the broader health system not just in emergency situations but through innovative models like the paramedic practitioner role. Of course globally healthcare systems are grappling with some of the same issues that we are grappling with here. There is huge demand for health care. That is not a phenomenon that is sort of isolated to Victoria or Australia; that is the international experience, and that is leading to quite a bit of strain on emergency departments. We obviously looked at other models internationally in the UK and in Canada and in the Netherlands. This paramedic practitioner model in the case of the UK has been in place for around 20 years, so they have got a much more mature model to look to. The evidence is pretty strong that it does help build advanced education and expanded scopes of practice and that paramedic practitioners in those jurisdictions are able to manage urgent care conditions in patients' homes or in the community environment and indeed take pressure off emergency departments. The published evidence highlights the value of paramedic practitioner models in delivering patient-centred cost-effective care. Of course they were all issues that the department looked at very closely.

**Georgie CROZIER:** I am not having a go at the paramedics; I am just trying to understand how it came about. I know that they do phenomenal work. I know paramedics. They do extraordinary work. So it is not having a go at any of them. What I am trying to understand is that evidence. What I think you have said is you have looked at those models from the UK, Canada and the Netherlands and seen that they have been in practice for quite some time, hence you are bringing it in here. Given their experience, can I ask: how does the government plan to address the concerns that have been raised by medical professionals that this initiative undermines the principle of the right care being delivered by the right professional at the right location?

**Ingrid STITT:** Obviously there will still be much work to be done as we settle the scope of practice and also the model as it is rolled out. Bearing in mind that the first group of paramedic practitioners will not be on the road until late 2026, there will be time to speak with all of the key stakeholders. It is certainly the intention of the department and Ambulance Victoria (AV) to continue to work with those representatives of other parts of the health system to make sure that we are building a robust model, including all of the safeguards that you would demand of this sort of system.

Can I just add to my previous answer that international studies have reported between a 14 and 78 per cent reduction in emergency department transport for low-acuity cases managed by paramedic practitioners compared with standard paramedic care. That is pretty strong evidence to suggest that this can take a lot of pressure off our emergency departments for those patients that it may not be necessary or appropriate to take to an emergency department by an ambulance, and this additional resource will help in that regard.

**Georgie CROZIER:** That brings me to another question that I have. The college for emergency medicine raised a number of issues. Obviously you have just said it is a start. The rollout of 25 practitioners cannot possibly have an impact on EDs, right? It is just not going to have an impact, is it, on the EDs? Because these are going to be placed in rural and regional areas; it is not going to make a jot of difference for metropolitan EDs. They say the college is yet to see any evidence to suggest that the paramedic practitioners, especially with the number of positions and the breadth of the health system they intend to cover, could possibly make any meaningful reductions to the ED workload. You are saying the first ones will roll out in 2026. What are the projected numbers you are talking about so that, as you have just argued, there will be an impact on EDs? How many of these paramedic practitioners will that take, and at what point will that have an impact on our EDs?

**Ingrid STITT:** The first 25 paramedics will, as you say, be based in rural and regional Victoria. They will be treating patients in place and delivering a range of benefits not only to patients but also to their families and the system. I do not know that anybody is arguing that it is not a priority to place the first group predominantly in regional and rural settings. It will minimise transport to EDs in rural and regional Victoria, where the distances tend to be a lot further than they might be in metropolitan areas. But Ambulance Victoria's role in our system is obviously more than just transporting patients to hospitals and emergency departments; it is focused on connecting people to the right care. This initiative builds on that effort. The paramedic practitioners are really just one way that we are working to reduce emergency department workloads. We have got the secondary triage services, which connect around 20 per cent of all 000 ambulance callers to alternative providers. We have got the Victorian Virtual Emergency Department, which has seen over 400,000 patients and supported 85 per cent of those patients to avoid an in-person visit, and we have got 29 urgent care clinics open seven days for early-to-late walk-ins for non-life-threatening immediate health care.

I guess the view that the government takes in relation to this is that this is another way, along with a suite of other measures, to try and alleviate that pressure on the emergency department, and those international studies do show that there is a significant reduction in ED transport for low-acuity cases where there is a paramedic practitioner model in place compared to the standard paramedic care. There is the international evidence; those systems are much more mature. We are obviously just starting here in Victoria, and that model will have to be built out, bearing in mind that there is a period of time and a pipeline that needs to be built out because of the study that paramedic practitioners quite rightly have to undertake.

**Georgie CROZIER:** Minister, I suppose where I am coming from is you have just highlighted that the models that have been in place in Canada and the UK and the Netherlands are much more mature, but as you correctly point out, we have got virtual EDs and we have got other models that are taking on those low-acuity cases. Those other countries possibly do not have what you are referring to as the history of how the paramedic practitioners have been operating, and those countries possibly do not have the same level of support as what we have been developing here over the last few years with the virtual EDs and the like. It goes to the point that they are low acuity, as you have just said. So I have got a couple of questions. When these paramedic practitioners attend somebody's home, will there be two paramedics, and will they both be paramedic practitioners or will one be a regular paramedic and one a paramedic practitioner? How will it operate?

**Ingrid STITT:** I think that what I said in my contribution just before we came into committee of the whole was that this is really the enabling legislation, the bill that is before us today, and the model needs to be built. We have been very up-front about the fact that we will work closely with all different parts of the health system, including the stakeholders who engaged with the consultation process, about how we build the model. The exact answer to your question about whether paramedic practitioners would be alone or in a team is the work that will be done next with those stakeholders and with the various parts of the health system. That is to be worked through.

**Georgie CROZIER:** When will that model be complete?

**Ingrid STITT:** We know that we have pretty tight timelines to be ready for the first group of paramedic practitioners coming out of their training and needing to have supervision on the job in the first instance, so it will be before the end of 2026.

**Georgie CROZIER:** I am thinking it through. So you are saying they need supervision, yet you cannot tell the committee whether regular paramedics will be taken out of the system to assist those paramedics that need supervision. I am just trying to work out what impact it is going to have on the regular AV workforce given that is all to be worked through. Surely the government had some idea, and surely you have looked at the models that you referred to from overseas and whatever they have. I am a bit perplexed as to why the basics like this have not fully been spoken about. It seems like the cart is before the horse, given those paramedics are going into specialist training, yet they have not fully understood how it will operate for them. Surely they need to understand their backup and who is going to be driving ambulances if they do need to transport patients to an emergency department or, as you say, to primary care or somewhere else. I am just wondering why that has not been thought through.

**Ingrid STITT:** Well, I do not accept that it has not been thought through, Ms Crozier. I guess what I am saying is this is an additional resource. It is not about tying up existing resources. This will provide additional capacity within the AV structure and workforce. There will be a lot of work done to settle the scope of practice, and that requires work between AV and other parts of the health system, including our emergency departments, including primary care, including community health and the like. Nobody is suggesting that that has not all been thought through, but the actual work to build that appropriate model needs to include all those parties, and that is work that the government has committed to doing in the lead-up to the first group of paramedic practitioners being on the road in 2026.

**Georgie CROZIER:** We look forward to getting a progress report on it.

Another concern from the college for emergency medicine says the consultation paper does not address the question of the program's aim to provide primary care. Again, the question is raised by an important stakeholder. Will they be working the same hours in which primary care services, GPs and urgent care centres are usually available, or will they exclusively work night shifts, when they are most needed?

**Ingrid STITT:** Obviously the operational matters that you speak of in terms of hours of operation and the like are not details that are available now, but what I will say is that the paramedic practitioner role is expected to interact with nurse practitioners, with MICA paramedics, with general practitioners and with other relevant professionals. As I have already said, the paramedic practitioner role will enhance the delivery of health care by augmenting the work of these other health practitioners, particularly in rural and regional areas. The paramedic practitioners will be an extension of the patient's GP and act alongside existing primary care providers. They will be integrating into those primary health teams to ensure efficient and effective patient management, and paramedic practitioners will deliver healthcare services where they are needed the most, and I guess that that will have to be adapted as the model is rolled out. But in other jurisdictions the evidence suggests that paramedics with targeted advanced education and that adjusted scope of practice can actually effectively make a really important contribution to the broader health system in a complementary way rather than duplicating or displacing any other health professional in the system.

**Georgie CROZIER:** Minister, have the areas in rural and regional Victoria been identified where these 25 paramedic practitioners will be located as yet?

**Ingrid STITT:** The initial focus will be on regional and rural areas, and we want to make sure the model remains flexible to address that evolving need, and that includes potentially metropolitan applications in the future, but we have been clear that regional and rural is a priority in the first group. The department will consider operational models where paramedic practitioners can be dispatched

directly to suitable cases, reducing duplication and improving response efficiency. So that approach will be further explored in the development of those final operational details.

**Georgie CROZIER:** Minister, what weight has been given to expert feedback suggesting that this initiative may lead to fragmented care and suboptimal patient outcomes?

**Ingrid STITT:** Obviously the priority of the Allan Labor government is to make sure that all of our investments in the health system, including our paramedic ranks, are about enhancing patient care and health outcomes for Victorians.

**Georgie CROZIER:** So how will the government ensure that this initiative does not result in increased costs for the healthcare system due to fragmented care or adverse patient outcomes?

**Ingrid STITT:** Ms Crozier, I think that will be resolved through working really closely with other parts of the health system, and that is certainly the commitment that has been made to all of those stakeholders who have provided that important feedback. And we need to make sure that people have confidence in the model and that any concerns that they have got are adequately addressed during the work that needs to go into the operating model, and that is certainly the intention of the department and Ambulance Victoria as we get ready to roll out this important role.

**Georgie CROZIER:** We know that we have a significant workforce shortage with healthcare professionals in this state. Is this initiative primarily a response to those shortages, particularly because you have highlighted, or the government has highlighted, rural and regional areas, where we know there are worse response times for ambulance and a lack of primary care, and now with the networks there are going to be greater shortfalls for country and regional Victorians? So were there any alternative solutions the government considered to address the workforce shortages without compromising care standards?

**Ingrid STITT:** I think, Ms Crozier, we have ensured that we have got a record number of paramedics on the road. Since coming into government we have had a very sharp focus on increasing the number of paramedics. This is an initiative that is in response to building alternative models of providing care whilst at the same time taking pressure off our busy emergency departments. You would be aware, as a former health professional, how the system needs to constantly evolve and look at new best practice ways of operating, and I think that is what has driven the introduction of paramedic practitioners. It is about innovating; it is about looking at the evidence overseas but also trying new ways here in Victoria to make sure that Victorians get the health care that they need and deserve.

**Georgie CROZIER:** Will there be a review of this program, and if so, when and how will it be undertaken?

**Ingrid STITT:** The department is partnering with Ambulance Victoria and will develop a comprehensive healthcare utilisation and economic monitoring and evaluation framework that will assess the impact of the paramedic practitioner role. The evaluation will include impact on reducing demand on our – as I have been talking about – busy emergency departments. Like any health service, AV will continuously monitor patient safety and outcome measures to understand any opportunities for improvement as we roll out this model.

**Georgie CROZIER:** I was going to go to a couple of clauses, so I might as well just ask them now while we are speaking about general things. Clause 9 talks about SafeScript. That is a very important tool so that patients' medications and the like can be monitored so they are not being abused, as we know, including the prescription history. On clause 9, the explanatory memorandum states:

The monitored poisons database, known as SafeScript, is a clinical tool that provides access to a patient's prescription history for high-risk medicine to enable safer clinical decisions.

In terms of that SafeScript – and I know that the bill says obviously there are a number of drugs under the current schedules, and they can be added to, just like the nurse practitioner, so I understand that – are there any concerns around the SafeScript program and paramedic practitioners, or is the

government completely going on the model from the nurse practitioners around the SafeScript provision? Is that the case?

**Ingrid STITT:** SafeScript – I am not telling you anything you do not know, Ms Crozier – is computer software that provides prescribers with a comprehensive history of the high-risk medicines patients have been prescribed to help prescribers make better decisions about patient care and to keep patients safe. The purpose of SafeScript is to coordinate care by and between clinicians to deliver the best treatment for the patient, not to instruct clinicians on what to do or decide whether a medicine should or should not be prescribed to a patient. This remains the prescriber’s clinical decision. As registered paramedics, paramedic practitioners will also have obligations under the Australian Health Practitioner Regulation Agency’s (AHPRA) mandatory notification scheme if they have concerns about a clinician’s safe prescribing. They may also seek clinical support through the drug and alcohol clinical advisory service, which can provide advice for managing complex patients.

**Georgie CROZIER:** Thank you for that clarification. I only raised it in light of what I raised in my debate about the IBAC finding and the misuse by practitioners. I think all of those recommendations have been addressed – I do not know that – from that IBAC report from Operation Tone. Are you able to confirm that?

**Ingrid STITT:** I can confirm, Ms Crozier, that Ambulance Victoria accepted all recommendations in full from that report. They have already made a number of improvements, including introducing a new alcohol and other drugs policy and procedures, including testing of all new recruits. They have strengthened the management of professional conduct reporting and investigation practices and increased drug security and auditing, including measures to make branches and medicine rooms more secure.

**Georgie CROZIER:** Thank you very much for that clarification, Minister. Just one last question, if I may. Clause 10 talks about how the paramedic practitioner must take all reasonable steps to check the monitored poisons database before prescribing or supplying a monitored supply poison to that person. That is an important part largely in what we have been discussing around the misuse of medication but also for the patient. What does the practitioner do if they find some anomaly with that? When they are taking reasonable steps, what are those reasonable steps? And when they are monitoring or checking the database, what do they do if they find an anomaly? Is it similar to the reporting that other GPs and others have to undertake?

**Ingrid STITT:** In line with my previous answer, there are still responsibilities under AHPRA for notifications to be made.

**Clause agreed to; clauses 2 to 26 agreed to.**

**Reported to house without amendment.**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (15:29): I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

*Third reading*

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (15:29): 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.

### *Committees*

#### **House Committee**

##### *Membership*

**The DEPUTY PRESIDENT (15:30):** I advise the house that I have received a letter from Ellen Sandell, member for Melbourne, resigning from the House Committee effective 6 February 2025.

### *Bills*

#### **Statute Law Repeals Bill 2024**

##### *Second reading*

#### **Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

**Evan MULHOLLAND (Northern Metropolitan) (15:30):** I rise today to speak on the Statute Law Repeals Bill 2024. As the opposition has made clear, we will not be opposing this bill. The removal of spent, obsolete or redundant provisions is a routine function of the Parliament necessarily, but hardly something to hold up as a sign of effective governance. It is the kind of bill you put up when you do not really have an agenda, when you are still trying to reach in that bottom drawer and trying to find a solution to the state's ongoing woes.

**Enver Erdogan** interjected.

**Evan MULHOLLAND:** I know Mr Erdogan in his heart of hearts probably knows there are things in the bottom drawer that would have previously never been approved by cabinet when they were blocking their ears to the crime crisis they caused when this Premier was weakening our bail laws, but now that there is a crisis of her own making they have all of a sudden realised there is an issue. They have all of a sudden realised that crime is an issue. They have all of a sudden realised that the cost of living is an issue. They are still yet to realise that the state of our roads is an issue, actually.

What this bill highlights is a government with no agenda, no plan and no answers to the very real challenges that Victorians face today while this government busies itself with administrative tasks like repealing section 235 of the Australian Consumer Law and Fair Trading Act 2012, which previously repealed the Carriers and Innkeepers Act 1958, and clause 8 in schedule 4, a transitional provision that is now redundant. Instead of coming here and coming up with a solution to the crime crisis, which could be in the bottom drawer, they are repealing a redundant definition duplicated in Interpretation of Legislation Act 1984 from the Docklands Act 1991. Instead of coming in here and addressing some of the challenges to do with infrastructure in the growth areas of Melbourne and their failure to deliver on that, they are repealing section 9 and schedule 2 from the Filming Approval Act 2014. Instead of addressing the debt, which is heading towards \$188 billion, where we will be paying about \$25 million a day, which is over \$1 million an hour, just to pay the interest on the debt they have racked up on that side of the chamber, they have decided they will use their time to repeal division 2 of part 18 of the Greenhouse Gas Geological Sequestration Act 2008. Perhaps while they are at it they could have a real conversation about the use of gas and natural gas exploration to drive down power prices and provide a solid base for manufacturing in this state.

Perhaps they could address the housing crisis by looking at land taxes, which are driving up rents – and we know that through a multitude of stakeholder organisations. But instead they have decided to repeal section 3(5) of the Marine (Drug, Alcohol and Pollution Control) Act 1988, which removes redundant regulation-making powers in schedule 5. Instead of addressing some of the issues on our roads they have cut road maintenance funding by 81 per cent, from \$201 million in 2023 to

\$37 million in 2023–24. They have had a 95 per cent decrease from 9 million square metres addressed in the previous year in terms of road resurfacing. Instead of fixing the issue of potholes in our growth areas and regional communities they have come here with a big idea from the Minister for Roads and Road Safety, which is to repeal sections 95B and 95C of the Road Safety Act 1986. That is their solution.

When we talk about roads and we talk about the state of our roads, in particular I see it as my residents see it, as my constituents see it, which is as a cost-of-living issue. The state of our roads is a cost-of-living issue, and it certainly is for the people of Wallan, who face these challenges every day regarding the deterioration of their roads. Some might know Wallan only from the viral moment that town residents created when they filled in a VicRoads pothole with a flowerbed, with a flowery garden and shrub, and called it Wallan botanical gardens sponsored by VicRoads, which was quite funny. Indeed what was funnier was that a pothole that was there for some time and had numerous complaints, numerous Snap, Send, Solves, was gone within 24 hours after that.

In all seriousness, people in Wallan describe the state of our roads as a Wallan tax, a tax for living in a suburb like the growing community of Wallan. Wallan is one of those old regional towns that is growing into a growth area – growing into an outer suburb – and with that has not come investment, investment for the amount of new road users that will be using those roads. When my residents say that it is a Wallan tax, it is because residents are forced on average to pay about \$600 a year to get their tyres replaced after they have exploded, have their suspension fixed or have their gears fixed because of the potholes in places like the Northern Highway and Watson Street. Of course we know the threshold for VicRoads to cough up any sort of compensation with potholes is around \$1600 to \$1700. I know some residents, through speaking to them, have racked up that amount in costs over a year, but because it is over several instances VicRoads do not pay up, because it has to be a single instance. That is what I mean by a Wallan tax. My residents have had enough of it.

I do not know how many times I need to keep speaking about potholes in Wallan for this government to notice. *A Current Affair* has been out. That is how bad it is. We have had multiple news stories in the *Herald Sun* about potholes in Wallan. Both the Labor member for Kalkallo, who locals describe as the Labor member for Craigieburn, and the Labor members in Northern Metro do not understand the issues that are going on there and the amount of potholes that are causing this cost-of-living crisis, which means that people are paying over \$1600 a year over several instances, with tyres exploding and damaged suspension, damaged gears and damaged cars. That is why residents describe it to me as a tax on Wallan or a Wallan tax – because the state of the roads is atrocious. The state of Watson Street is atrocious and so is the state of the Northern Highway and the main road. You do not drive on the left side of the road; you drive on what is left of the road in Wallan. I know Acting President Bourman has similar issues in his electorate. This is a reality for the people of Wallan, who are still being promised the long-delayed Watson Street interchange. The money from the federal government has been on the table since 2019 and budgeted. \$130 million was promised by the Labor Party for the Watson Street interchange at the last election, as it was by the opposition, but what they failed to say is that money was inclusive of the coalition's federal government funding of \$50 million, which was budgeted in 2019. All the signs that Labor have say, '\$130 million for the Watson Street interchange', but in fact they have only provided \$80 million. You have still got the federal member for McEwen – the outgoing member for McEwen – carrying on about how \$50 million was an Albanese government contribution, even though Major Road Projects Victoria (MRPV) documents acknowledge that the funding was budgeted and received in 2019, which does not make it an Albanese contribution. That means it was a contribution by the former Liberal coalition government.

We still do not have a start time. We heard last year that planning works would be completed by late 2024, and now the documents have been updated to 'planning works continuing'. We have seen no work underway in Wallan on the Watson Street interchange. No land acquisitions have taken place. Indeed the whole premise of the project, to build the southern-facing ramps, was that you would also duplicate Watson Street. From what I have heard, they have completely removed that from the project.

So clearly when you have budget blowouts in other projects – like the North East Link, the Suburban Rail Loop, the Metro Tunnel and the West Gate Tunnel – it is growth areas like Wallan that pay the price. Wallan is one of the fastest growing communities in Victoria, and to not futureproof a project like this by duplicating Watson Street is outrageous. They have already penny-pinched –

**Michael Galea** interjected.

**The ACTING PRESIDENT (Jeff Bourman):** Order! Mr Galea, you are out of your place. I will not have this place rendered moribund by unruly behaviour. If you are going to interject, interject from your spot, please.

**Evan MULHOLLAND:** They have already penny-pinched their contribution from \$130 million down to \$80 million, and clearly part of that is duping the people of Wallan by removing a duplicated Watson Street from the interchange project. So once again the growth areas of Melbourne get duded because Labor cannot manage money, they cannot manage major projects, and unfortunately it is people in Wallan that are paying the price.

I know my good friend the Liberal candidate for McEwen Jason McClintock has been advocating on these issues and speaking to almost all of Wallan through doorknocking. I have been out with him speaking to residents, and they are furious that nothing has happened. Rob Mitchell told us all he needed was a federal Labor government and a Victorian Labor government to get things done: we would be able to get bulldozers on the ground and we would be able to get diggers on the ground to get going. The federal government has been in for a while now and nothing has happened because of the state government's belligerence, clearly, and cost cutting, which has meant that it is at the back of the queue.

We still have not had a builder approved from MRPV. But all of a sudden, when you have got projects in Werribee and a by-election, they can approve builders very quickly – probably the quickest builder approval MRPV and this government have ever done. It has been done for the Werribee by-election, but unfortunately the people of Wallan miss out. It is because you really just do not have very hardworking members, like the member for Kalkallo and the member for Yan Yean, who do not listen to their community. When the government says, 'We're not duplicating Watson Street; we're going to have to cut that back,' there is clearly just stunned silence and no advocating to keep the duplication of Watson Street in there because you have got ineffective members for Kalkallo and Yan Yean and obviously a very ineffective outgoing Labor member for McEwen as well.

I will not stop fighting for my community. Obviously those on the other side will interject and jeer, but they have not provided this crucial project. They promised planning would be complete at the end of last year, and now the document says planning work continues. It has clearly been pushed to the back of the queue. MRPV is clearly rushing to announce builders on projects in Werribee that have only just received funding. The Watson Street interchange has had funding for a long time – no builders approved, planning work still underway. This is what happens when you have a Labor government that prioritises political interest over the interests of communities and you have the government spending \$35 billion, at least, on the Suburban Rail Loop East while areas like Wallan are still on the V/Line, still have deteriorating roads and still have long-awaited infrastructure projects that are yet to be delivered, again because they are very poorly represented by Labor members of Parliament at all levels. I would say they have been very well served by the advocacy of Liberal candidate for McEwen Jason McClintock and I also would say by south ward councillor and deputy mayor Bob Cornish, who has been a strong advocate for his community and is standing up for his community.

It is important to note, regarding the Road Safety Act – I touched on this yesterday in the Parliament. Indulge me, Acting President, to speak about my own electorate, but it does have to do with road safety. One thing that continuously gets raised with me from residents in Greenvale is the lack of street lighting on Somerton Road, particularly between Fleetwood Drive and Aitken Boulevard, which is

completely devoid of street lighting and is quite hilly. When you are driving in the dark, it is not a very safe place. I have spoken to many residents who have been involved in near misses but also accidents on that stretch of road, which is almost completely dark when you are driving through it. I have had countless representations from residents, representations which I have –

**Enver Erdogan** interjected.

**Evan MULHOLLAND:** Mr Erdogan would be pleased to know that I have received lots of representations from residents. I know he is a local resident, and I would be happy to pass his representations on. I have passed numerous representations on to the Minister for Roads and Road Safety about this stretch of road, so I hope they do not take as long as they did to reopen Fleetwood Drive to put in some streetlights on Somerton Road, because the neglect of Greenvale deserves better. It deserves not to be neglected. This stretch of road is causing us real issues out in the northern suburbs. Many residents not only want it duplicated but just want some decent street lighting. That goes for the northern section of Mickleham Road as well, which is single lane each way. If you are driving in the middle of the night or, like me, you are driving home from a multicultural event that went a bit too long and you stayed around for a bit too long and you got a bit too much food, you are wearing a garb or a scarf and you are driving down Mickleham Road from places like Yuroke or Mickleham, it is quite frightening because you have got cars coming either way and no streetlights available. Given the government have fast-tracked, without community support or council support, the *Craigieburn West Precinct Structure Plan*, putting in about 8000 homes on one side of that stretch of Mickleham Road – a side that they have not committed to duplicating – you would think street lighting would be an appropriate first step, an appropriate commitment. But with all the funds going to the Suburban Rail Loop, the blowouts on the North East Link and other places, I fear that the residents of the north will be left behind and the government will not listen to the community.

But I hope that given the minister at the table is also a member for Northern Metropolitan he can glance across the table at the Minister for Roads and Road Safety and say, ‘I’ve had representations about this. I’m also a local resident, and can you please install some street lighting on the northern section of Mickleham Road and on Somerton Road, because not only will it help me, it will help the community?’ I would greatly appreciate the minister making that kind of contribution, because we know that when communities or when Labor members have advocated on other parts for this kind of stuff they have been met with deaf ears. That kind of advocacy would be really important in terms of road safety.

I did not intend to talk about this, but I will. One thing that is causing a real threat to road safety is the North East Link, particularly for residents of Macleod, of Yallambie and of Viewbank, because of the parking situation for North East Link workers. This is something that I have barrelled up the member for Bundoora about and spoken to several Labor MPs about. The fact that there is no set parking for North East Link workers around there has meant that you have hundreds, if not thousands, of cars, big utes, parked in suburban streets. We have had lots of residents miss their garbage collections because of the parking situations. You have got North East Link workers parking out the front of childcare centres where it specifically states there is no project parking, which has created a really dangerous situation. But we saw the other day that the government has forced over 7000 people to sign non-disclosure agreements regarding the North East Link project, and that just seems an incredible amount to do and goes to the transparency of this government and openness of this government to be forthcoming. I know on 3AW on Jacqui Felgate they started talking about the North East Link in Bulleen and the kinds of issues they are having, and almost every caller was from Macleod, was from Viewbank and was from Yallambie calling about the parking situation.

I for one am a big supporter of the North East Link and have long been a supporter of the North East Link, and as Mr Welch would remember, it was actually my older brother David as the Liberal candidate for Jagajaga in 2016 who was the first to advocate for the North East Link and promised funding for the North East Link – remember, this is long before the state government committed to the North East Link – and was advocating to fix Rosanna Road. Having grown up in that part of the

world, I know the issues that Rosanna Road faces. The way the government have managed this project is a problem, because they have forced silence out of the community. They have not engaged properly with the community. They have signed over 7000 non-disclosure agreements, and I worry that you have got a tunnel in the Suburban Rail Loop that is actually shallower, that will cause more issues. How many non-disclosure agreements are they going to get locals to sign for that project? If they are having this many issues with this project, obviously they are going to have a lot of issues with the Suburban Rail Loop.

I support the North East Link, but you have got to have some scrutiny, particularly when you go from about a \$5 billion price tag to a \$10 billion price tag to a \$16 billion price tag to about a \$26.9 billion price tag. But this is also what happens when you have Jacinta Allan as the responsible minister for all that time. When she was busy with other things like being the Minister for Commonwealth Games Delivery, the North East Link was blowing out massively, and again it is causing a huge road safety issue for those communities. I was very pleased to attend, with my colleagues Jess Wilson, Matthew Guy, Richard Welch and the federal member for Menzies Keith Wolahan, a North East Link community forum at the Veneto Club in Bulleen, and we would have had about 400 people attending. More than a thousand residents expressed interest in coming and sent emails as questions. The North East Link project were invited; they declined. Any representative was invited; they declined. The minister was invited; they declined. Any government representative –

**Sonja Terpstra** interjected.

**Evan MULHOLLAND:** Ms Terpstra says that she was not invited. We asked the minister or any government representative to attend, and they all declined. So we had 400 people in Bulleen, and the issues were huge in terms of environmental issues, in terms of pollution, in terms of light pollution and in terms of noise, and the government solution to all of this seems to be to just sign a waiver: 'Just sign a waiver, and we'll make it go away.' But the community is strong; the community is resilient and will not be silenced. They want to have their voices heard, and I would have thought the least this government could do is send along a government representative to at least listen to the community, to hear what the community has to say. But unfortunately, they were found wanting.

**Richard Welch** interjected.

**Evan MULHOLLAND:** Yes. The printer had run dry from NDA forms. So roads are obviously a very big issue in my electorate. I am looking forward to Mr Erdogan passing on my representations about Somerton Road and about Mickleham Road and particularly the pothole crisis that we are facing in places like Beveridge, in places like Wallan and in places like Mickleham and Kalkallo as well.

**John Berger** interjected.

**Evan MULHOLLAND:** Mr Berger has previously told me to stop talking about Donnybrook Road, but I will not. I will mention again Donnybrook Road, because they have got a single-lane farm track –

**John Berger** interjected.

**Evan MULHOLLAND:** I am actually in Wallan about twice a month. I have been doing the Wallan market every month since I was elected.

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Order! It is getting hard to hear Mr Mulholland, and it would be handy if we could hear him down here.

**Evan MULHOLLAND:** I have never seen the member for Kalkallo in Wallan. I have been in Wallan a lot. Mr Berger says no-one has ever heard of me – over 1000 people in Wallan, about 1300 people in Wallan, have signed my petitions to fix Wallan's potholes. So they clearly have, because I am the only one advocating on their behalf, because no-one else is. If you knew Wallan, you

would know that Wallan residents often call the member for Kalkallo the member for Craigieburn, because she never visits Wallan and has forgotten this community. But I have not forgotten about this community. Neither has the fantastic Liberal candidate for McEwen Jason McClintock, who has knocked on almost every door in Wallan.

People are suffering. People are suffering a cost-of-living crisis and people are suffering because of the roads crisis that they have created. The fact is that the state of the Northern Highway and the state of Watson Street are a disgrace. They are complaining about the fact that the government promised to duplicate Watson Street as part of the Watson Street interchange, and now they have reneged on that. So they have forgotten the people of Wallan because they are plunging everything into blowouts, from the North East Link to the Suburban Rail Loop. They have forgotten the people of Wallan and they have forgotten the people of Donnybrook along Donnybrook Road in Mickleham and Kalkallo as well, where you have got a single-lane farm track.

**John Berger** interjected.

**Evan MULHOLLAND:** And Mr Berger would be interested to know the government recently reduced the speed limit on the Hume going north from 100 kilometres an hour to 80 kilometres an hour. Why is that? Because of exit congestion at Donnybrook Road. Why is there exit congestion? Because the government has failed to duplicate the bridge over the Hume and the rest of Donnybrook Road. When the Liberals were in government, we sat the developer down in Mickleham and we signed a developer contribution agreement which duplicated the Mickleham side of Donnybrook Road, funnily enough, when Mickleham was being built – before people moved in, not years after. The government now owes millions of dollars to the City of Hume and the City of Whittlesea in development contribution grants, but it has failed to stump up and it has delivered nothing for these growth areas.

**Michael GALEA** (South-Eastern Metropolitan) (16:00): I always enjoy the opportunity to rise and speak on the statute law bills that we are faced with in this place from time to time and including today with the bill that is before us. I always enjoy having the opportunity to speak after my colleague Mr Mulholland over there as well. Quite an interesting speech today, as I was appreciating and enjoying the twists and turns it was taking, particularly in linking everything to his particular part of electorate. I think we heard ‘Mickleham Road’ maybe 20-odd times or thereabouts. I thought for a minute there you might have been in trouble, Mr Welch, because we seemed to be straying into a bit of your region, into Bundoora, into Watsonia, into Rosanna, which reminded me of that great level crossing removal in Lower Plenty Road, Rosanna, which has significantly improved traffic around that area.

I did mention in the chamber yesterday that I did for a couple of years live in Prahran. In fact when I was young I lived in Bundoora for a brief period as well, and I know, going back there today and seeing those level crossing removals, what a difference it has made. At Keon Park station, where I used to get the bus down Keon Parade to school in primary school, there is an incredible new station there. There are yet more examples, whether it is in Reservoir, whether it is in Keon Park or whether it is in Rosanna, just as there are all across the south-east, all the level crossing removal projects that have actually made a huge difference, whether you are in the south-east, whether you are in the north even or whether you are in the west as well, such as I mentioned yesterday, the Cherry Street level crossing too in Werribee. What a difference that is making, and indeed when I was out with our fantastic candidate in Werribee John Lister –

**A member** interjected.

**Michael GALEA:** I note your Werribee candidate did not cop a mention in your speech, Mr Mulholland, but I am very happy to be giving a fair plug to John Lister, a local Werribee teacher, a CFA volunteer who rents in Werribee, who is going to make a great difference to his community, building off the legacy of 10 years of Labor government, which has included seven new schools. Just

as in your electorate, Mr Mulholland, I missed from your speech the part where you spoke about the brand new Greenvale Secondary College opening a few years ago, and in fact stage 2 of Greenvale Secondary College, funding for which has been secured by the outstanding local member there Iwan Walters – another example of this government’s commitment to education as well as transport and health. As we have discussed many, many times in this place, there have been many, many projects that Mr Walters, the member for Greenvale, has been able to secure. So it has been very, very nice for me, having lived in that area a very, very long time ago in those north-east suburbs, to hear them come up again. Indeed I am not sure if you are going after Mr Welch now with his region, but if you are speaking, Mr Welch, I look forward to your contribution as well. Perhaps you could get him back and start talking about Greenvale too? I know Mr Walters will be all too enthusiastic to hear you mention his seat as well.

I could of course go into many other areas, but I think it is important to touch on some of the various acts which the bill before us today will seek to amend. It starts with Australian Consumer Law and Fair Trading Act 2012, the Docklands Act 1991, the Filming Approval Act 2014, the Greenhouse Gas Geological Sequestration Act 2008, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Road Safety Act 1986 and the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 as well. There is quite an array of acts in there. Now, one that jumped out that is not something that we typically see in this place was the Filming Approval Act, some amendments there to the Filming Approval Act 2014. We know that Victoria is one of the hearts of the creative industries of this nation, and that is definitely true in the case of film and TV production. In fact a recent show produced in Victoria, again with the assistance of Film Victoria, was *High Country* for the Showcase channel on Foxtel, a terrific police procedural show set up in the High Country, with some beautiful scenery. If anyone has not seen it, I strongly recommend that you watch it and support some great local Victorian-made content and remind ourselves of just how beautiful our state is too.

In fact whilst you are up there, if you are up in the Lake Eildon region, you can then go onto the water and enjoy that safely with the changes to the Marine (Drug, Alcohol and Pollution Control) Act, which set those regulative controls around Safe Transport Victoria and around safe boating and not being under the influence when operating a water vessel, which is a very important thing, because we want people to get out there, enjoy the great outdoors that we have in this state in places such as Lake Eildon and in places such as the Murray River, Western Port Bay, wherever it might be, but to do so safely.

With amendments to those two acts, we can see ease of filming continue in Victoria but we can also see the regulations and responsibilities around Safe Transport Victoria enhanced and improved to enable them to operate more effectively. Indeed I should clarify for the benefit of colleagues across the chamber that the Filming Approval Act, whilst very important, does not in this instance cover covert recordings, so secretly taped recordings are not covered by this. I know they like to engage in that in their party meetings, in their meetings with their own members and with their colleagues. They like to record each other as much as they can. I am sure you have got a very big hard drive yourself, Mr Mulholland, at home, with all your little caucus meetings in there and all your preselection meetings as well. Indeed I am sure it has your conversations with Mrs McArthur when she came for you – two votes short. I know you clinched the victory over Mrs McArthur despite her regal rise to the front benches, despite her knocking off others there and pushing some other people down the corridor. You have held onto your seat in the chamber. One across, perhaps, but you have held onto your seat, Mr Mulholland.

**John Berger** interjected.

**Michael GALEA:** Closer to the door – but that is not kind. I congratulate you for that, Mr Mulholland. I am sure that you will continue to rely on your recording devices whenever Mrs McArthur is near, whenever she is watching you. Because we know that that knife-sharpening machine in your party room is working at full capacity. It has not been put away. We see that this week. We see it in the Assembly. We see you are still just as disunited as you have ever been. You

cannot be trusted to govern for Victorians because you cannot even trust each other. That is the situation that we still find ourselves in week after week in this place.

We have a new Leader of the Opposition, the member for Berwick. He is from my region in fact, a region where we have invested a great deal in new roads, in new schools and in health upgrades, including the Clyde Road level crossing removal in the heart of Berwick, which has made a huge, huge impact. We had the now opposition leader bringing up all sorts of issues about that, but it is working terrifically.

**Ryan Batchelor** interjected.

**Michael GALEA:** There were a few things he did not like out there. Schools – we have got three new schools that have opened just in the last week in Clyde North in the Berwick electorate alone. There are two primary schools and one high school, adding to the very many private schools which we have also supported with some government funding as well in that electorate. So whilst those opposite come in and try to deflect from their bruises and from their failings of two years – it feels like longer than two years – of complete chaos and division, here we come again and see that the seats may have changed, everyone might be in a new seat this year but the chaos and the division is just the same as it ever was. Isn't it, Mr Mulholland?

**Evan Mulholland:** On a point of order, Acting President, on relevance, there are a lot of things that this bill refers to, but it does not refer to the opposition.

**The ACTING PRESIDENT (Jacinta Ermacora):** Mr Galea, please return to the bill.

**Michael GALEA:** Thank you, Acting President, disappointed as I am, though, as I was giving Mr Mulholland considerable leeway.

**Ryan Batchelor** interjected.

**Michael GALEA:** I will take up Mr Batchelor's interjection that, yes, they are a bit of a car crash. But there are many, many important acts this bill does seek to cover. As I said, it is a part of the process of this place that we do come in and discuss from time to time statute laws, refine those bills and acts that are already in place without a whole new bill in each case. It is important to do that work. I know Mr Mulholland likes to sort of denigrate that, and he has done that a few times in his remarks. He has given a bit of a sideways jab at these sorts of bills. But they are an important part – not as important as other things we continue to do in this space, not as important as many of the investments in health, in education and in transport infrastructure that this government is continuing to do as we do our bit for Victorians so that they can have as strong a future as possible.

It is always enjoyable to speak on these bills, but perhaps not as much as it was around 12 months ago when we had some unexpected controversy – maybe it was a bit longer – when members opposite were outraged that they were being reclassified, having the monarchy removed. They thought it was a subtle ploy to remove the monarchy from Victoria. Of course nothing could be further from the truth, but those members of His Majesty's most loyal opposition opposite, as they prefer to be referred to – indeed it is disappointing that our new frontbencher Mrs McArthur is not here –

**Evan Mulholland** interjected.

**Michael GALEA:** You are a republican, Mr Mulholland, so it is even more disappointing to me that your newly minted shadow cabinet colleague Mrs McArthur is not here, because I am sure she would be revelling in the opportunity to once again be referred to as part of His Majesty's most loyal opposition. That is the sort of thing those opposite like to bring to this place. Indeed earlier in the week we thought that the first motion they were going to bring under the new broom – under the new leadership – was going to be a culture war motion about Australia Day. You changed your mind on that. I guess you may have won that battle, Mr Mulholland, over Mrs McArthur. I can only presume. I am making a wild assumption about where things are, but you guys are very transparent. In the very



first week under the new leadership we would have been debating something that happened a couple of weeks ago, bringing us back to the culture war and bringing us back into Peter Dutton's vicious negative cycle of throwing rubbish everywhere.

**Evan Mulholland:** It is not a culture war, it is settled. People love Australia Day.

**Michael GALEA:** Indeed, but again, apparently you guys want to talk about it, so there we are. But instead we got some not-at-all-political motions about a couple of by-elections this week. As I said, we are never shy about talking about our record and our plans for the future, more importantly, because we do have a strong record but that means nothing if we are not going to stand here and say what we are going to do next. That is what a good government does. It does not just rely on the past; it says, 'This is what we've done, but more importantly we're hearing you and this is what we are going to do next.' And that is exactly what John Lister, our candidate in Werribee, will do as well. As I say, he is a local to Werribee. He does not need to hitch a lift with the Minister for Education on the way into his electorate. He is a teacher; he knows the issues. He is a CFA volunteer. He is a renter – not a real estate agent, a renter – and he knows the issues. As someone trying to buy his first home, he knows what young homebuyers are going through. He, like other millennials, knows how hard it is to get into that housing market.

We have an opposition over there who do not care about that, who do not care about getting young people into homes, who would rather see more and more development on the outskirts with no infrastructure and no investment. We saw at the last election a plan by the Liberal Party for 55,000 new homes in the outer suburbs of Melbourne with not a single matching infrastructure or service plan – not a single piece of infrastructure or service to match those 55,000 homes – because that is your policy. Never mind having sensible infill development in inner to middle Melbourne that would actually provide those millennials and those gen Zs and alphas after them with a chance to live where they want to live – in the outer suburbs, in the inner city or in the regions. You would force them all out to the outer suburbs with no choice. That is no choice at all. 55,000 new homes are what you promised, with no infrastructure plans announced to go along with them.

That was under, of course, your previous, previous leader, Mr Guy, the current shadow – what is his role, Ms Watt? Shadow for returning to government? Maybe it is shadow for being the next person to roll the opposition leader. That is probably what it means. Maybe when Mr Guy comes in for his third attempt to fight a state election, if he does come out with a plan to offer 55,000 homes on the outskirts of Melbourne, he can actually come to that with a plan to develop the infrastructure and the services along with them, because that is what Labor has done. Whether it is the schools, whether it is the roads, whether it is the other transport or whether it is health upgrades, that is what Labor has been doing for well over 10 years across all the outer suburbs of Melbourne.

Meanwhile we recognise the fact that as wonderful as these places are and as much as many people do want to live there, including in my electorate and yours, we should not be forcing people in terms of where they live. We should be giving them that option. If you want to live in the outer suburbs, great; if you want to live in the inner city, great. But those over there say, 'No, we're fine. We've got ours. You go out to the outer suburbs. We'll keep our nice little lots in Brighton and Hawthorn.' No wonder you are in such trouble even those areas, because people there know that their kids cannot get into that housing market and you will not provide them with those options. So that is your plan for Victoria. It really is no plan at all, and once again we see Mr Mulholland in this motion today raising up all sorts of points to deflect from the fact that, as he knows, his colleagues, should they get the chance to come back into office, will be the NIMBY government of Australia.

**Evan Mulholland:** On a point of order, Acting President, on relevance, I could not find anything about the opposition once again in any of the acts that this government is changing.

**The ACTING PRESIDENT (Jacinta Ermacora):** So just listening to the debate, it has been very broad on both sides.

**Richard WELCH** (North-Eastern Metropolitan) (16:16): I have found this whole debate very educational. I have not seen such a freewheeling, almost – dare I say – conversational debate in this chamber. So that has been a new experience, and I intend to continue in the same vein; I think we can have a nice fireside chat about this bill.

This bill is about repealing things that are obsolete or are out of date. I guess in some senses the first impression is that there should be some other things in here that should be repealed that are out of date – things like Treasurer’s advances, I think they should be in here, because that is something that is clearly past its use-by date. It is now something that even the Premier has admitted has been used inappropriately, so that probably should have been in here.

I think if we are also repealing things that are out of date, I think the housing targets should probably come off, because they are out of date and will not be met, so they are probably obsolete. I thought the 2024 budget would be in here, because I think that should be coming off the books, because that was out of date within about three months of being issued. It is a fairly redundant document, and most of the key transactions took place off-budget, so that probably should be out of here. I think the other one – the Suburban Rail Loop costings should be in this and the SRL act should be in this, because there is no plan being followed there. That is all redundant as well. But it is not about those things. There is a good list of things in there.

**Harriet Shing** interjected.

**Richard WELCH:** Well, yes, the risk assessment, that should be in there as well.

**Harriet Shing:** It is five years old.

**Richard WELCH:** That is right – it is old, yes. The Road Safety Act 1986 – some of the conversation pursued into the areas of road investment, and we had an interesting discussion about the Wallan diamond and the Watson Street duplication. That has been like a pea and shell game, where the state government did not fund it and then they funded it and then the federal government did not fund it, and the Labor members in that area have danced around that project for a good 10 years now. The region has always suffered from a lack of proper advocacy from the Labor members in that area, and it is actually a relief to that community now that they have got a Liberal candidate in Jason McClintock, who is actually genuinely fighting for work to be done. Jason McClintock – if you did not know, the Liberal candidate for McEwen – is probably the best candidate we have had there since Fran Bailey. Fran Bailey was the only one who actually delivered anything in her tenure.

There have been 10 years of a barren wasteland in the McEwen electorate. I can attest, with significant personal knowledge of the area, that nothing has been delivered in that area. There has been excuse after excuse after excuse from there, with a fair bit of body language as well. The people of Wallan – and the people of Kilmore, for that matter, with the Kilmore bypass – have been waiting and probably have reached the point where they are so cynical about the Labor Party’s promises for their area on roads that they have given up. But thankfully, they have an advocate in Jason McClintock, who is willing to do something about it. They have an advocate in my colleague Evan Mulholland. He is willing to stick up for the community. And of course, David Mulholland was the person who advocated for the North East Link. No-one on the Labor side had the imagination to come up with something like that, so thankfully we removed the inertia from those areas as well.

Another area that is being removed from the statute books relates to the Docklands Act 1991. For me, it is good that is coming off. I think it has very, very strong parallels with the laws around the new activity centres. What we could all say in retrospect is Docklands in its execution has been an appalling set of urban planning. It did not meet anywhere near the potential that that region represented and a lot of it is that instead of providing choice and instead of addressing quality of life, it said, ‘Let’s just build towers.’ It was unfettered development – ‘Let’s build towers’ – and the quality of life in the Docklands is very poor, which is why the amount of accommodation that has been taken up there is very, very small for the actual capacity that exists within that area.

**Harriet Shing** interjected.

**Richard WELCH:** No, families are not rushing to the Docklands, and we are now replicating that in areas where there is good quality of life – in Box Hill, in Burwood, in Blackburn. The urban planning design there is to build tower blocks and put families into those tower blocks if they can indeed afford to buy flats. So it is not providing choice. It is actually almost a Stalinist approach: ‘We will build the accommodation. You will live there, and you will live according to the quality that we define.’ So it is very, very bad urban planning. It will not achieve the outcomes desired. In fact what it is doing is it is taking investment that is needed on the fringe areas and putting it into the areas that have reasonable equilibrium of infrastructure for people. So what we will end up with, as we do in all Communist areas, is everyone will be equal but they will be equally miserable because the outer suburbs will not have infrastructure. They will have population but no infrastructure, and then we will double the population somewhere that has adequate infrastructure so that it is in a sense atomised, so you are degrading the quality of life.

Like the Docklands, what we had was great potential and what we ended up with was degraded quality of life. That is the vision of the government for Box Hill, and that is the vision of the government for Blackburn. The residents of Blackburn, I think, are waking up to the very rude shock that their shopping strip is going to be torn down and towers are going to replace it. That suburb, with some of the best tree canopy in Melbourne, is going to be denuded by intense development. And what will they get instead? Nothing. There is no benefit to them at all. This is not serving the needs of the local community; it is serving the needs of the government to raise tax, if indeed it knew how it was going to do it, because of course there is no formula for the value capture tax. The Docklands is, I guess, the analog. It is the precedent. It is the example that is being followed, and I predict it will have equally disastrous results for them.

I think I will end my contribution there. Thank you, everyone, for the conversation, but I do think we are supporting this bill.

**A member** interjected.

**Richard WELCH:** We are not opposing it.

**Ryan BATCHELOR** (Southern Metropolitan) (16:24): I am pleased to rise on the Statute Law Repeals Bill 2024 today. I am a bit disappointed that Mr Welch ran out of puff there, because I would have liked to have had more from him in his exhortations about why living in apartments is really bad. He spent most of the speech in reference to his critique of Docklands, talking down his nose at those Melburnians who live in apartment buildings. As a representative of southern metropolitan Melbourne, where we have some of the most wonderful areas, some of the most densely populated parts of the country in Southbank –

**Harriet Shing** interjected.

**Ryan BATCHELOR:** Well, we are working on that. In other parts of southern metropolitan Melbourne, particularly if you look at that precinct around Chapel Street and Toorak Road, there is a lot of significant development that has gone on there. I do not think if you walked down the street on Chapel Street or on Toorak Road, whether you walked down City Road or Kavanagh Street, whether you walked down to Port Melbourne or whether you walked into South Melbourne, that you would tell people that they had made the wrong kind of decision about where they lived. That is what Mr Welch was doing, looking down his nose at people who live in apartment buildings, telling them that they have a second-class home and that the families – as my colleague Ms Watt was pointing out by way of interjection – who have chosen to call Docklands home and who are enrolling their children in such great numbers at Docklands Primary School, a school that is continually expanding –

**A member** interjected.

**Ryan BATCHELOR:** It is a great school, and it is a great school because of the demand from the families who are living in Docklands, the ones that Mr Welch says have a second-class form of housing – a form of housing that he turns his nose up at. We on this side support people who wish to live in a variety of settings, whether they want to live in detached homes, whether they want to live in semi-detached homes, whether they want to live in multistorey apartments. We want to support Victorians to make their housing choices and have the opportunity to get housing that meets their needs, whether that is in Docklands or whether it is in other parts of the city or other parts of the state. This government has an agenda to support people to get the housing that they want, the housing that they need, in the communities that they choose and want to live in. That is my reflection on the parts of Mr Welch's speech where he was most impassioned in deriding those who choose to live in apartment buildings, in multistorey dwellings.

The Statute Law Repeals Bill, before us today, is part of the necessary regular tasks that we have as legislators to make sure that our statute books are free from obsolete, no-longer-used, no-longer-necessary provisions. I have been elected now for a little over two years to this Parliament. This is now the third calendar year of this parliamentary term. I think when all of us are elected there are a lot of things that we think about and that we get provided advice about. A lot of that is about the time we spend representing our communities, engaging with our communities, having discussions with them – I know you, Acting President Ermacora, are spending a lot of time in Western Victoria, giving the people of Warrnambool their first Labor office in a very long time, if at all – so that is an important part of the job.

Just as necessary is a task that is probably a little under thought of, which is our role as legislators. A key part of what we are doing in here every day – above the hubbub that occurs through certain parts of the day – is that we legislate. The votes that we take, for the most part – excluding the motions and other things – result in the laws that govern how this state operates. It is a significant task that we have and one that we should never take lightly. Part of that responsibility as a legislator is to make sure that our statute books are maintained in a way that ensures that obsolete and redundant provisions – provisions that previously had operated with an intention and purpose but due to the operation of those principal acts and their amending acts and due to the passage of time are no longer necessary – do not remain on the statute books. It is an important part of the housekeeping, if you will, of curating our statute books here in the state of Victoria, that obsolete and redundant provisions in the law are routinely taken out such that things that no longer apply are no longer there. If you do not undertake such a regular program and regular process of keeping the statute books free of obsolete material, you end up with legislative anachronisms that sit and fester on our statute books, and having obsolete anachronisms sitting around and festering is in no-one's best interests, least of all the people of Victoria.

This legislation before us today seeks to make amendments to a handful of acts that have such obsolete and redundant provisions in them, including amendments to the Australian Consumer Law and Fair Trading Act 2012, the Docklands Act 1991, the Filming Approval Act 2014, the Greenhouse Gas Geological Sequestration Act 2008, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Road Safety Act 1986 and the Yarra River Protection (Wilip-gin Birrarung murrnong) Act 2017.

The first of those is obviously the Australian Consumer Law and Fair Trading Act, and I want to, in discussing consumer law and fair trading law here in the state of Victoria, briefly congratulate the new Minister for Consumer Affairs, the member for Bentleigh, Nick Staikos, a colleague and friend of mine. We share a street where our offices are located, Centre Road in Bentleigh. I am near the Aldi, and he is at the moment down near East Boundary Road in East Bentleigh. Nick and I catch up a lot. We do a lot together, particularly with local schools. He has been a tireless advocate for local schools in the local community in and around the electorate of Bentleigh. Following a redistribution before the last state election parts of the boundaries of Bentleigh were changed, and some of the duty areas that I look after, which are now not in Bentleigh, he used to look after. In particular we spend a lot of time working with the Hampton East School, the merger of the old Katandra and Berendale specialist

schools. With the construction of brand new facilities there, Nick and I went and opened those new facilities last year. Nick has been a fantastic advocate for his local community for the last 10 years, since he was elected in 2014, and his elevation to the ministry at the end of last year as the Minister for Consumer Affairs I think is a recognition of his hard work and achievements. I also know that he will conduct himself as a minister of the Crown, as Minister for Consumer Affairs – also as Minister for Local Government but relevantly here as Minister for Consumer Affairs – with the same sort of enthusiasm, vigour and dedication as he has done as a member and as a parliamentary secretary over the course of the last two and a half parliamentary terms. I wanted to pass that on.

One of the first things that Nick got to do as Minister for Consumer Affairs was make the announcement with the Premier of the government's new fair fuel plan. Part of the way that this Labor government is strengthening consumer protections here in the state of Victoria is by introducing a new plan to make sure that motorists get a better deal at the pump when they fill up their cars with fuel. We all know the frustration you can feel when you know you need to fill up your tank, driving either a short or a long distance, and seeing petrol prices move around. One of the things that this government wants to do is give Victorians certainty about what the petrol prices are going to be on any given day and also make sure that the information about where the cheapest fuel is is able to be easily communicated to motorists so that they can shop around and get the best deal. The fair fuel plan, which was announced by the Minister for Consumer Affairs and the Premier just a couple of weeks ago, will do just that. It is going to require petrol stations to make sure that they lock in their petrol prices in advance for 24 hours so that there cannot be a fluctuation during the day. We no longer have that frustration of driving one way past a petrol station and seeing it display one price and then maybe a couple of hours later on our way home driving back and finding the price has gone up by 10, 15 or 20 cents per litre. That will be a thing of the past here in Victoria.

Most important I think is ensuring that as part of that price setting there is a collection and distribution of that price information to consumers, to motorists, so that we will know where the cheapest petrol is in our local area and can drive to make sure we fill up and get that price, saving motorists money – saving Victorians money. It is not going to change the world. It is not going to change the international oil market. But it is a little thing that we can do to make life a little bit easier for Victorians and for Victorian motorists, and if we can shave a few cents off every time we fill up at the petrol pump – fill up our cars with fuel – even if it is just a few cents, as everyone who is watching their household budgets carefully at the moment knows, a few cents here and a few dollars there all adds up.

That is what this fair fuel plan that the Minister for Consumer Affairs and the Premier announced just a few short weeks ago will absolutely do. It will make sure that Victorians have information to enable them to get the best deal when they fill up their car, and that is going to help ease, a little bit – a little bit – some of the cost pressures on families. If Labor can help even just a little bit, it is something worth doing. We are always going to do things to help with the cost of living for Victorian families, and we will always be there supporting Victorians to make sure they get the best deal that they can.

One of the other pieces of legislation that is before the Parliament here today which I want to make special mention of is the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017. There are some small provisions in that act. One provision is dealing with Yarra River land protection, which has commenced and is spent and therefore no longer has any work to do and will be repealed by this statute law bill. I just want to make mention that obviously the Yarra, the Birrarung, is the northern border of the Southern Metropolitan Region. I had the pleasure the other day of taking the kids down to Studley Park – we had an ice cream at the Studley Park Boathouse – and it was just spectacular seeing summer fun on the Yarra River in Melbourne. I would not want to go in the water necessarily, but people were certainly having fun on top of the water. People were having fun on the banks of the Yarra. This bill, through the principal legislation, the Yarra River protection act, which this statute law bill repeals a redundant provision from, is really landmark legislation that is about ensuring that the wonderful Yarra River, the Birrarung – which, as I say, runs as the northern border of the Southern Metropolitan Region – is in good health and is protected for generations to come, so that many families

like mine can spend a Sunday afternoon getting an ice cream on its banks and enjoying the wonder that it is.

There is so much more in this legislation that I could spend probably another 15, 20, 30 minutes talking about. Sadly, my time today dealing with the statute law bill has come to an end. There are a range of other pieces of legislation that, sadly, I have not been able to speak about here, including the Road Safety Act 1986, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Filming Approval Act 2014 and the Greenhouse Gas Geological Sequestration Act 2008. I am sorry that I have not had a chance to get into those at this point in time, but I am sure others may have that opportunity, and I hope in the future I get to have another chance to speak on these bills.

**Nick McGOWAN** (North-Eastern Metropolitan) (16:39): It is a great honour this afternoon to stand and speak on this bill, although –

**Harriet Shing**: It's an honour to listen to you.

**Nick McGOWAN**: Well, thank you, Minister. It is a pleasure to be here, and I will try to make it somewhat informative.

**Ryan Batchelor** interjected.

**Nick McGOWAN**: I could not help but hear, even from the far distance of my office from this place, that you were talking about some fair fuel policy the government have, and I was thinking about that on the way up here as I walked up to the chamber. I could not help but muse on the fact that I thought that it would have little impact, sadly. I hate to disappoint you, Mr Batchelor, but I think it will have very little impact on the cost-of-living pressures that Victorians are facing – in large part because of your government of course, but not just your government; it is shared equally perhaps with the federal government, who are equally incompetent and in very many ways contributing to the increasing costs that our families are facing right across the state and right across the country, I regret to say. But nonetheless road safety of course is an issue that is close to my heart. It has been well noted in these past days, particularly the last couple of days, that we have got off to a very poor start indeed. And I say 'we' as being all Victorians. No-one wants to see the road toll and lives lost on our roads. What we ought to be doing is actually achieving zero. I was going to say we want it to be as little as possible; that is not true. We do not want anyone to be dying on our roads. There are many reasons for that, and year after year we try and eliminate those reasons and make it safer for motorists and pedestrians.

It was not that long ago, near on 12 to 18 months, that I mooted the idea that what we ought to be doing, certainly working with our federal counterparts, was having a policy where all cars were required to have their driving lights – but you do not just need to have driving lights, you can have any lights, parking lights, whatever you want – on during the daytime. The suggestion I made was really picking up on work that had been well and truly done and studied and researched. Because what it showed was that if you had driving lights on, as I said, or parking lights or other lights in addition to those indicators – clearly we cannot be driving around with an indicator on everywhere we are going when we are going forward – that it actually reduced the chances of having a fatal accident. And it was not only a fatal accident but any accident for that matter, particularly at dusk and dawn. That is critical. It is by no means new of course, because those who live in regional and country Victoria already know this. Those who live in country and regional Victoria, as the minister would know, have done this for quite some time. Do you drive with your headlights on, Minister, or your parking lights?

**Harriet Shing**: Do I drive with my parking lights on?

**Nick McGOWAN**: Not your parking lights. But if you had to?

**Harriet Shing**: Metaphorically, probably.

**Nick McGOWAN:** I sometimes find myself in park, and I try to find the D for drive. I get up in the morning and I just keep going. That is what I do.

**The ACTING PRESIDENT (Jacinta Ermacora):** Mr McGowan, through the Chair, please.

**Nick McGOWAN:** Stick shift. That is where we got up to. Sadly, Chair, I do have a stick shift, as some call it.

**Harriet Shing** interjected.

**Nick McGOWAN:** I think it is amazing. In fact perhaps I can put forward an amendment for this chamber to consider. Perhaps we should suggest that all Victorians are required to learn how to drive a manual car before they are given an automatic licence. Because one could argue, I think, quite successfully that if you can drive an automatic car, you cannot actually drive a car at all, all you can drive is a dodgem car. That is about it.

I digress slightly, but nonetheless if you did find yourself in a manual vehicle and you were not able to drive it, that would be very unfortunate one would think. It also aids the driver to understand the vehicle they are driving and to understand the gears and how to use the gears, going up in gears, going down in gears, controlling yourself around the corner and using all those aspects of a vehicle for the purpose of road safety. So that was the suggestion I made quite some months ago, maybe a year and a half ago, with respect to driving lights. Notwithstanding that they are standard features on new vehicles, which is a very good thing, nonetheless we still have very many vehicles on our roads, including my own vehicle I will admit, which are somewhat older than new. In fact mine is not quite antique, but it is going to head toward that point. I think I have got something in the order of close to 500,000 k's on my beautiful Beast. It is a Toyota, and it is still going strong.

**Harriet Shing** interjected.

**Nick McGOWAN:** Well, I just call it the Beast, but it does not resemble the presidential beast that I am actually probably channelling here. It is certainly not anywhere near the value of that beast nor does it provide the same level of protection, sadly.

**John Berger** interjected.

**Nick McGOWAN:** At 500,000 k's I think it is just warming up. It has got a long life ahead of it. Sadly, as I go back to something here for a moment, anything we can do on our roads to increase safety I hope will in these months and years ahead be efforts and measures that we actually adopt. I recall very well being on Spencer Street at the police headquarters. There they have a tree, and every year they put an ornament on that tree for every life lost. It would be a magnificent thing if that tree was to stand there naked one year and have not a single ornament to mourn the loss of a single life. All too sadly, that is simply not the case.

The other aspect that concerns me greatly in terms of road safety is buses. Buses, like helicopters, go down with clockwork-like regularity. I refer to helicopters because in my time certainly in Africa it was never a fond occasion that you would be flying in a UN helicopter, because they have a particularly poor track record. Planes were not much better, but by comparison, helicopters I tried to steer well and truly away from. Well, in Australia, buses, for me, are a very big problem, and this came into stark attention certainly for me when, all too tragically in the early months of being a member of Parliament, there was an accident in New South Wales that included a large number of Victorians. Tragically, not only were there lifelong injuries from that accident but deaths as well. It strikes me that we have not learned from that accident in a way that I think we ought to have and that we continue, at least in this state, to manufacture buses that do not have seatbelts. It sort of seems the logical and obvious thing to do, but I am standing here in this chamber in 2025 and we are about to put off the production line here in Victoria tens of millions or hundreds of millions of dollars worth of new buses, and it is not mandatory to have seatbelts in public buses. It is a massive missed opportunity. I will never for the life of me understand why we do not require, in this day and age, seatbelts on public buses.

We ought to also have a complete redesign of buses. Buses ought to be, like they are at the airport, designed so that the driver is completely separate from the passengers, in a completely separate cabin. That ensures two things. It ensures that the driver – he or she – is always safe. We cannot say that that is the case as it currently stands. We all have seen way too many examples where a driver is attacked. If you completely separate the two and put them in a completely separate compartment, then their exposure to violence is reduced dramatically, very significantly. You would literally have to smash glass to get through to the driver. I would much prefer that all new buses have that kind of design.

When you talk about the interior design for the passengers, I would much prefer, again, that we looked at a design similar to the United States, where the school buses have a single aisle and they have seats either side, in the same way that a 737 or an A320 have seats either side – three on the right and three on the left. Again, what we would actually do is eradicate – get rid of – standing areas. If you have a bus trundling down the Eastern Freeway, any part of CityLink, the Mornington Peninsula Freeway or the Western Freeway at 100 kilometres an hour, it will only take one vehicle – or one bicycle, for that matter, one motorbike – to accidentally encroach upon a bus lane and suddenly you will send a bus either into other traffic or onto a median strip, and you will have very serious, I dare say, deadly consequences. It is a ticking time bomb waiting to happen. And I know as much as I say those words, those words will come to life, because we in this chamber will stand up in the months ahead at some point and there will be a tragic accident. There was an accident not too dissimilar to this which involved children in Bacchus Marsh. Thankfully, none of those children died, but they will have lifelong scars, mental scars, and some of them had injuries too. As I say, it is fortunate that they did not die, but not fortunate that they were in the accident, and certainly not fortunate that, for the rest of their lives, they will have traumatic memories and in some cases injuries from what occurred.

So we ought to have seatbelts in buses, we ought to have the drivers separate from the passengers, we ought to have no standing, and in addition to that, we ought to have a grade of glass on either side of the buses that means that when the bus does experience an accident, the passengers are actually protected from the glass, because the irony today is that such is the low standard of the glass on the sides of buses – so if you are a passenger, you are looking out the window on the right or left side heading forward – that glass will not necessarily disintegrate into millions of little pieces like your windshield would. It will actually splinter, and it does not take too much of an imagination to understand that when glass splinters, it forms in the shape of shards, and those shards are deadly. In too many accidents those shards will be a catastrophic cause for injury and death to the passengers and the driver alike. It will be indiscriminate, and it will fly everywhere because that is precisely what it does on impact. When a bus is involved in an accident, when a bus collides with a vehicle, so much of the injury that will occur is avoidable, because if we only had a better grade of glass, it would never be the object of harm that it actually is.

I understand we are building some of these buses right here in Victoria, but standing in this place I cannot understand for love or money why we are about to embark on this significant public expenditure or investment in what is a convenient transport form – convenient because it is not reliant, like a train, on a rail system and a rail network – but nonetheless is demonstrably less safe. I hope that before this Parliament ceases and my time is done in this place that we in Victoria actually turn our minds to road safety in a comprehensive way that does not just look at pedestrians, does not just look at motorcyclists and does not just look at vehicles – who drives them, their design, what we can do and how we can use technology to avoid injury and death – but we also look seriously, for the first time in way too many decades, at buses, because the other element here that I have not discussed in great detail is that it is not just commuters and workers coming into the city and going to their suburban jobs and their regional towns and cities day in, day out, there are also tens of thousands of children and students who use school buses. Not all of those school buses are private charter companies, which do have some seatbelts; very many children, including in the electorate of Ringwood and very many of the schools – these are some of the conversations I have had just recently – rely on the public network to get from school to home and from home to school. Right now they do that, and we have the knowledge that they are doing that in vehicles that really are substandard in respect to their safety,



substandard in respect to the safety of the driver and certainly substandard in respect to a collision that involves a number of vehicles, because it will result in the worst possible outcome.

In conclusion, while there are many aspects of this bill in particular which seek to address a number of issues, I can only hope that in the future when we talk about road safety and things that need to be done, buses are at the forefront and what is driven and the objective we have is to make sure that all commuters, when they use public transport, particularly buses, do so in a much safer manner than they do today.

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (16:54): To say that I have a sense of immense moment about the opportunity to speak on the Statute Law Repeals Bill 2024 on the Thursday afternoon of a sitting week would be somewhat of an understatement, because there is so much in this Statute Law Repeals Bill that warrants very careful consideration and analysis, and I am grateful for the opportunity in these next 14 minutes to be able to at least scratch the surface of the rich vein of detail in the various pieces of legislation that are improved as a consequence of, hopefully, a resounding level of support for this bill and its passage. A number of speakers from around the Parliament have been united in the importance of addressing the statute book in a way that does enable us to have a clearer understanding of the intention of legislation and in a way in which we better reflect the world around us and the way in which rules and regulations occur, whether that is through our consumer law – and I will get onto that in a moment – or the Docklands Act. There is obviously a very clear connection between my work within precincts and Development Victoria and that portfolio and the Docklands Act 1991. In the 49 days that I have had responsibility for the new portfolios that it is my honour to serve in, the Docklands Act has been a very familiar part of my reading list. It does occupy, much to probably the horror of anybody following along at home, a pretty prized position on my bedside table.

There is also the Filming Approval Act 2014 as well as the Greenhouse Gas Geological Sequestration Act 2008, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Road Safety Act 1986 and the Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017, again another piece of legislation which was very, very dear to my heart in the former portfolio of water, which I was again privileged to hold until it was allocated to my dear friend and colleague Gayle Tierney to continue with. I know that it is down to the importance of a nuanced and unambiguous approach to lawmaking and to continuous improvement that helps us to do better as a Parliament.

On the Australian Consumer Law and Fair Trading Act 2012, I do want to touch on this by reference to the work that newly appointed Minister for Consumer Affairs Nick Staikos is undertaking in this space. Consumer Affairs Victoria does an exceptional job of making sure that not only do we have a good access point for people to be able to understand what their rights and obligations are but that we have an opportunity for public education on what it is that traders can do, what they are not reasonably able to do and where and how we find a pathway through any inequities or imbalances that might arise.

I did want to, by way of example for the chamber, touch on the consumer legislation and a matter which came to my attention when I was walking back to my city accommodation the other night. As is my wont, I am fond of a walk through various department stores. It is a nice way to pass some time and to get some contact with the outside world beyond the colour and movement of this place – which I know we all treasure – and which is important to have as a counterpoint to what it is that people do when they are in a world that does not involve thinking about politicians each and every day. When I was at this department store, which shall remain nameless, trotting down the hill en route to my reading for the evening at my accommodation, I came across a tag on a particular item of clothing. This tag was two-sided, and on one side of the tag it said, ‘By choosing this department store’s cotton products you are supporting our investment in Better Cotton’s mission.’ There was a big logo there that said ‘Investing in Better Cotton’ with a link to presumably the site for Better Cotton. That is all fine until you turn over the tag and it says, ‘This product is sourced via a mass balance system and therefore may not contain Better Cotton.’ The paradox of what was discovered here with the simple act of

turning over a tag at this department store was something that was not lost on me as a result of what happens here and this careful education that we have about the importance of words, the importance of accuracy and indeed in this sense the importance of good consumer protection.

I think there is always more work to do, and clarifying the way in which laws operate is important. When we look to the definition of ‘subordinate instruments’ and the way in which the removal of redundant provisions owing to duplication is addressed in the Docklands Act, we can see that this is a process which enables law to do better. Wherever we can be lean, where we can have an economy of words in the way in which we draft our laws, we are doing better to perhaps move away from any conclusion that people might reach, probably unfairly – certainly in Mr McGowan’s case unfairly – that words are wasted in this place, because they are not. What I would say is that the phraseology, the content, the detail and the process, the traditions of this house in particular, are lean as a whippet; they are streamlined; they are geared towards a better understanding of the law and the statute book –

**Nick McGowan** interjected.

**Harriet SHING:** Well, Mr McGowan, you have used the word ‘svelte’. I do not want to word shame here, so I am not going to use that particular phrase; that might be something that if you were to seek by leave to make a further contribution on, you could put onto the record. I do not intend to do that at this point in time.

But when we talk about economy of words, the Statute Law Repeals Bill and these amendments are intended for us to streamline the statute book. If anyone is ever so privileged – ‘privilege’ being quite a pun there, because we note the nature of parliamentary privilege and all that it entails – as to sit here in the Parliament overnight, and we have done that a couple of times, there are many, many corridors. I have likened this place to Hogwarts, because around every corner you can find a treasure or a terror. There are many, many mahogany items of furniture. There are many things that are capable of housing documents. There are volumes and volumes. I suspect they may have started as all being leather-bound and that we have since moved to a more sustainable model, perhaps involving some form of Better Cotton initiative – or not. You might turn it over and it says in fact there is no Better Cotton in this particular product, referencing back to the example on consumer law that I gave earlier.

What I would encourage anyone to do in the event that they find themselves wandering, lonely as a cloud, at 3 o’clock in the morning or even indeed at 2 in the afternoon, is to go past one of these vast mahogany Tardises, to open one of the drawers – obviously not in someone’s office; do not do that –

**Nick McGowan** interjected.

**Harriet SHING:** Not the bottom drawer. Well, Mr McGowan, you might want to open the bottom drawers of various cupboards and cabinets that you come across. I am actually just interested in seeing what it is that those fine red volumes can tell us about the operation of law over time. One of the things that I have discovered late at night is – and I say this as somebody who has a copy of the Docklands Act on my bedside table as evening reading, and that is a recreational pursuit for me as well as a professional one. Thank you, Mr Tarlamis, I might just grab that for a second if I may. I am actually allowed to use notes for the purposes of understanding and making my contribution – that is within the standing orders.

**Nick McGowan:** Will you table it?

**Harriet SHING:** Well, Mr McGowan, I have in fact accessed a document which was quite literally on the table therefore rendering the act of tabling redundant, which again brings me back to the earlier point about removing redundancy from our statute book. Speaking of that, here comes Mr Davis. Now, Mr Davis, I am really glad that you are here, because I was just getting to the point of removing redundant phraseology from our statute book. When we go through the volumes from, say, 1851 and we look at any kind of removal of regulation for sheep dip or the changing of fence perimeters and primary material requirements in and along the Wimmera region, it makes for excellent reading – it

does, it really does – as much as anything because it is a time capsule to the evolution of this place. Some might say this place has not evolved nearly to the extent that we might like it to, but I would say as a woman I am here in this Parliament and that constitutes evolution, because it was not that long ago that not only was I not allowed to be here, but I was also not allowed to have an education, let alone a microphone. But that aside, people are probably wishing that that was still the case for the last category there.

What I would say is that when we are in a position to better understand the nature of good lawmaking, lawmaking for proper purpose, then we talk about economy of words, that lean-as-a-whippet approach to our statute book. Again, you used the word ‘svelte’, Mr McGowan; I think that is uncharitable. What I would say is that we are in a position to be better and to do better. When we talk about current legislation that is repealed, that is not in fact going to affect the operation of other acts, it is important to remove doubt wherever we can possibly find it. It is incumbent upon us to be certain about the work that we are here to do, and what could be a better example than the Filming Approval Act? This is a piece of legislation which makes consequential amendments to other acts because those provisions have commenced and are spent. The last thing we would want to see is for our exceptional, world-class film, short film and creative industries to suffer as a result of any ambiguity in the interpretation and the interaction of various pieces of legislation. Nobody wants to see any delay, whether it is sitting in a cinema waiting for a film to start or whether it is in the understanding about when and how provisions of legislation have commenced, such that they would interrupt a filming approval process.

Maintaining our statute book in an accurate way is also important so that it is accessible to the public. Access to public enjoyment is one of those things that we take great pride in in this place. It is not something that is intended to reflect upon a party-specific position. The entire chamber is united – I am sure I speak for everyone here – in talking about the importance of orderly and accessible public access. When I look to the gallery and the thousands of people who are gathered here this afternoon to hear what it is that we are in the process of doing, I can think of no better example to really spotlight the excellent contribution that this place makes to the canon of democracy than what is happening right here and right now. Downplay it though ye may, do so at thy peril is what I would say.

I would imagine, again, for the many people who have travelled considerable distances to be here in the gallery this afternoon, that these will be treasures that they will take with them and tell to their children, in the same way that I have taken the stories of sheep dip and fence regulation amendments from the 1850s and shared that with you in the Parliament today. It is almost as though everything old is new again, except new and improved. This is where, again, there is no end to continuous improvement. We do have opportunities to make sure, for example – and I will go back to the Filming Approval Act – that we have the establishment and promotion of film-friendly principles for the issuing of film permits by public agencies and reducing red tape. The only red that we should see in our film industry, particularly here in Melbourne, is red carpet. That is something that we have excelled at, and that is where efficiency comes in. The dividends are plain for all to see.

We have got a lot to do here, and it is omnibus approaches to statute law revision that again reflect our commitment to efficiency, simplicity and, again, the real economy of words. I hope that I have demonstrated that here today. This is an opportunity for me, as I always do, to get straight to the point and to make sure that points are made in an unambiguous way that do not contain florid turns of phrase, that do not contain unnecessary Shakespearean references and that do not actually seek to create any misapprehension, for example, about the popularity of this particular debate.

In the remaining minute that I have, what I do want to talk to is the work that has gone on to reflect, for example, the careful process of consultation. Nothing says ‘consultation’ better I think than the work of this chamber here this afternoon. We are in the process of working through the product of rich engagement with our communities around the refinement and the improvement of our statute books. What I would suggest is that when the many people who are gathered here in the gallery today read the public record of this debate, they will be left under no illusion as to the quality of the contributions that are made, they will be left under no illusion as to the seriousness with which we have all applied

ourselves in this debate and they will be left under no illusion as to the work that our statute book has to do in making sure that laws withstand the passage of time, in the same way that this place has withstood and will continue to withstand the passage of time and the inevitability of progress. I commend this bill to the house.

**Wendy LOVELL** (Northern Victoria) (17:09): I also rise to join the debate on the Statute Law Repeals Bill 2024, which repeals redundant or spent provisions across seven Victorian acts. We have just heard 15 minutes of why we need to remove things from acts. Yes, we do need to keep modernising acts, as the minister who spoke before me and I had an exchange on in question time. Many things need to be updated as they go along. Whether they be risk analysis of all the very risky projects that this government is undertaking or whether they be the statute law, everything needs to be reviewed and updated as we go along. We make changes to various acts on a daily basis. Sometimes several acts are changed in a day here in Parliament. Each act interacts with the others and can have a consequence on other acts, so we need to make sure from time to time that all those things are kept up to date and that interaction is right. We also often have in these statute law reform bills just the replacement of a comma with a full stop or something to correct grammatical errors –

**Harriet Shing**: That saves time.

**Wendy LOVELL**: Yes. But also when we do this and we look at the various acts that we are amending, it gives us an opportunity to speak on some of the things that those acts affect in Victoria. In this particular Statute Law Repeals Bill there are amendments to the Filming Approval Act 2014, and one area that has been subject to many filming approvals is the beautiful Mount Rothwell in Little River. This, according to Catriona Rowntree, is actually the number one film location in Victoria, so it would have been subject to many filming approvals over the years. But what does this government think the beautiful Mount Rothwell in Little River is good for? It thinks it is only good for putting solar panels on it. This is going to destroy this area, and Catriona has been very, very vocal against this particular project. She lives in the area, and she knows the impact that this will have. In the *Herald Sun* on the weekend Catriona said:

This is actually the no. 1 film location in Victoria. This has been the scene of so many incredible movies and productions, bringing in a fortune for the local government.

This incredible area Vic Labor is now considering covering ... with a solar farm in its rush for renewables.

They want to put a lithium facility in a fire zone.

What did Little River ever do to the Labor government? I don't know why you keep picking on us.

This is something that is echoed in many, many communities around the state. In my own electorate there is the Cooba solar factory that the government is proposing on the beautiful Mount Camel range in Colbinabbin. The one at Colbinabbin will be a 2500-acre – or 645-hectare – area that will be covered in 740,000 solar panels, with 300 batteries that are the size of shipping containers. There are over 30 wineries that have established themselves on the Heathcote-Rochester Road to make use of the beautiful views from Mount Camel and will have those views destroyed because a solar factory is proposed by this government, totally out of keeping with the area in a prime agricultural –

**Tom McIntosh**: President, on a point of order, I do note that the member was talking about solar panels from a section on the film act that was related to a particular part of Victoria. Now we are sort of going on a wide frolic of an anti solar panel agenda across all of Victoria. I just do not think it is really staying within the act.

**The PRESIDENT**: This sort of legislation covers a lot of things. I will bring the member back to the bill.

**Wendy LOVELL**: I was finishing up on that point anyway, but I was just making the point that it is not just filming locations; it is also tourism locations and prime agricultural land that is being destroyed by solar factories under this government.

But another act that is amended by this Statute Law Repeals Bill is the Road Safety Act 1986, and that covers a lot of roads across Victoria. Of course what we know is that every road across Victoria is riddled with potholes. They are in an appalling condition. Just this week I have raised two road safety issues in the Parliament. I raised Lorenzs Road in Strathmerton, which is an intersection between Lorenzs Road and the Murray Valley Highway that is extremely unsafe due to it being a 100-k road that intersects with a major highway and is just controlled by a give-way sign. It has a hump in the road from an old rail reserve that actually obscures the view of the highway and the fact that you are approaching a major highway, and it needs safety improvements. It needs a stop sign and it needs some rumble strips to tell people that they are approaching a major intersection.

I have raised other road issues this week, but today I had an inquiry from the *Wangaratta Chronicle* about an issue that has occurred in Wangaratta. On Monday a lady tripped. She tripped on a manhole covering. It is sort of like metal but filled with concrete, this covering, and the concrete had deteriorated so badly that it had created potholes within the manhole covering. She tripped on that and was actually hospitalised with upper-body injuries. The council had identified this manhole as being a state government responsibility and had notified the relevant authority several times, but no-one did anything about it until somebody was badly injured, somebody was hospitalised. Within just a few hours of that incident occurring they came out and repaired it. Well, if they had repaired it when it was first reported to them, the lady would not have been so badly injured that she needed to be hospitalised.

Another issue that I am deeply concerned about is that regional Victorian road deaths to date this year have almost doubled compared to what they were last year, and this is reflective of the state of our roads. It is a real concern that this is happening in regional Victoria, and we need the government to invest in regional roads so that we are not seeing so many accidents and so many deaths in regional Victoria. In fact it has got to the point that it is so bad that when two Chinese tourists were recently killed in an accident the Chinese government actually issued a warning to tourists coming to Australia about the dangerous state of Victoria's roads, encouraging their tourists not to drive on the roads in Victoria because of the very poor condition of Victorian roads.

We have a number of other roads that either are in poor condition or need upgrading, and Donnybrook Road, which Mr Mulholland and I continually talk about in this place, is one that is in a dreadful condition. It is an old country laneway that is now servicing a growing population of people in Donnybrook and Kalkallo. It is a huge expansion that has gone on out there, but this old country lane that is riddled with potholes is the only access and egress that they have from many estates along the eastern side of the freeway. If you come out there tonight at about 6:30, you will see cars backed up onto the freeway trying to get off and across the flyover bridge onto Donnybrook Road and you will see cars backed up the entire length of Donnybrook Road. It takes them hours to get in and out. There have been several fires on that road this year that have been a real problem, there was an accident before Christmas that kept people out of their homes for hours on end and in fact one child who was in a car backed up on Donnybrook Road ended up in hospital due to dehydration from being in the car and unable to move anywhere for so long. That is an indictment on this government. There are no footpaths on Donnybrook Road, so people who are trying to walk to the station are battling with cars on this single-lane laneway that really should be a dual-carriage major road.

Yan Yean Road stage 2 is also something that we continually raise in this place, because it is, again, a country road that is trying to support an edge-of-the-city, metropolitan population. It is full of potholes and it is dangerous as well. This government keeps saying, 'Oh, we're going to do that, we're going to do that,' but they never get around to doing it. Well, the people of Yan Yean are absolutely sick of this government. They have had enough. They want Donnybrook Road upgraded. The people that live in the estates on Donnybrook Road also need a second road that will allow them an alternative entrance or exit from their homes when Donnybrook Road is cut off because of an accident or a fire.

Echuca Road in Mooroopna is a classic. It has been pothole ridden for probably three years, but the government have been very, very slow to act on that road. They are finally doing some repairs on that road, and I can tell you the people of Mooroopna are very happy.

*Members interjecting.*

**The PRESIDENT:** Order! Interjections are unruly, and if you are going to interject, you should be in your place – but they are unruly even if you are in your place.

**Wendy LOVELL:** The gentleman who lives just near the worst pothole-ridden section of Echuca Road came out to see me last year when I was taking some photos of it, and he said he had not had any sleep for months, because of the trucks going over these potholes that were keeping him awake at night. That road should have been upgraded long ago. It is finally being done, but there are many, many more in our electorate.

The Midland Highway on the first turn-off to Tatura – actually coming from Tatura as you turn onto the Midland Highway – is in shocking condition. Just before Christmas there was heavy torrential rainfall. There were about nine cars that actually burst their tyres or damaged their rims, which were all pulled over on the side of the road changing tyres, changing wheels, because of the damage that was being caused to cars by the deplorable condition of roads here in Victoria.

I could go on and on and on. There are so many more roads that I could talk about. Particularly I would like to mention two bypasses: the Shepparton bypass and the Rutherglen bypass, which it is absolutely essential to build. Shepparton was cut off from Mooroopna during the floods because it did not have a road above flood level. We need that bypass to give us a road above flood level that will not cut off the east and west of the state on a major transport route. We also need the Rutherglen bypass planned and delivered, because at the moment trucks are going through the main street of Rutherglen and accidents are happening. We had a pedestrian killed there last year. We had a truck leave the road and go through the verandah of a cafe. It is absolutely dangerous, and this government could not care less. This government have got to start doing the basic things that need to be done in this state, providing for the people the basics of road safety, and that means fixing the potholes, fixing the roads.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:24): I move, by leave:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

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

### **Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024**

*Introduction and first reading*

**The PRESIDENT** (17:25): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Residential Tenancies Act 1997**, the **Estate Agents Act 1980**, the **Owners Corporations Act 2006**, the **Conveyancers Act 2006**, the **Sale of Land Act 1962**, the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** and for other purposes.’

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:25): I move:

That the bill be now read a first time.

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

**Harriet SHING:** I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.***Statement of compatibility*

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:26): 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 Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024 (the **Bill**).

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

**Overview**

The purpose of the Bill is to acquit the Victorian Government's public commitment in the Housing Statement to:

- Introduce initiatives to address issues that drive up the cost of housing for renters, prospective property purchasers, and property owners in strata developments;
- Increase renter protections by providing more certainty over their leases, living standards and finances; and
- Strengthen the Victorian planning system by implementing Red Tape Commissioner recommendations and related reforms.

The Bill amends laws across the Consumer Affairs, Planning, and Attorney-General portfolios, including amendments to –

- the *Residential Tenancies Act 1997* (**RT Act**) to:
  - repeal provisions that provide for residential rental providers to give notices to vacate to renters at the end of first fixed term residential rental agreements;
  - prohibit residential rental providers and agents from accepting unsolicited offers of rent from prospective renters;
  - provide for further matters to be considered in reviews of rent increases;
  - extend notice periods in proposed rent increases and certain notices to vacate to 90 days;
  - prohibit the use of an application form to enter into a residential rental agreement that is not in the prescribed form;
  - provide additional protections around the disclosure, use and destruction of renters' personal information;
  - prohibit rental providers, their agents or third party rent-tech platforms from charging fees for prescribed matters in relation to applications to enter residential rental agreements and the payment of rent;
  - require premises advertised or offered to be let under residential rental agreements to comply with the rental minimum standards; and
  - require residential rental providers to ensure any smoke alarms installed on rented premises are correctly installed and in working condition; and
  - make miscellaneous and other consequential amendments.
- the *Estate Agents Act 1980* (**EA Act**) to:
  - provide for the requirement for registration of agents' representatives;

- provide for continuing professional development requirements for estate agents and agents' representatives; and
- increase the penalties for certain offences in relation to conduct by estate agents and agents' representatives in the sale of residential property; and
- the *Owners Corporations Act 2006* (**OC Act**) to:
  - provide for appointment, registration, and initial educational requirements for officers in effective control of corporations that are managers of owners corporations;
  - provide for initial education requirements for natural persons who are managers of owners corporations; and
  - provide for continuing professional development requirements for natural persons who are managers of owners corporations and registered officers in effective control; and
- the *Conveyancers Act 2006* to provide for continuing professional development requirements for licensed conveyancers;
- the *Sale of Land Act 1962* to increase the penalties for certain offences in relation to the sale of land;
- the *Planning and Environment Act 1987* (**PE Act**) in relation to the planning scheme amendment process and permit application process, planning panels, proceedings before the Victorian Civil and Administrative Tribunal (**VCAT**) and compensation.
- the *Victorian Civil and Administrative Tribunal Act 1998* (**VCAT Act**) in relation to:
  - proceedings under planning enactments; and
  - providing for dispute resolution by RDRV for certain applications under the RT Act.

### **Human Rights Issues**

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

- Recognition and equality before the law (section 8)
- Freedom of movement (section 12)
- Privacy and reputation (section 13)
- Freedom of expression (section 15)
- Property rights (section 20)
- Fair hearing (section 24)

### ***Recognition and equality before the law (section 8)***

Section 8 of the Charter provides that:

- Every person has the right to recognition as a person before the law.
- Every person has the right to enjoy their human rights without discrimination.
- Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.
- Measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination.

### **Estate Agents Act 1980**

The Bill promotes the right to recognition and equality before the law by removing gendered language in the EA Act. These amendments promote this right by clarifying that the provisions in these Acts are inclusive of all persons, including women and non-binary persons by replacing references to gendered pronouns with non-gendered terms such as 'the person', as is standard under such revisions. For these reasons I am of the view that the Bill promotes the right to recognition and equality before the law across the EA Act.

New section 37 of the EA Act (clause 70) may engage the right to equality and equal protection against discrimination by providing eligibility criteria for a person to be registered to be employed as an agent's representative. The specified eligibility requirements (new section 37(2)) cover a number of matters including that the applicant is at least 18 years of age, has passed any prescribed courses of instruction or examination, is not an insolvent under administration, and is not a represented person within the meaning section 3(1) of the Guardianship and Administration Act 2019. To the extent that this provision limits the right, the limitation is reasonable and proportionate, as estate agents and their representatives provide professional services to people who are often making significant financial decisions or who are otherwise affected significantly by an



agent's representative's actions, therefore it is reasonable for the public to rely on and expect that an agent's representative satisfies these eligibility criteria, as they are relevant to performing the role. For these reasons I am of the view that this provision is compatible with the Charter.

#### Owners Corporations Act 2006

Clause 91(2) may engage the right to equality and equal protection against discrimination by inserting a new eligibility requirement into section 179 of the OC Act, which provides that a natural person is not eligible to be registered (as a manager or officer in effective control) if the person has not completed any prescribed courses or examinations. To the extent that this provision limits the right, the limitation is reasonable and proportionate, as managers or officers in effective control provide a number of important functions in relation to the management and control of common property, repairs, and insurance, on behalf of and for the benefit of, owners of a property. It is reasonable for owners, prospective owners, and residents to rely on and expect that managers or officers in effective control undertake prescribed courses or examinations, as they are relevant to competently performing the role. For these reasons I am of the view that this provision is compatible with the Charter.

#### Planning and Environment Act 1987

New sections 158C to 158E of the PE Act (clause 509) permit two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. The persons who made the submissions may nominate one submitter the lead submitter. Alternatively, the panel may designate one or more of the persons who made the submissions to be a lead submitter, having regard to the person's capacity to advance the matters raised by the submissions, and whether the nomination will facilitate the efficient and timely hearing of the matter. The panel will only be required to give an opportunity to be heard in relation to the submissions to the lead submitter. If no lead submitter can be nominated, the panel is not required to give an opportunity to be heard in relation to the submissions to any person, but may do so. In considering submissions, panels are also bound by the rules of natural justice as provided for in section 161 of the PE Act.

New sections 158F and 58G (clause 509) set out a process where a panel may consider submissions referred to it by a hearing, on the basis of documents, or both. The panel must give the Minister, the relevant planning authority and any person who has made a submission that is referred to the panel the opportunity to make a submission to the panel about the proposed decision. The Minister may also direct a panel to consider one or more of the submissions about an amendment referred to a panel or give a person a reasonable opportunity to be heard by conducting a hearing.

I consider that the process in relation to like submissions, and the requirement to afford natural justice, will be reasonable in the circumstances so as to not constitute discrimination (for example in relation to those with disability, or language or cultural barriers to communicating effectively in writing). I also consider that, by giving all persons who have made a submission that is referred to a panel a reasonable opportunity to object to the proposed written process and make submissions as to why they should be heard by a panel conducting a hearing, any subsequent decision to determine the matter using a written process will also be reasonable in the circumstances so as to not constitute discrimination. I consider the Bill to be compatible with the right to recognition and equality before the law in this regard.

#### ***Freedom of movement (section 12)***

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave it, and has the freedom to choose where to live. This right is, however, not an absolute right under the Charter and may be subject to such reasonable limitations as are demonstrably justified in a free and democratic society, including the property rights of others.

#### Residential Tenancies Act 1997

The amendments to the RT Act in Part 2 of the Bill promote the right of renters to choose where to live. In particular, clauses 25 (repeal of sections 91ZZD and 91ZZDA which provide for 'no reason' notices to vacate), 19–24 (increasing notice periods of rental increases and notices to vacate from 60 days to 90 days), and 16 (inserting new section 65B advertising of premises for rent that do not comply with rental minimum standards at advertisement).

These amendments are part of the broader reforms to protect housing for renters by providing more certainty over their leases, living standards and finances, and promote the right of renters to choose where to live by:

- providing renters with more time to assess housing options and move when issued with a notice to vacate or rent increase (clauses 19–24);
- providing renters with more flexibility to choose whether they wish to continue a periodic tenancy after the end of an initial fixed term (clause 25); and

- providing confidence that rental advertisements may be relied on to comply with the rental minimum standards (clause 16).

For these reasons I am of the view that these amendments are compatible with and promote the right to choose where to live under section 12 of the Charter.

### ***Privacy and reputation (section 13)***

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

### **Residential Tenancies Act**

#### ***Information gathering, protection and sharing***

New section 30BA of the RT Act (clause 6) engages the right to privacy by permitting a residential rental provider to request prescribed information from applicants. This information includes prescribed identity information, prescribed financial information, prescribed information relating to the applicant's employment, and any other matter prescribed.

New section 30BAA of the RT Act (clause 5) prohibits a rental provider or their agent from preparing or authorising the preparation of a rental application form that is not in the prescribed form. This reform will have the effect of requiring prospective renters to provide information required in the standard form application. Although there is no requirement that a person submit any of the information, if they do not provide this personal information, then their residential rental application will be incomplete, which may place the person at a disadvantage.

To the extent that this right is engaged by these reforms, there are existing protections in section 30B of the RT Act which provides that a residential rental provider or that person's agent must not use personal information disclosed by a person on an application form used to apply to enter into a residential rental agreement unless the use is for assessing the person's suitability as a renter or any other requirement of the RT Act. In addition to these protections, disclosure of this type of information is not arbitrary as it is necessary to promote a robust and fair process for assessing applications. Based on the information provided, the residential rental provider may enter into a legally binding rental agreement with the preferred applicant(s), and this information is required to provide legality and certainty to the agreement.

The Bill also provides further protection of renter's information in clause 46. New section 505CAB of the RT Act provides an offence for failure of a residential rental provider or their agent to take reasonable steps to protect renter's information from misuse or loss, and unauthorised access, modification, or disclosure.

New section 505CAD provides that a residential rental provider or the provider's agent must not disclose information unless written consent has been given by the renter, the disclosure is in accordance with an order of a court or tribunal or an Act of Parliament, necessary to prevent threat to life, public safety, or in compliance a number of other matters in relation to statutory functions of law enforcement agencies.

New section 505CAC provides that a residential rental provider or the provider's agent must destroy or permanently de-identify the renter's information within 3 years after the residential rental agreement terminates, or for an applicant for a residential rental agreement whose application is unsuccessful within 30 days (after an agreement is entered into for that property) or within 6 months days (after an agreement is entered into for that property, for the purposes of the applicant applying for other properties, with written consent of the applicant.)

Lastly, new section 505CAE provides that a residential rental provider or the provider's agent is not required to comply with sections 505CAB, 505CAC or 505CAD to the extent that the residential rental provider or the provider's agent has complied with, or has been exempted from compliance with, a corresponding obligation under Australian and Victorian privacy laws.

While these amendments protect and promote renters' rights to privacy, they also provide for exceptions enabling rental providers or their agents to retain, use and disclosure of information in specified circumstances that may impact renters' right to privacy under section 13 of the Charter. However, these exceptions are necessary and appropriate to ensure that the proposed information management framework aligns with existing Victorian and Australian privacy frameworks and responds appropriately to relevant risks (such as threats to life) on a case-by-case basis.

For these reasons, I consider that these new provisions in the RT Act are compatible with the right to privacy, and further promotes the right to privacy by protecting renter's personal information.

*Right of renters not to have their home unlawfully and arbitrarily interfered with*

The amendments to the RT Act in Part 2 of the Bill may promote the right of renters not to have their home unlawfully and arbitrarily interfered with under section 13(a) of the Charter. In *Director of Housing v Sudi* VCAT 328 (31 March 2010), the Victorian Civil and Administrative Tribunal found that evicting or seeking to evict a person from their housing may constitute an interference with their right to home.

Section 13(a) of the Charter requires that the interference be lawful, governed by ‘clear and publicly accessible rules of law and procedures that are predictable and foreseeable, and not arbitrary in the sense of being reasonable, necessary and proportionate.

In particular, clauses 25 (repeal of sections 91ZZD and 91ZZDA which provide for ‘no reason’ notices to vacate) may promote this right by removing the ability of rental providers to issue notices to vacate arbitrarily or with no specific reason at the end of fixed term leases.

To the extent that this right is engaged by the Bill, for these reasons, I am of the view that these amendments are compatible with and promote the right of renters not to have their home unlawfully and arbitrarily interfered with under section 13(a) of the Charter.

Estate Agents Act 1980

New section 33(3A) of the EA Act (Clause 68) may engage the right to privacy as it provides that the public register of estate agents and agents’ representatives must contain details in relation to each registered agent’s representative. These matters include a number of personal details including the person’s name and registered address, the name and address of the estate agent who employs the registered agent’s representative, and any Tribunal or court orders concerning the registered agent’s representative of which the Registrar has notice. Section 33 of the EA Act currently provides for the register to exist and be open for public inspection. Section 33(3) of the EA Act also currently provides that the register must contain these types of personal information in relation to licensed estate agents or estate agency businesses, including agent’s representatives. New section 33(3A) has the effect of capturing these types of personal information in relation to registered agents’ representatives, and does not further engage or limit the right to privacy.

New Part IIIA of the EA Act (Clause 70) may engage the right to privacy as it provides that an application of to be registered or to be employed as an agents’ representative must include personal information, such as name and address, of the applicant, and the licenced estate agent who employs the applicant. Although there is no requirement that a person submit an application, it is a condition of registration, used for the purposes of assessing the application and for inclusion on the register. To the extent that this provision limits the right to privacy, it is reasonable and proportionate as a means to assess a person’s suitability to be a registered agent’s representative and to permit the public to access information about registered agents’ representatives, and is in accordance with the law.

For these reasons, I consider that these provisions are compatible with the right to privacy.

Victorian Civil and Administrative Tribunal Act 1998*Rental Dispute Resolution Victoria proceedings*

New section 38AA(2) of the VCAT Act (clause 1303) authorises VCAT to disclose information and data to the Director of Consumer Affairs Victoria (DCAV). Section 109 of the Australian Consumer Law and Fair Trading Act 2012 establishes a range of functions for the DCAV in relation to Victorian Consumer Acts, including the RT Act. These functions include regulatory monitoring, compliance and enforcement functions in relation to the residential tenancies industry. The DCAV requires access to certain information about the resolution of residential tenancies disputes through RDRV in order to exercise their monitoring, compliance and enforcement functions for the residential tenancies industry.

To the extent that the information disclosed by VCAT includes personal information, the Bill engages the right to privacy. However, the disclosure of personal and identifying information is not arbitrary as new section 38AA(2) provides that data and information may only be disclosed in accordance with an information sharing arrangement established under section 133 of the *Australian Consumer Law and Fair Trading Act 2012*.

Section 133 of the *Australian Consumer Law and Fair Trading Act 2012* provides that the information to which the information sharing agreement may relate is limited to the following:

- information concerning investigations, law enforcement, assessment of complaints, licensing or disciplinary matters;
- probity assessments and reference checks concerning persons who provide, or propose to provide, goods or services to consumers;
- any other information affecting the interests of consumers; and

- any other information of a prescribed kind.

As the disclosure of information will be limited to circumstances provided for by an information sharing agreement in line with section 133, I am of the view that this provision is compatible with the Charter.

#### Planning and Environment Act 1987

As discussed above in relation to recognition and equality before the law, new section 158C to 158E of the PE Act (clause 509) permits two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. If a lead submitter is nominated or designated, a limited amount of personal information such as the lead submitter's name and contact details may need to be provided to other submitters. However, I note that the disclosure would be made with their knowledge and consent.

The Bill also contains provisions that require a person to provide information, including by enabling a person to request that a municipal council prepare an amendment to a planning scheme in force in its municipal district (new Division 1AA in Part 3 of the PE Act (clause 308)). A municipal council must decide whether to refuse the request or to apply to the Minister for authorisation to prepare the planning scheme amendment. A copy of the request must be given to the Minister.

To the extent that the information collected under these or other provisions include personal information, the right to privacy will be engaged. However, the collection of information will be permitted by law and will be confined to information that is necessary for the fulfilment of various statutory functions (such as determining applications).

Accordingly, I consider that any interference with a person's privacy resulting from these provisions will be lawful and not arbitrary.

#### ***Freedom of expression (section 15)***

Section 15(1) of the Charter provides that every person has the right to hold an opinion without interference. Section 15(2) of the Charter provides that every person has the right to freedom of expression. This includes the freedom to seek, receive and impart information and ideas of all kinds; whether orally, in writing, in print or by way of art or other medium chosen by that person. The right to freedom of expression is generally considered to encompass the right not to impart information. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons and for the protection of national security, public order, public health or public morality.

#### Residential Tenancies Act

New section 30BAA of the RT Act (Clause 5) may interfere with the right to freedom of expression by prohibiting a residential rental provider or their agent from preparing or authorising the preparation of an application form used to apply to enter into a residential rental agreement that is not in the prescribed form. However, I consider that this provision is necessary to ensure that residential rental agreements are compliant with the RT Act, promote a clear understanding of parties' rights and responsibilities in relation to the agreement, alleviate administrative burden on renters applying for multiple rental properties, and to protect privacy rights by ensuring renters are not required to provide information that is neither appropriate nor necessary for the purposes of assessing a residential rental application.

New section 65B of the RT Act (Clause 16) may also interfere with the right to freedom of expression by prohibiting a residential rental provider or their agent from advertising or otherwise offering premises to let unless at the time the premises are advertised or otherwise offered to let, the residential rental provider or the provider's agent reasonably believes the premises comply with the rental minimum standards. I consider that this provision is necessary to protect members of the public and public morality under section 15(3) of the Charter to protect the public from misleading advertisements in relation to housing, and to protect the rights of renters to apply for and reside in rental properties that comply with the minimum legal standards of repair and functionality required under the RT Act.

Therefore, to the extent that the freedom of expression is engaged, these provisions fall within the exception in section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons.

#### ***Property rights (section 20)***

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

While the Charter does not define 'property', case law indicate that the term should be interpreted 'liberally and beneficially to encompass economic interests'. This right requires that powers which authorise the

deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Existing authority also suggests that the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily, and is sufficiently clear and certain to be considered 'in accordance with the law'.

#### Residential Tenancies Act

##### *Prohibition on accepting unsolicited offers for higher rents*

Clause 7 may engage property rights under the Charter by inserting a new offence into section 30F of the RT Act prohibiting a residential rental provider or the provider's agent from accepting an unsolicited or otherwise uninvited offer of an amount of rent that is higher than the advertised amount of rent for the rented premises. This expands upon section 30F(3) of the RT Act which prohibits a residential rental provider or that person's agent from soliciting or otherwise inviting an offer of an amount of rent that is higher than the advertised amount.

This reform may inhibit the owner's ability to receive a higher price for the tenancy of their property. However, this engagement does not amount to a deprivation of property, as it does not limit the price that the owner may choose to advertise the rental property for, nor does it affect any accrued rights of the owner.

For these reasons I am of the view that the provision does not limit the property rights of the owner.

##### *Repeal of 'no reason' notice to vacate*

Clause 25 engages the property rights under the Charter by repealing sections 91ZZD and 91ZZDA of the RT Act. Sections 91ZZD and 91ZZDA provide for a residential rental provider under a fixed term residential rental agreement to give the renter a notice to vacate the rented premises at the end of the initial fixed term. The relevant term in relation to section 91ZZD is a fixed term of not more than 5 years, and section 91ZZDA a fixed term of more than 5 years.

While this reform may engage property rights, the RT Act contains a range of provisions permitting a residential rental provider to issue a notice to vacate for specified reasons, such as the premises being sold (section 91ZZB), premises to be occupied by residential rental provider or provider's family (section 91ZZA), and premises to be used for business (section 91ZZ). These existing provisions protect the residential rental provider's property rights, in the sense of being able to control their property, and remain unaffected by reforms proposed in the Bill.

Further, by removing the option for a residential rental provider under a fixed term residential rental agreement to give the renter a notice to vacate the rented premises at the end of the initial fixed term, renters' property rights (in relation to their rental agreement becoming a periodic residential rental agreement under section 91Q of the RT Act) and the right to protection against unlawful and arbitrary interference with their home are promoted. The amendments are part of a broader framework for securing housing for Victorian renters, including by promoting the property rights of renters under a residential rental agreement. As such, any deprivation of property as a result of clause 25 will not be arbitrary or unreasonable and in accordance with the law.

For these reasons I am of the view that clause 25 is consistent with property rights.

#### Estate Agents Act 1980

Clause 82 may engage property rights of an estate agent or agent's representative who is found to have committed an offence against sections 47AE(1), 47AF, (2D), (2E), (2F) or (2G) of the EA Act, by amending section 94A of that Act to include these provisions. Section 94A provides that the Court may order the person (found to have committed the offence) to pay to the Victorian Property Fund any commission in relation to that offence. Clause 82 does not create any new offences, and any forfeiture of commission received is effectively a fine in the amount of the commission and not a confiscation of property. Even if it were considered to be a deprivation of property, in my view it is lawful and not arbitrary, as the commission was calculated and invoiced as a result of an estate agent or agent's representative having committed an offence, and the language in the Bill is clear as to which offences it relates.

#### Planning and Environment Act 1987

New sections 99A and 104B to 104C (clauses 701 and 702) amend the PE Act to provide that if a person is liable to pay interest on compensation under Part 4 of that Act, the Governor in Council may, by order published in the Government Gazette, determine the rate of interest to be paid in respect of unpaid compensation. The Minister may only recommend that such an Order be made after consulting the Attorney-General, the Treasurer, and the Minister administering the *Major Transport Projects Facilitation Act 2009*. In addition, the Minister may only recommend a rate that the Minister considers is both compensatory in nature, and is commensurate with a fair market rate that reflects the opportunity cost of money.

This does not amount to a deprivation of property, as it does not affect any accrued rights of the owner and requires any interest rate that is determined to be compensatory in nature. I am therefore of the view that the provision does not limit the property rights of the owner.

***Fair hearing (section 24)***

Section 24(1) of the Charter provides that a person who is a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The term ‘civil proceeding’ in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings.

**Planning and Environment Act 1987**

***Enhanced case management powers***

New Division 3A of Part 4 of the PE Act (clause 604) enables VCAT to actively manage a proceeding under that Act where desirable in the interests of the just, timely and efficient determination of the proceeding. This includes powers to impose time limits on the making of submissions or examination of a witness, to prohibit or limit the cross examination of a witness, and to impose reasonable limits, restrictions or conditions in respect of the conduct of the proceeding or the conduct of a party, if all the parties to the proceeding agree. VCAT may also conduct all or part of the proceeding entirely on the basis of documents, without agreement of the parties, where desirable for the efficient determination of the proceeding.

New Division 3A also gives VCAT the power, in a proceeding under the PE Act, to confine the proceeding to particular matters in dispute, or summarily strike out or dismiss all or any part of the proceeding that lacks substantive or objective merit and has no real prospect of success. Notably, VCAT may only exercise this power when constituted by a presidential member or a member who is an Australian lawyer.

New subsection 23(6) of the PE Act (clause 501) provides that a submission in relation to a planning scheme amendment must not be referred to a panel by a planning authority if the submission is frivolous, vexatious or wholly irrelevant to the amendment under consideration.

As discussed above, new sections 158F and 58G (clause 509) set out a process where a panel may consider submissions referred to it by a hearing, on the basis of documents, or both.

New sections 159A and 162A (clauses 511 and 513 respectively) also enable panels to give directions about conferences of experts and joint experts reports.

Regulating the making of submissions and cross-examination of witnesses for the just, timely and efficient determination of a proceeding and with the consent of all parties will not, in my view, limit the right to a fair hearing under the Charter. Similar powers to actively manage proceedings exist in the Civil Procedure Act 2010. While conducting a proceeding on the basis of documents has the potential to limit the right, it is well recognised at common law that a hearing based on written submissions can be fair, provided that parties can fully present their case and respond to adverse material. Further, the identification and dismissal of unmeritorious claims that have no real prospect of success is not at odds with the right to a fair hearing, particularly as these powers will be construed consistently with procedural fairness and relevant Charter rights, including the right to equality and non discrimination. Accordingly, I consider that these powers will be compatible with the right to a fair hearing.

***Treatment of like submissions and objections***

As discussed above, new sections 158C to 158E of the PE Act (clause 509) permits two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. Similarly, new section 83AA of the PE Act (clause 601), provides that where two or more objectors who seek to contest a proceeding and lodge objections relying on similar grounds or raising similar issues, VCAT may treat one or more of the objectors as representatives, with their consent.

While these provisions may deprive a particular individual of an opportunity to be heard, they will not unreasonably limit the right to a fair hearing. Each submission or objection must still be considered by the relevant body, and will only be affected by these provisions where it raises substantially the same issues as another submission or objection. In those cases, the issues will be heard by the relevant body through the group representative. It is anticipated that this process will allow greater time for substantive issues to be presented and interrogated by the panel or authority, compared with the current panel process in which a large number of submitters with the same submission will each only have a short period of time to present. For these reasons, I consider that these provisions are compatible with the right to a fair hearing under the Charter.

***Expedited consideration of planning scheme and permit applications***

New section 23A of the PE Act (clause 310) disapplies sections 23 to 27 of that Act in relation to amendments that are in a class prescribed to be a low-impact amendment, or which then Minister has determined is a low-

impact amendment pursuant to the new section 16N (clause 308). The provisions support a pathway for less complex amendments to be considered. The Minister must not determine that an amendment to a planning scheme is a low-impact amendment under this section if the planning authority has agreed under section 96A(2) of the PE Act to consider an application for a permit concurrently with the preparation of the amendment.

I consider these amendments to be consistent with the right to a fair hearing. As noted, the provisions apply only to less complex amendments and do not apply if a person who requests a planning authority to prepare an amendment to a planning scheme also applies to the planning authority for a permit for any purpose for which the planning scheme as amended by the proposed amendment would require a permit to be obtained, and the authority may agree to consider the application for the permit concurrently with the preparation of the proposed amendment.

I also note that clause 409 of the Bill amends section 97E(1) of the PE Act to provide that the Minister for Planning may refer any objections or submissions received in respect of a permit application referred to the Minister under section 97B or 97C of that Act, including any late objections or submissions, to a panel appointed under Part 8 of the PE Act. Section 97B provides that the Minister may direct the responsible authority to refer a permit application to the Minister in certain circumstances. Section 97C provides that the responsible planning authority may request the Minister to decide the application.

The amendments will enable the Minister to more efficiently intervene in permit applications that are experiencing unreasonable delays in circumstances where the Minister is satisfied that there is no need to obtain further independent review and advice from a planning panel to assist the Minister, who remains required to give regard to objections or submissions received in respect of a permit application referred to the Minister. Clause 409 also makes consequential amendments to section 97E(5) to omit paragraphs (a) and (b) of the PE Act. Paragraph (c) is retained.

In my view, the provisions strike a reasonable balance between the rights of applicants and of submitters and are the least restrictive means of achieving the intent to ensure that decisions are not unduly delayed. For that reason, I consider that these provisions will be compatible with Charter rights.

#### Victorian Civil and Administrative Tribunal Act 1998

Clause 603 inserts new clauses 56A and 56B in Schedule 1 to the VCAT Act. New clause 56B states that if, in a proceeding for review of a decision under a planning enactment, VCAT affirms or varies the decision, it is sufficient for the purposes of section 117 of the VCAT Act for VCAT to give a summary of the key basis for that decision. Access to reasons for a decision is relevant to the right to a fair hearing insofar as a statement of reasons enables those affected by a decision to know the basis on which the decision was made and to facilitate an effective right of appeal. However, I consider that the provision of reasons in summary form does not limit a person's right to a fair hearing. The option to provide reasons in this manner will only be available to VCAT when affirming the decision under review or making variations to it, and any reasons must still set out the key basis for VCAT's decision. Accordingly, an appeal court would be able to follow the conclusions of fact and law which form the basis for the decision. Further, reducing the level of detail required in reasons for certain decisions may promote the right to a fair hearing more broadly, by reducing delays and enabling matters to be heard more expeditiously.

The Bill provides for the effective and prompt resolution of disputes between renters and residential rental providers through RDRV proceedings under the VCAT Act.

#### *Rental Dispute Resolution Victoria*

Fair hearing (section 24) Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

#### *Delegation by VCAT or principal registrar*

Clause 1302 inserts new section 32AB into the VCAT Act. New section 32AB(1)(a) provides that the principal registrar is authorised to assess applications under the RT Act for suitability or eligibility to be dealt with as a RDRV proceeding. The requirement that a proceeding must be considered 'suitable' in order to be in scope for RDRV ensures that a just decision can be reached through the most appropriate resolution method for each proceeding. The requirement to assess applications for their suitability and eligibility also allows potential limitations to the effectiveness of ADR, such as power imbalances between parties, to be managed effectively, and the parties to be triaged to the right type of proceeding.

New section 32AB(2) provides that the principal registrar may delegate any function the principal registrar has in relation to ADR in RDRV proceedings to member of staff to perform. This includes the functions of assessing applications and conducting RDRV proceedings. The principal registrar may only delegate a function to a member of staff if the member is appropriately qualified to perform the function. New

section 32AB(4) provides that ‘appropriately qualified’ has the same meaning as in section 32A(4) of the VCAT Act.

The definition includes having the qualifications, experience or standing appropriate to perform the relevant function. The requirement that ADR proceedings be conducted by a person who is appropriately qualified to do so upholds the right for parties to a civil proceeding to have the proceeding decided by a competent Tribunal.

Clause 1305 inserts new section 93D into the VCAT Act. New section 93D(1) provides that if the Tribunal or the principal registrar considers that an application under the RT Act is suitable to be dealt with at RDRV or as an RDRV proceeding, the Tribunal or principal registrar may refer the application to be dealt with as a RDRV proceeding. New section 93D(2) provides that a referral to RDRV may be made with or without the consent of the parties. The participation of parties in RDRV proceedings does not limit their right to a fair hearing if the matter is not resolved. If parties are unable to successfully reach an agreement at RDRV, the option to have the dispute heard as proceeding at VCAT, and have the matter heard and decided by a competent tribunal, remains available. New section 93H of the VCAT Act provides that evidence of anything said or done in the course of an RDRV proceeding is not admissible in any subsequent hearing before the Tribunal in the proceeding to which the application under the RT Act relates, unless all parties agree to the giving of the evidence. This provision ensures that if the matter is not resolved in an RDRV proceeding, the participation of parties in the RDRV proceeding does not limit procedural fairness if the matter progresses to a Tribunal hearing.

I consider that the Bill is compatible with the Charter because it does not limit any rights under the Charter, and to the extent that there is limitation, it is reasonable and justified.

**Hon Harriet Shing MP**

Minister for the Suburban Rail Loop

Minister for Housing and Building

Minister for Development Victoria and Precincts

*Second reading*

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:26): I move:

That the bill be now read a second time.

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

**Increased protections for renters over their leases, living standards and finances**

The Victorian Government is committed to making renting fairer.

We know that for some, renting is a transition to property ownership. For a growing number of Victorians it is long term housing option.

A third of Victorians rent – more than ever before. And we expect that number to climb.

This highlights why it is so important to increase protections for renters, providing them with greater certainty over their rental agreements, living standards and finances.

On 20 September 2023 the Government released the Housing Statement, outlining a 10-year plan to improve housing supply and affordability for Victorians. The Bill before us today is another important step in delivering on the Housing Statement commitments by introducing a range of reforms that will increase protections for renters’ rights and ease their cost-of- living pressures.

The Bill contains a number of reforms, all as equally important as each other in terms of delivering a fair and safe rental marketplace. These reforms build on our 2018 amendments. And, together, they represent the biggest advancement in rental rights this State has ever seen. It is the culmination of hard work, consultation and *advocacy*.

And its advocacy I’d particularly like to highlight here today, before I get into further detail about the Bill.

In 2022, Ballarat man Simon Scarff tragically lost his life to the effects of fire. Simon was a loved brother, son, nephew and friend. Simon’s rental property did not have a smoke alarm installed. Simon called 000 but was unable to communicate to the operator what he needed. Had there been the beeping of a fire alarm in the background, the dispatcher would have known to send a fire truck.

Speaker, we know smoke alarms save lives.



Simon's death was subject to a coronial investigation which made the recommendation to mandate smoke alarm safety checks annually. I'm aware that this recommendation was in no small part the result of tireless advocacy from Therese and Jo Scarff.

This Government introduced new rental laws which came into effect in 2021. Those laws mandate safety checks on smoke alarms in rental properties, fortifying laws that have long been in place that require smoke alarms to be installed in all residential buildings.

In order to give enough time to the industry to comply with the new requirements, when first introduced, smoke alarm safety checks only applied to rental agreements entered into from 29 March 2021 onwards.

This Bill will now extend smoke alarm safety requirements to all rental properties to provide equal protections to all renters regardless of when they commenced occupation of their rented premises. This will include some 240,000 properties previously excluded from the requirement.

Therese and Jo Scarff worked hard to advocate for the expansion of the smoke alarm safety check requirement. About a year ago, following an invitation from the hardworking and passionate member for Wendouree, I sat down with them in Ballarat and heard their story. I was new to the portfolio and still finding my feet. That meeting will stay with me.

We all cried.

Therese and Jo were thoughtful, knowledgeable, and dignified in their advocacy. And, Speaker, they are heartbroken.

Speaker, again I will say, smoke alarms save lives.

I want to thank each and every member of the Scarff family – including Simon's mum Joan - for not stopping their advocacy for two and half long years to ensure that rules are in place that are designed to protect every renter's safety.

To Jo and Therese – whenever you see a For Lease sign in Victoria – you can know that renters in that dwelling will be safer because of what you have achieved.

You have ensured that Simon's death was not simply a preventable tragedy.

You have ensured that Simon's legacy is the increased safety of every renter in this State. Well done!

The Bill will also introduce a number of other important changes.

Significant rent increases have become a rising issue in the marketplace. In some instances, they can effectively serve as an eviction notice for a tenant who cannot afford to pay. With a tight rental market, they might leave others needing to stretch themselves well beyond their capacity.

To address cost of living pressures the Bill makes amendments to enhance the rent increase review framework to ensure strong rigour and fairness around rent increases. It will do this by including a power for additional matters to be prescribed that must be considered by the Director of Consumer Affairs Victoria and the Victorian Civil and Administrative Tribunal (VCAT) in a rent review.

The Bill will also introduce targeted reforms to provide certainty over leases by extending the notice period from 60 to 90 days for rent increases and notices to vacate for private rentals, rooming houses, caravan parks and residential parks.

It will also require that a residential rental property complies with rental minimum standards at the time it is advertised or offered to let. This will improve the ability of the regulator to enforce the important minimum standards that this government introduced in 2018 and will further entrench these standards as the minimum that Victorians expect of their housing.

Further, Speaker, anecdotal evidence from advocacy groups and renters indicates strong concerns around the use, collection and disclosure of renters' personal information provided for the purposes of assessing a rental application.

To address this, the Bill will standardise rental application forms to prevent requests for unnecessary information and personal data that is often collected by real estate agents and rent tech apps when renters apply for a home.

The Bill also increases protections for renters' personal information, requiring the holder of renters' information to take reasonable steps to protect it and requiring the destruction and de-identification of renters' personal information

The Bill will introduce penalties for failing to comply with these requirements.

Speaker, renters should not be slugged by fees just to apply for a property or to pay their rent. That's why this Bill will also allow the government to prohibit businesses from charging fees in relation to making an application for a rental property or paying rent.

The Bill will also introduce amendments to completely remove no cause eviction notices, providing security of tenure to renters in their homes. The reasons for evicting someone remain unchanged, whether it's because you're moving into your property or because a renter has caused serious damage. But you must have a reason, and it must be valid.

In 2018 we introduced a ban on property owners or their agents soliciting rental bids for properties. However, we know rental bidding still occurs and can drive up the cost of rents and the cost of living for Victorians.

We are striving to make renting fair, to make applying for a rental property a level playing field. That's why the Bill will introduce amendments to ban a rental provider or their agent from accepting an *unsolicited* rental bid or accepting more than a month's rent in advance.

**Mandatory licensing and training to improve property industry professionals' competence and tougher penalties to deter poor conduct**

The Victorian Government recognises that poor conduct by property industry professionals can cause financial, health and social harms to consumers. Renters are particularly vulnerable to poor conduct. That is why the Government committed in the Housing Statement to introduce mandatory training and licensing for property industry professionals to raise competence and standards in the industry and improve outcomes for Victorian renters and consumers.

Not all professionals currently working in the property industry need a licence or registration. That means that consumers may lack assurance that the professionals they engage with are suitably qualified. Existing education requirements are also not as comprehensive as they could be. No property professionals are currently required to undertake continuing professional development to maintain their skills and knowledge, while those working in the owners corporation management sector are not currently required to meet any mandatory education requirements.

The Bill amends the *Estate Agents Act 1980* to require agents' representatives to be registered. Agents' representatives assist estate agents with their functions and typically work as property managers or sales consultants. Agents' representatives are the professionals that renters are likely to engage with the most. Currently, a licensed estate agent employer is responsible for assessing a person's eligibility to work as an agent's representative. Under the registration scheme to be established by this Bill, persons wishing to be employed as agents' representatives will be personally required to demonstrate to the Business Licensing Authority that they meet eligibility requirements before being registered.

Existing eligibility requirements for agents' representatives will continue to apply, including the requirement to complete a Certificate IV qualification in Real Estate Practice.

Similarly, the Bill amends the *Owners Corporations Act 2006* to extend registration requirements for owners corporation managers to a natural person in effective control of an owners corporations' management business. As the majority of registered owners corporation managers are currently corporations rather than natural persons, this reform will enable education requirements to be applied to a natural person in control of each owners corporations management business.

Officers in effective control will need to complete initial education to register. As Victoria increases its housing density, quality owners corporation management is becoming increasingly important to more Victorians. This reform will ensure that owners corporations managers are suitably skilled to perform their work, meet their statutory obligations, and do the right thing by their clients.

The Bill will also introduce mandatory continuing professional development for estate agents, agents' representatives, and conveyancers. Owners corporation managers who are sole traders or an officer in effective control of an owners corporation management business will also be required to complete continuing professional development.

Mandatory continuing professional development will ensure property industry professionals maintain their skills and knowledge, improving outcomes for consumers while also boosting productivity for their employers.

Initial education and continuing professional development requirements will be prescribed in regulations authorised to be made by this Bill.

The Bill also introduces tougher penalties for estate agents and sellers who break the law. We know that Victorians are concerned that existing penalties are insufficient to deter poor conduct by estate agents and sellers when selling property. Tougher penalties will further deter agents and sellers from making misrepresentations to consumers in a pressured housing market.

Estate agents who misrepresent the estimated selling price of a property or who fail to revise or substantiate an estimated selling price that is no longer reasonable, will face a maximum penalty of 240 penalty units. This is increased from 200 penalty units.

Property sellers who make misrepresentations in selling property will face double the current maximum financial penalty – 240 penalty units. The Bill also extends the existing discretionary powers of Courts to confiscate estate agents' commissions to cover the full range of underquoting offences.

We know that underquoting continues to frustrate Victorians looking to buy a home. The extension of these powers will supplement the efforts of Consumer Affairs Victoria's Underquoting Taskforce, which continues to monitor and enforce compliance with underquoting restrictions across Victoria.

**Strengthen the Victorian planning system by implementing Red Tape Commissioner recommendations and related reforms**

The Red Tape Commissioner undertook a review of the planning system and produced a report "Turning Best Practice into Common Practice – Planning and Building Approvals Process Review Report to Government" that was subsequently published. As part of their housing statement, the Victorian Government committed to improving and strengthening the planning system by implementing Red Tape Commissioner recommendations through key changes to the *Planning and Environment Act 1987*.

Planning scheme amendments are a critical part of the planning system as they establish the rules and policy for development and land use proposals. The Bill will introduce changes to the planning scheme amendment process to improve transparency and efficiency of the system.

A new low impact amendment pathway for less complex amendments and amendments that are expected to have relatively limited impacts will be introduced. Such amendments will still be subject to public consultation, but unresolved submissions will not be required to be referred to a planning panel for consideration. Submissions will instead be considered by the planning authority and the outcomes reported to the Minister. Amendments suitable for this pathway will be determined by the Minister and the Bill includes an ability for regulations to be used to prescribe types of amendments that can be considered under the pathway.

The Bill will formalise the process for how proponent led amendments are considered, with a requirement for the council to advise the person and the Minister for Planning of the council's decision on the request. This will remove ambiguity and ensure a more transparent process.

The Bill also provides the ability for the Minister to decide to proceed with amendments or parts of amendments that have been abandoned by a planning authority.

Improvements will also be made to support a more efficient and timely planning permit application process.

Currently, permit applications can be made without including all the information required to be able to assess the application. The Bill provides an authority for responsible authorities to undertake an initial review of applications and seek any additional information required by the PE Act at the start of the process. If the information is not provided, the responsible authority can reject the application.

The Bill also includes an ability for the Minister to issue guidelines that a responsible authority must have regard to when determining who to give notice to on the basis of material detriment. This is an area where there is currently a high degree of uncertainty, leading to practices that increase costs and delays.

The current default planning permit expiry timeframes in the PE Act are considered too short and may not be appropriate for larger more complex developments. While there is an ability for permit holders to apply for extensions of time for their permit, the requirement to undertake this administrative process creates uncertainty, and results in additional cost burdens for permit holders and responsible authorities. The Bill will extend the default planning permit expiry times for the use and development of land. Responsible authorities will continue to be able to set different timeframes to the default.

The Bill will make it discretionary (instead of mandatory) to refer a permit application to a planning panel when permit applications are called in from responsible authorities. Allowing flexibility in determining if a matter should go to panel for advice will enable the fast tracking of proposals, whilst ensuring that certain matters can still be referred to a panel by the Minister where appropriate.

The Bill also established a new power to grant exemptions from the Metropolitan Planning Levy in prescribed circumstances and in instances where payment of the levy would, in effect, result in the levy being charged twice for the same development.

Amendments to planning panels seek to improve the efficiency of panel considerations whilst protecting their role.

Planning authorities will no longer be required to refer submissions to a panel which are considered to be frivolous, vexatious or wholly irrelevant to the amendment.

Panels will also be provided with an ability to consider matters on the basis of documents if the panel is satisfied that it will not need to consider a major issue of policy.

To reduce the time taken in public hearings to hear debates between technical experts, the Bill will give panels the power to direct expert witnesses engaged in proceedings to hold a conference of experts or to prepare a joint experts report and determine the sub-set of issues where there are differences of opinion.

The Bill also introduces an ability for a panel to treat two or more submissions that are the same or substantially the same as if they were one submission. The panel will have the ability to designate one or more submitters to become the lead submitter, with the consent of the persons proposed.

Furthermore, the Bill will introduce improvements for planning matters considered at VCAT.

The Tribunal will be given the ability to treat two or more objectors as a group if the statements rely on similar grounds or raise similar issues.

Additional improvements will be achieved through amendments that provide the Tribunal with a capacity to conduct hearings on the basis of documents, impose limits on submissions and examination of witnesses and giving directions on the proceeding of a hearing.

VCAT will also be given the ability to confine proceedings to particular matters in dispute, or to summarily dismiss all or any part of a proceeding that lacks substantive or objective merit and has no real prospect of success.

These changes will address inefficiencies in the case management practices and proceedings of the Planning and Environment Division, seek to reduce hearing times and potential delays, and improve timely access to VCAT.

The Bill will make changes to how compensation claims are considered under Part 5 of the *Planning and Environment Act 1987*.

It will introduce new information requirements for claims lodged, including a requirement for claims to be made using a prescribed form and to include any supporting evidence as specified by the Minister in an order published in the Government Gazette.

The Bill also provides a capacity for the Governor in Council, on the recommendation of the Minister, to set a rate of interest that would be paid to the claimant on compensation claims that are in dispute and need to be determined by VCAT or the Supreme Court. Any interest rate prescribed is required to be compensatory in nature and commensurate with a fair market rate.

**Proposed amendments will support the establishment of Rental Dispute Resolution Victoria to resolve simple residential tenancy disputes**

Rental Dispute Resolution Victoria will be a one-stop shop for renters, rental providers and estate agents to resolve simple residential tenancy disputes. It will be focussed on early resolution of rental disputes through the provision of alternative or appropriate dispute resolution or ADR.

Rental Dispute Resolution Victoria will work via telephone, online and in person to provide information, facilitated discussions and mediation. All of this is aimed to help people reach a preferred outcome at the earliest possible point.

The ADR component of RDRV will be delivered by a dedicated team at VCAT. Applicants will be quickly triaged into dispute resolution services, where appropriate, instead of directly to a hearing.

The Bill will amend the *Victorian Civil and Administrative Tribunal Act 1998* to clarify that VCAT can provide a broad range of ADR to parties, clarify the VCAT Principal Registrar's powers in relation to the delivery of ADR at VCAT, clarify that ADR is considered a 'proceeding' within the meaning of the VCAT Act and clarify that VCAT can provide information to the Director of CAV. These amendments will ensure that RDRV will commence its work by June 2025 and enable orders made at RDRV to be binding and enforceable.

I commend the Bill to the house.

**Evan MULHOLLAND** (Northern Metropolitan) (17:26): I move:

That debate be adjourned for one week.

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

**Retirement Villages Amendment Bill 2024***Introduction and first reading*

**The PRESIDENT** (17:26): 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 **Retirement Villages Act 1986**, to make minor amendments to other Acts and for other purposes.’

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:27): I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Harriet SHING**: I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:27): 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 Retirement Villages Amendment Bill 2024 (the Bill).

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

**Overview**

The Bill amends the **Retirement Villages Act 1986** (the Act) to –

- improve the regulation of retirement villages,
- further provide for the needs of the aging and diverse residents of retirement villages,
- further provide for consumer protection and additional mechanisms to support the interests of residents of retirement villages,
- provide for regulation that anticipates future growth and innovation in the retirement villages sector,
- provide further protection of the rights, interests and needs of current, and future residents of retirement villages and residents that are leaving retirement villages,
- providing processes for resolving disputes between residents, operators and proprietors of retirement villages, and
- make minor related amendments to that Act and other Acts.

**Human Rights Issues**

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

- Freedom of movement (section 12)
- Privacy and reputation (section 13)
- Freedom of expression (section 15)
- Protection of families and children (section 17)
- Property rights (section 20)
- Fair hearing (section 24)

- Rights in criminal proceedings (section 25)

### ***Freedom of movement (section 12)***

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave it, and has the freedom to choose where to live. This right is, however, not an absolute right under the Charter and may be subject to such reasonable limitations as are demonstrably justified in a free and democratic society, including the property rights of others.

Clause 18 of the Bill engages the freedom of residents to choose where to live by providing a new framework for the termination of residence contracts in circumstances of a significant breach of contract (new section 16D) or for health and safety reasons (new section 16F). Termination of a residence contract will result in the eviction of a resident from their place of residence, removing their ability to choose to continue to live in the retirement village.

The framework introduced by clause 18 clarifies the existing framework that governs the termination of residence contracts that is necessary for the proper operation of the Act. The new framework seeks to balance the competing objectives of respecting an individual resident's right to choose where to live, and the broader protection of providers, contractors and neighbours, as well as the resident themselves by:

- Clarifying what a 'substantial breach' of a residence contract that engages the termination of contract process,
- Provides for an extension of time for residents to remedy an alleged breach of contract,
- Introducing clear criteria for when termination of contract for health and safety reasons may be required, including where there is a 'substantial risk' to the health and safety of any person,
- Requiring an operator to seek VCAT approval to terminate a contract on health and safety grounds, and
- Introducing a 'reasonable and proportionate' test before a residence contract can be terminated for any reason, with regard to the retirement village principles, the effect on the resident and whether alternative course of action is reasonably available.

For these reasons, I am of the opinion that these provisions are compatible with the right in section 12 of the Charter.

### ***Privacy and reputation (section 13)***

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

### ***Application of the Director of Consumer Affairs Victoria's powers***

Clause 58(1) inserts new subsection 40(1AA) into the Act to provide that Part 6.2 of the *Australian Consumer Law and Fair Trading Act 2012* (the ACLFT Act) applies to the Act. Part 6.2 of the ACLFT Act sets out a range of powers for the Director of Consumer Affairs Victoria (Director CAV), including:

- receiving complaints about the supply of goods and services,
- institute proceedings in relation to a dispute about the supply of goods and services,
- issuing show causes notices, and
- require the provision of information or documents to assist in investigating a contravention of the ACLFT Act, or in monitoring compliance with its provisions.

Specifically, under section 126 of the ACLFT Act, the Director CAV may compel a person, whom the Director believes is capable of assisting in the investigation of a contravention of the ACLFT Act, to provide information, documents, or give evidence on oath or affirmation. It is an offence for a person to refuse or fail to comply with a request under section 126, punishable by a fine of up to 60 penalty units.

To the extent that this clause 58(1) engages the right to privacy but requiring the disclosure of information of a private nature under section 126 of the ACLFT Act, I consider that any interference with the right to privacy and reputation resulting from section 40(1AA) provisions will be neither unlawful nor arbitrary. The Bill engages powers the scope of which are clearly defined and exercisable in circumstances set out in the ACLFT Act. Access to material evidencing non-compliance with or breach of the Act allows the Director CAV and inspectors to effectively and efficiently exercise their regulatory functions in relation to the retirement villages sector. Section 126 is circumscribed in its scope and can only operate to compel the provision of material necessary to monitor compliance with, or investigate a breach of, the Act. This provision is necessary to ensure that other residents do not continue to suffer loss or damage as a result of a breach of the residence

contracts or the Act. Any information that is provided to the Director CAV under section 126 is not admissible in evidence against the person who disclosed the information, except in any criminal proceedings relating to a failure to disclose the information requested.

*Disclosure of certain information*

Clause 19 introduces a new framework for pre-contractual disclosure, requiring operators to provide certain information to prospective residents in the form of an information statement. Clause 19 engages the right to privacy by requiring the disclosure of personal information in the information statement:

- including the proprietor's their name and address,
- the operator's name, address and telephone number, and
- the name of the operator's representative at the retirement village.

The operator must publish the information statement, with offences for failing to do so (new section 20). The Bill also includes an offence for failure to update the information statement (new section 21), an offence for failure to provide an information statement to a person proposing to become a resident (new section 22), and an offence for knowingly providing false information (new section 25).

Clause 12 inserts new section 11A into the Act which requires the operator of the retirement village to give a notice to the Director CAV that includes personal information, including the name and address of the operator of the retirement village, upon the lodgement of a retirement village notice under section 9. New section 11A replaces section 38L of the Act (repealed by clause 55), which currently requires the name and address of the 'manager' of the retirement village to be provided upon the lodgement of a retirement village notice under section 9.

Although clauses 19 and 12 of the Bill engage the right to privacy, I consider that these provisions are compatible with the Charter as they do not unlawfully or arbitrarily interfere with the right to privacy. The new provisions clearly articulate the personal information that must be disclosed and the circumstances in which it must be disclosed. The disclosures are considered reasonable and a non-invasive method to ensure proprietors and operators of retirement villages are held accountable via the public register of retirement villages, and to support prospective residents to make informed decisions about entering into and living in a retirement village.

*External Dispute Resolution Scheme*

Clause 57 of the Bill establishes a new alternative dispute resolution scheme for retirement village disputes (the Scheme) in the Department of Government Services (DGS). It is proposed that the Scheme will deliver complaint handling and conciliation services for disputes under the Act. Responsibility for the administration of the Scheme and all the necessary powers to deliver dispute resolution services will vest in the Secretary to DGS (the Secretary).

New section 38ZH provides that the Director CAV may refer matters to the Secretary for conciliation and is to be treated as an application for conciliation made by a party to the dispute. A referral to the Secretary must include a range of information that can include personal information, including identifying the parties to the retirement village dispute, identifying the grounds of the dispute, and specifying the particulars of the dispute.

New section 38ZK also enables the Secretary to request information and documents for the purpose of inquiring into and assessing the suitability of village disputes for conciliation. New section 38ZO provides a similar power to request information for the purpose of conducting conciliation. The Secretary may disclose information obtained to all parties to the dispute with the consent of the person who has provided that information under new section 38ZP. This may require the collection and disclosure of personal information.

New section 38ZU(2) provides that the Secretary DGS may issue a 'no resolution' certificate. New section 38ZV provides that a 'no resolution' certificate must include information specifying:

- whether conciliation was conducted on an application or referral from the Director CAV,
- the Secretary assessed the dispute as suitable,
- that the matter has not been resolved by conciliation, including reasons why the matter remains unresolved,
- the terms of any recorded agreement issued and a summary of why the recorded agreement was terminated, and
- any other prescribed information.

New section 38ZU(3) provides that the Secretary DGS may include information specifying:

- that the Secretary is satisfied that a party to the dispute did not participate or did not participate in good faith in conciliation,

- a statement setting out an outcome to the dispute that the Secretary considers is a fair and reasonable outcome, and the particulars and terms of that outcome,
- advice on any further available options for the parties to resolve the dispute, including any application that may be made to VCAT or a court, and
- any other prescribed information.

To the extent that the provisions of the Bill outlined above constitute an interference of the right to privacy under section 13, I consider that these provisions are compatible with the Charter as they do not unlawfully or arbitrarily interfere with this right. Information can only be collected by the Secretary for specific purposes outlined in the relevant provisions, being to inquire into and assess suitability of disputes and for the purpose of conciliating disputes.

The provision of information by the Director CAV, and by a person upon request of the Secretary, is necessary for the proper functioning of the Scheme, to ensure conciliation is delivered effectively and to help manage power imbalances between the parties to the dispute. Without the information to be provided, the Secretary would be unable to contact parties to assess their willingness to participate in conciliation in good faith, understand the issues that are in dispute, formulate approaches for the resolution of disputes, and recommend fair and reasonable outcomes to disputes. The Bill does not compel a person to provide the information requested by the Secretary or impose penalties for a failure to do so.

Disclosure of information by the Secretary as part of a record of agreement or no resolution certificate is also necessary for the transparent and effective operation of the Scheme. The information to be included is the minimum required to ensure appropriate record-keeping of services provided under the Scheme, to promote effective compliance with agreements reached in conciliation, and to encourage parties to continue attempts to resolve their dispute on the basis of an agreed background and facts of the dispute.

The Bill ameliorates interferences with a person's right to privacy by ensuring that evidence of anything said or done in conciliation is not admissible in any proceeding before VCAT or any other legal proceeding before a court or tribunal unless all the parties to the dispute agree in writing to the giving of the evidence. Any interference with a person's privacy as a result of these reforms is further ameliorated by the requirement that information collected and held by the Secretary in accordance with the information privacy requirements of the *Privacy and Data Protection Act 2014* and the *Public Records Act 1973*.

For these reasons, I am of the view that these amendments do not limit the right to privacy. To the extent that the Bill does interfere with a person's right to privacy, the interference is lawful and not arbitrary, as clauses 12, 19, 57 and 58(1) are clearly articulated in law, specific, necessary for the operation of the Scheme, and are reasonable and proportionate to achieving that objective.

#### ***Right to protection from unlawful and arbitrary interference with a person's home (section 13)***

Section 13(a) of the Charter provides a right to protection from arbitrary or unlawful interference with a person's home.

#### ***Termination of resident contracts***

Clause 18 of the Bill provides for residents to be issued with termination notices in circumstances of breach (new section 16D) or health and safety (new section 16F), which may have the effect of interfering with a resident's home.

As outlined above in the discussion relating to the right to freedom of movement, the circumstances in which residents may be issued with termination notices are clearly set out in the Bill and are appropriately circumscribed. The provisions seek to balance the competing objectives of respecting residents' rights to continue to live in their home in a retirement village, and the broader protection of providers, contractors and neighbours, as well as the resident themselves. The new framework for the termination of residence contracts inserted by clause 18 provides a more clearly defined process with specified criteria than what is currently provided for in section 16 of the Act.

#### ***Modification of fixtures and fittings by non-owner resident***

New section 37B (clause 44) provides that a non-owner resident must not add, remove or alter any fixtures or fittings on their premises unless the addition, removal or alteration is prescribed, or they have first made an application to the operator, and the operator has given consent.

These amendments may be considered an interference with a person's home, as the resident is precluded from making any such alterations to their home without consent. The Bill sets out clearly defined processes for obtaining an operator's consent for a proposed addition, removal or alteration. The purpose for introducing this framework is to provide clarity for both non-owner residents and operators about their responsibility for reinstating the retirement village premises upon a resident's exit from the village, including the condition to which the premises must be reinstated. The impact of this right is mitigated by the requirement that an operator



must not unreasonably withhold consent to an addition, removal or alteration of a fixture in a non-owner resident's premises. Further, the Bill also enables the creation of regulations to prescribe additions, removals or alterations to fixtures that do not require an operator's consent.

In my view, clauses 18 and 44 of the Bill does not limit the right to protection from unlawful and arbitrary interference with a person's home as any interference with that right will not be unlawful or arbitrary.

### ***Freedom of expression (section 15)***

Section 15(2) of the Charter provides that every person has the right to freedom of expression. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons and for the protection of national security, public order, public health or public morality.

### ***Information statements***

Clause 19 introduces a new framework for pre-contractual disclosure, requiring operators to provide certain information to prospective residents in the form of an information statement. Clause 19 engages the right to privacy by requiring the disclosure of personal information in the information statement:

- including the proprietor's their name and address,
- the operator's name, address and telephone number, and
- the name of the operator's representative at the retirement village.

The operator must publish the information statement, with offences for failing to do so (new section 20). The Bill also includes an offence for failure to update the information statement (new section 21), an offence for failure to provide an information statement to a person proposing to become a resident (new section 22), and an offence for knowingly providing false information (new section 25).

I consider that these provisions are necessary to protect retirement village residents by supporting prospective residents to make informed decisions about entering into and living in a retirement village, through accessible and truthful pre-contractual disclosure.

To the extent that the freedom of expression is engaged, these provisions fall within the exception in section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons.

### ***Protection of families and children (section 17)***

Section 17(1) of the Charter provides that families are the fundamental group unit of society and are entitled to be protected by society and the State. Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. Section 17(2) recognises the particular vulnerability of children due to their age and confers additional rights on them. Its scope is informed by the United Nations Convention on the Rights of the Child, which requires that in all actions concerning children, the best interests of the child shall be the primary consideration.

Currently, there are many people who co-habit with residents in a retirement village who may not be residents themselves, in accordance with a resident contract. This includes carers, friends and family members (in addition to resident's spouses and domestic partners who are defined under the Act as residents themselves). Clause 9 introduces a new provision to formalise the status of people living with residents in a retirement village and recognises the diversity of families in the community, including in relation to residents who may have caring responsibilities for younger family members.

New section 6 (substituted by clause 9) engages the protection of families and children by providing that, on application by a resident, an operator may give permission for a person other than a retired person, who is of or under the age of 55 years, to live in the retirement village with a resident. The operator must not unreasonably withhold permission for the other person to live with the resident. New section 6A provides a right to a person who lives with a resident in a retirement village to continue to occupy the premises for a period of three months following the death of a resident, providing protection for children or family members to make any necessary alternative arrangements in a difficult time.

This amendment promotes the protection of families and children, by allowing a resident's family member to reside with them promoting family unity. Clause 7 of the Bil supports this reform by providing that residents can access internal and external dispute resolution processes in relation to an operator's failure to give permission for a person to live in a retirement village under new section 6.

### ***Property rights (section 20)***

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred

by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. In considering whether this right has been limited, a court will consider whether the relevant law deprives a person of property, and whether deprivation is in accordance with law.

While the Charter does not define 'property', case law indicates that the term should be interpreted 'liberally and beneficially to encompass economic interests'. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Existing authority also suggests that the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily, and is sufficiently clear and certain to be considered 'in accordance with the law'.

#### Payment of exit entitlements

New section 32I (clause 34) may engage property rights as it increases the maximum time for payment of an exit entitlement to a vacating resident, from 6 months after the non-owner resident has delivered up vacant possession (section 26(2)(b)(iii) of the Act) to 12 months after the day on which the resident permanently vacates the residential premises.

Although this amendment permits a longer timeframe for vacating residents to be paid their exit entitlement, the previous 6-month maximum period was not practical and often not achievable. There are many factors that may impact the turnover of premises in a retirement village, including delays due to probate where a resident has died, complex arrangements in relation to deceased estates, debt financing prior to settlements of sale or lease, and any required renovation or reinstatement works that may be required before re-leasing or selling the premises. While retirement village units in Victoria take on average approximately 6.4 months to sell, some units can take significantly longer including in some, taking up to several years to sell.

In many cases, repayment of an exit entitlement is contingent on the sale of a unit or the right to occupy a residence. Depending on the residence contract, exit entitlements may be more than one hundred thousand dollars. The delay in repayment of those entitlements to former residents or their estate can cause significant hardship and uncertainty. Conversely, a requirement for retirement village operators to repay exit entitlements to residents within a short period time, including before the premises has been re-occupied by a new resident, may also have significant impacts on the existing business model and liquidity of retirement villages, with the potential to cause an increase in costs to residents this additional financial burden.

Clause 34 of the Bill strikes a balance between the rights and interests of residents and operators by imposing a maximum period for payment to 12 months after the day on which the resident permanently vacates the premises. The Bill does not permanently deprive residents of their property rights to an exit entitlement, but rather only extends the time by which operators are required to pay the exit entitlement. The impact on the property rights of residents to the use and control of their exit entitlement is mitigated by:

- an ability to agree with an operator to an exit entitlement period that is less than 12 months,
- introducing an offence for an operator's failure to repay an exit entitlement within the required time, punishable by a fine of up to 60 penalty unit for an individual or 300 penalty units for a body corporate,
- jurisdiction to apply to VCAT for an order as to payment of an exit entitlement, including payment of interest for the period for which payment is overdue, and having regard to any hardship caused to former resident by reason of the delay (new section 32N).

To the extent that clause 34 does deprive a resident of their property, I consider that the deprivation is in accordance with law as the framework for repayment is structured, accessible to the public, and formulated precisely. It is my view that the amendments are reasonable and proportionate, and they appropriately balance consumer protection and industry viability.

#### Termination of residence contracts

Clause 18 of the Bill provides for residents to be issued with termination notices in circumstances of breach (new section 16D) or health and safety (new section 16F). Clause 18 may engage the property rights of residents by permanently depriving them of their right to occupy the retirement village premises under a lease or a licence interest in that property.

As outlined above in the discussion relating to the right to freedom of movement, the circumstances in which residents may be issued with termination notices are clearly set out in the Bill and are appropriately circumscribed. Currently, section 16 of the Act outlines a process for terminating a contract for breach, including providing the resident with an opportunity to remedy the breach within 28 days. Clause 18 promotes property rights under this framework by introducing a definition of 'substantial breach' to further clarify the circumstances when a residence contract may be terminated. Clause 18 promotes property rights

further by introducing additional processes that must be followed for the termination of a residence contract for health and safety reasons, including by requiring consideration of the availability of care services under the *Aged Care Act 1997* (Cth) and the National Disability Insurance Scheme, introduces a ‘substantial risk’ threshold, and requiring VCAT approval to terminate a residence contract on health and safety grounds.

Clause 18 further promotes property rights by introducing a ‘reasonable and proportionate’ test for the termination of residence contracts, requiring consideration of:

- the retirement village principles (set out in new section 1A),
- the effect the notice will have on the health, safety or wellbeing of the resident,
- whether any other course of action is reasonably available,
- in the case of a notice of termination of contract for breach, the risk to any other relevant persons if the contract is not terminated, and
- any other prescribed matters.

The provisions governing the termination of residence contracts are necessary for the proper operation of the Act. The reforms introduced by clause 18 seek to balance the competing objectives of respecting an individual resident’s right to occupy premises at the village, and the broader protection of providers, contractors and neighbours.

For these reasons I am of the opinion that these provisions are compatible with the right in section 20 of the Charter, and to the extent that a termination notice may constitute a deprivation of property, any such deprivation will be in accordance with law and therefore compatible with the right to property.

#### *Application of the Director of Consumer Affairs Victoria’s powers*

As discussed above in relation to the right to privacy, the Bill provides that Part 6.2 of the ACLFT Act applies to the Act (clause 59(1)). Clause 59(1) will enable the Director CAV to require a person to provide information or documents, if the Director believes that a person is capable of providing information, producing documents or giving evidence relating to a matter that constitutes, or may constitute, a contravention of the Act (see section 126 of the ACLFT Act). The Director CAV will also be able to seize documents produced, if the Director considers that the documents necessary to obtain evidence for proceedings under the Act or regulations, or if the Director believes on reasonable grounds that it is necessary to prevent the documents being concealed, lost or destroyed.

Clause 59(1) may engage property rights by requiring any person to relinquish custody or control of documents or evidence to the Director CAV. However, the powers available to the Director CAV are governed by a comprehensive framework under Part 6.2 of the ACLFT Act, providing for the return of document copies to the person from whom the documents have been seized and the return of seized documents within 3 months. The framework also does not permanently deprive any person of their property rights in relation to the documents.

For these reasons I am of the opinion that these provisions are compatible with the right in section 20 of the Charter, and to the extent that provision and seizure of information and documents may constitute a deprivation of property, any such deprivation will be in accordance with law and therefore compatible with the right to property.

#### ***Fair hearing (section 24)***

Section 24(1) of the Charter provides that a person who is a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The term ‘civil proceeding’ in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings.

#### *External Dispute Resolution Scheme*

Clause 57 of the Bill introduces new Part 6E to the Act to establish a scheme for the resolution of specific retirement village disputes. The Bill supports the establishment of the scheme within the Department of Government Services, led by the Secretary to DGS, with powers to deliver conciliation services to resident, operators and proprietors of retirement villages.

The scheme does not constitute a court or a tribunal as it does not have the power to hear civil or criminal proceedings, nor the ability to make orders to resolve disputes. While the scheme will operate to deliver conciliation impartially, in accordance with the Australian Government *Benchmarks for Industry-based Customer Dispute Resolution*, the scheme is not a body established independent of government.

New section 38ZI provides that the Secretary to DGS may assess the suitability of the dispute for conciliation, and reject the application if satisfied that the matter is not suitable. The Secretary must not assess the dispute as suitable if:

- the dispute does not fall within the definition of village dispute, or
- the application or referral was made outside any required time, or
- the application or referral is vexatious, frivolous, lacking in substance or was not made in good faith, or
- the dispute has been resolved.

The requirement that a dispute must be suitable for conciliation ensures that the village dispute can be reached through the most appropriate resolution method for the dispute, including where an application to VCAT or to a court may be more appropriate. The requirement to assess applications for their suitability and eligibility also allows potential limitations to the effectiveness of ADR, such as power imbalances between parties, to be managed effectively, and the parties to be triaged to the right type of proceeding.

New section 38ZN provides that the Secretary may decide to conciliate the dispute under new Division 4 of Part 6E. The participation of parties in conciliation does not limit their right to a fair hearing. If parties are unable to successfully reach an agreement through conciliation, the option to have the dispute heard as proceeding at VCAT or a court, and have the matter heard and decided by a competent tribunal, remains available to the parties. New section 38ZZG provides that evidence of anything said or done in the course of a conciliation conducted by the Secretary is not admissible before VCAT, a court or a tribunal unless all parties to the dispute that was the subject of the conciliation give written agreement to the giving of the evidence. This provision ensures that the participation of parties in the conciliation does not limit procedural fairness if the matter progresses to a subsequent hearing.

#### ***Rights in criminal proceedings (section 25)***

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right under the Charter is at least as broad as the privilege against self-incrimination protected by the common law. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid. It is also an aspect of the right to a fair trial protected by section 24 of the Charter. Consequently, it is necessary to consider the proportionality or justification of the limitation on this right, by reference to its purpose. Section 7(2) of the Charter provides that Charter rights may be subject under law only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, taking into account all relevant factors.

#### ***Right not to be compelled to testify against oneself and the right to a fair trial***

As discussed above in relation to the right to privacy, and property rights, the Bill provides that Part 6.2 of the ACLFT Act will apply to the Act (clause 59(1)). Clause 59(1) will enable the Director CAV to require a person to provide information, documents and evidence, if the Director believes that a person is capable of providing information, producing documents or giving evidence relating to a matter that constitutes, or may constitute, a contravention of the Act, including by appearing to give evidence on oath or affirmation (see section 126 of the ACLFT Act). A person is not excused from answering a question, providing information or producing or permitting the inspection of a document on the ground that the answer, information or document may tend to incriminate that person.

Therefore, clause 59(1) may limit the privilege against self-incrimination. However, the powers that may limit the privilege against self-incrimination are part of a comprehensive framework of powers already in effect under the ACLFT Act and includes direct use immunity by prohibiting the use of answers, information, and documents from being admissible in evidence against the person in any other criminal proceedings (see section 126(5)).

I am of the view that any such limitation is reasonable under section 7(2) of the Charter. The privilege against self-incrimination prohibits the state from compelling an individual to assist in proving that they have committed an offence, prevents oppressive government conduct, ensures the reliability of evidence, and protects privacy. However, the purposes for the limit to the right against self-incrimination in clause 59(1) is to enable the Director CAV to monitor compliance with, and to investigate potential contraventions of, the Act. These powers are integral to the Director CAV's effectiveness in regulating the retirement villages sector which is necessary to adequately protect residents from detriment.

The direct use immunity provides appropriate safeguards to justify the limitation. It would not be appropriate to include a derivative use immunity in response to the Director CAV's compulsory information-gathering

powers as that would severely inhibit the Director's ability to monitor compliance with and investigate contraventions of the Act. It follows that there are no less restrictive means reasonably available to achieve the purpose of this limitation. Therefore, I am of the opinion that clause 59(1) of the Bill is compatible with the Charter right of a person not to be compelled testify against themselves or to confess guilt.

I consider that the Bill is compatible with the Charter because it does not limit any rights under the Charter, and to the extent that there is limitation, it is reasonable and justified.

**Hon Harriet Shing MP**

Minister for the Suburban Rail Loop

Minister for Housing and Building

Minister for Development Victoria and Precincts

*Second reading*

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:27): I move:

That the bill be now read a second time.

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

The Retirement Villages Amendment Bill is the culmination of years of work and advocacy from residents and operators to reform the *Retirement Villages Act 1986* and make retirement villages fairer for older Victorians. This Bill will drive a more equitable and sustainable retirement village sector. This Bill will introduce stronger protections around mandatory exit entitlements to be paid back to residents, as well as clarity on how operators must calculate and disclose fees to residents. The Bill will substantially improve the information that older Victorians are provided before they enter a retirement village so they can make informed choices about their next stage in life.

A strong and comfortable retirement village sector is a core component of Victoria's housing make-up, providing older Victorians opportunities to live and age in home. Retirement villages offer an opportunity not just for Victorians to age with dignity and with the supports and social activities and connections they deserve.

**Listening to consumers in the growing retirement villages industry**

This Bill reflects the Victorian Government commitment to making living in a retirement village a fairer and comfortable choice for older Victorians. The needs and demographics of Victorians is changing. Victoria's population is expected to reach 10.3 million by 2051. As Victoria's population grows, so too will its older population, with estimates that one in four Victorians will be aged 60 years and over by 2046. It is important that Victoria's housing solutions includes appropriate accommodation option for older Victorians that support them to live a full and supported life, with dignity and choice. Retirement villages offer a long-term accommodation option for older Victorians to remain independent and support residents to age well by delivering safe and secure accommodation and social inclusion, as well as access to recreational activities, amenities, and personal supports.

The makeup of residents entering retirement villages is also changing. Victorians are entering villages later in life, with an average entry age of 76 years old when, and the average length of tenure in a retirement village is 8.4 years. Many residents are also receiving more home care services to support their continued stay in villages. As reported by the Property Council of Australia and in the PwC 2023 Retirement Living Census, 61 per cent of operators in Australia reported providing regulated home care services to residents, an increase from 46 per cent in 2022. The Bill is designed to reflect this change in resident needs.

The Bill is informed by detailed reviews and public consultation and has been shaped by the feedback we have received from residents, operators, industry stakeholders and consumer advocates. In 2016–17, the Legislative Council's Legal and Social Issues Committee undertook an inquiry into the operation and regulation of the retirement housing sector (the Inquiry). The Inquiry highlighted concerns about contract complexity, unfair fees, and dispute resolution mechanisms, recommending that the Retirement Villages Act be reviewed.

In response to the Inquiry, the Government committed to undertaking a comprehensive review of the *Retirement Villages Act 1986*. While several significant changes to the Act have occurred since 1986, the Act had not been the subject of a comprehensive review since 2004. The government launched the Review in October 2019 releasing an Issues Paper for public consultation. More than 150 submissions were received from retirement village owners, retirement village residents and their families, researchers, and other interested parties. In addition, community forums were conducted across Victoria and an Options Paper was subsequently released for public consultation in mid-2021. Over 260 submissions to the Options Paper were

received, with approximately 90 per cent of submissions coming from residents, their families and residents' committees, emphasising the need for reform.

The Review culminated in the release of an Exposure Draft Retirement Villages Amendment Bill in 2022. Public consultation on the Exposure Draft during October 2022 and from April to May 2023 generated a total of 112 submissions. This Bill reflects the detailed feedback and engagement that took part in the public review and consultation.

The consultation process was clear on the need to reform and clarify residents and operator rights and obligations, improve dispute resolution, and address information contract complexity and information asymmetries. The Bill seeks to address each of these concerns. It is critical that as Victoria's population continues to grow, there is a strong and fair retirement village market. This Bill sets up a new regulatory framework to meet the needs of residents and industry and support growth of the sector. This Bill will reshape the framework for the retirement village sector and respond to community concerns. There will be more work to do. Key features of the new regulatory framework will be designed in regulations, in close consultation with residents and stakeholders. The amendments will be reviewed two years after introduction and no later than five, to assess the impact of the reforms and whether additional changes are required to continue to meet the needs of residents and the sector.

#### **Enabling residents to make informed decisions about retirement living**

Recent media has highlighted community concerns regarding the complexity of retirement village contracts and the difficulty in accessing information needed to make informed decisions about financial obligations and requirements for both operators and residents at departure from a retirement village.

To support greater resident understanding of retirement living, the Bill introduces a new requirement that contracts must be in a standard form, which will be prescribed in regulations. The Review heard that the variety, and technical nature, of retirement village contracts makes it difficult for residents to compare villages and to understand their obligations and overall costs. When drafting the regulations, the government will work with stakeholders and residents to meaningfully design standard form contracts that are expressed in plain English and are easy to understand. The Bill establishes offences and penalties for operators who use contracts that are not in the prescribed form, for failing to give a copy of a residence contract to a resident, and for contracts that contain prohibited terms.

The Bill will introduce targeted reforms to improve prospective residents' access to relevant and clear information to ensure they are supported to make fully informed choices about entering, living in and exiting retirement villages. The Bill will streamline pre-contractual disclosure by requiring village owners to provide a single 'information statement' in a form approved by the Director of Consumer Affairs Victoria. Information statements will be required to include key information about a village, including the identity of the owner and operator, and specified contractual and financial matters. Information statements will be provided to prospective residents, published on the operator's website and must be updated at least annually.

The Bill also introduces a framework for annual contract checks to be provided by village operators to support residents' ongoing understanding of retirement village payment models. Contract checks will be required to include information about any requirements the resident must follow when terminating a contract, selling a residence and leaving the village. During the annual contract check, operators will also be required to provide residents with a reasonable estimate of their exit entitlements and liabilities, the likely sale price for their unit or residence right and how much the resident would be likely to be paid out by the operator if they vacated the retirement village at the time of the check.

#### **Promoting best practice in the operation of retirement villages**

The Bill introduces for the first time overarching principles to be used to guide interpretation and clarify the objectives of the Act. These principles will apply to operators in the operation of a retirement village, and particularly when providing accommodation and services in the village, and also to residents when living in a retirement village. Principles include that all residents should be treated with dignity and respect, villages should be kept safe and maintained in reasonable repair and that residents should have quiet enjoyment of their premises in the retirement village.

The Bill introduces a mandatory Retirement Villages Code of Practice (the Code) to be prescribed in regulations. The Code will be developed by the Director of Consumer Affairs Victoria (CAV) and approved by the Minister for Consumer Affairs to enshrine mandatory professional conduct obligations and provide guidance for operators of retirement villages. Development of the Code will be subject to consultation with industry stakeholders, including representatives of retirement village proprietors, operators and residents. To ensure the Code remains fit for purpose, the Bill will introduce a mandatory three-year review period to ensure that it continues to be effective in a dynamic industry context.

The Bill will introduce a new framework for the granting of exemptions to retirement village operators from complying with the Act or from compliance with specific provisions within the Act. Further rigour is required to ensure that exemptions, where required, are valid and thoroughly justified by operators to support the operation of the retirement villages regulatory framework. The Bill introduces clear criteria that the Director of Consumer Affairs must consider before granting an exemption. These include the impact that an exemption would have on village residents and whether they would be disadvantaged if the exemption was granted. Residents will also have the right to make a submission to the Director on a proposed exemption before any exemption can be granted.

To further increase transparency for residents, operators will be required to notify the Director of Consumer Affairs of information that must be displayed on the public register of retirement villages about their village and ensure it is kept up to date.

To enhance the ongoing safety of residents in their homes, the Bill will amend the Act to require emergency and evacuation plans be developed for all villages. Currently, emergency and evacuation plans are not compulsory in Victoria and residents have reported that some villages do not have them in place. This is of particular concern for villages located in areas with a high fire or flood risk. The Bill ensures all retirement villages are prepared by requiring an emergency plan to include procedures for emergency response, evacuation, procedures for emergency services notification and medical treatment, and communication protocols. Operators will also be required to undertake annual safety inspection and evacuation exercises. Such reforms are particularly important as it will ensure that emergency planning appropriately reflects the diverse and developing needs of residents, such as wheelchair access, 24-hour vehicle access, and the use of other auxiliary aids.

#### **Supporting residents to resolve disputes effectively, fairly and accessibly**

The Bill will enhance internal dispute resolution processes in retirement villages to ensure fairness for residents to reach a resolution at the local village level and where possible, reduce escalation of disputes. Residents' committees will also no longer have a role in mediating disputes between residents. Where a dispute cannot be resolved internally at a retirement village, it is essential that there are effective external dispute resolution processes to allow residents and operators to resolve disputes and promote harmony in a village.

The Bill supports residents and operators to resolve disputes through introduction of a free, fair and accessible alternative dispute resolution scheme to be located within the Department of Government Services. The Scheme will also be supported by a close connection with Consumer Affairs Victoria as the retirement villages industry regulator, enabling information sharing and appropriate and timely regulatory action. The Scheme will be funded through the Victorian Property Fund in accordance with the provisions of the *Estates Agents Act 1980*.

The dispute resolution scheme will operate in accordance with the Australian Government *Benchmarks for Industry-based Customer Dispute Resolution*, ensuring staff adhere to the principles of accessibility, independence, fairness, accountability, efficiency and effectiveness when providing dispute resolution services. The Director of Consumer Affairs will also be empowered to take appropriate regulatory action against operators who fail to uphold an agreement. If a dispute cannot be resolved through conciliation, parties will receive a certificate verifying their good faith participation in conciliation and providing recommendations to support parties to continue negotiations.

In some cases, disputes may arise between residents and retirement village operators that are highly complex or may have serious implications for the lives of residents. In those cases, it is appropriate that residents can seek binding and authoritative resolution through the VCAT Civil Claims List. The Bill will expand VCAT's jurisdiction allowing it to hear and determine the most complex retirement village contractual disputes. The Bill will replace existing arrangements for contract terminations with new, clearer provisions enabling operators to terminate contracts either following a substantial breach of the contract by the resident, or for health and safety reasons.

One of the most common dispute types between residents and operators relates to repairs, maintenance and maintenance fees. The Bill clarifies maintenance responsibilities and provides for residents to have oversight of and accountability for increases in maintenance charges. The Bill also introduces new requirements for village operators to complete capital maintenance works within a reasonable timeframe, to report annually to residents on capital maintenance plans and to establish capital maintenance funds. Reforms will also prohibit operators from charging maintenance charges and optional ('personal services') charges after the resident has left the village.

**Easier, timelier and fairer settlement when exiting a retirement village**

The Bill clarifies requirements for operators to pay exit entitlements to residents within 12 months after the resident has delivered vacant possession. The Bill also contains provisions for departing non-owner residents who transition into aged care to receive aged care payments and for non-owner or owner residents to receive alternative accommodation payments from their village operator during any interim period between the resident vacating and the sale of their home or residence right in the village. This means that residents and their families can have certainty of their entitlement upon exit and will not be left out of pocket at the time they transition into aged care or alternative accommodation.

The Bill also clarifies how operators must calculate exit entitlement payments and introduces requirements for operators to disclose all relevant departure fees and calculations to residents at the time they are entering a village.

The Bill includes requirements for how 'deferred management fees' must be calculated – with reference to the resident's entry payment and detail on how that fee will increase annually. It is common for deferred management fees to accrue annually, and the Bill requires this to be clearly stipulated. It is also common for operators to provide a cap on deferred management fees, for example, after a resident has resided in a property for 5 to 10 years, their fees may be capped at 20 to 40 per cent of their entry payment. This Bill does not intend to limit or interfere with this contractual practice. Further requirements for the calculation of deferred management fees may be stipulated in the regulations. The Bill will include a new prescribed standard form contract, to be designed in regulations, which will provide operators clarity on how to calculate and communicate fees and will provide residents a consistent and simple way to compare exit fees and entitlements.

The Bill clearly outlines capital gain or loss requirements including that a residence contract must not provide for an arrangement where capital losses are shared between residents and a village in a higher proportion than capital gains.

The Bill provides an option for vacating residents to make an agreement with operators to share in equal proportion the costs of any renovation or reinstatement to be undertaken at the end of a residency and the capital gains resulting from a sale. The Bill adds a requirement for operators and non-owner residents to complete and agree on a condition report at the commencement of residency, which is to be used to assess the dwelling's condition at the end of a residency.

**Enhancing the monitoring and enforcement role of Consumer Affairs Victoria**

The Bill will provide the Director of Consumer Affairs with enhanced compliance and enforcement powers to address serious forms of financial harm and misconduct, as well as new powers to collect and share data, conduct research, and publish reports on retirement village disputes. This new centralised data collection function will help to inform compliance activity and future reviews of the Act. The Bill also introduces new offences for serious non-compliance and increases the penalties for some existing offences.

An operator will be required to provide the Director of Consumer Affairs with a report detailing the number and nature of management complaints or resident disputes in the previous year, the outcome of each complaint or dispute, any action taken to resolve the complaint or dispute, and any changes made or proposed to be made to address the issues arising. The Bill clarifies that the full range of enforcement powers for the Director of Consumer Affairs under the *Australian Consumer Law and Fair Trading Act 2012* apply to the Retirement Villages Act.

It is critical that Victoria's regulatory framework remains at the forefront of ensuring the retirement housing sector provides safe and secure housing for residents and supports residents to age well and in comfort. This Bill supports consistent good practice in the administration of retirement villages across Victoria and will better protect the rights of resident.

I commend the Bill to the house.

**Evan MULHOLLAND** (Northern Metropolitan) (17:27): I move:

That debate 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 Water) (17:27): I move:

That the house do now adjourn.



### Heatherwood School

**Sonja TERPSTRA** (North-Eastern Metropolitan) (17:28): (1384) My adjournment matter this evening is directed to the Minister for Education, and it concerns the support provided by the Victorian government to the Heatherwood School, a special school in the North-Eastern Metropolitan region, to ensure it continues delivering quality education to students with intellectual disabilities despite facing significant external challenges. Heatherwood School has endured a particularly challenging couple of years. The collapse of the initial builder responsible for delivering stage 2 of their master plan caused significant delays to critical infrastructure works. This setback was further compounded by a tragic fire that severely damaged block A, affecting both the learning environments and the broader school community. Additionally, a smaller fire impacted one of the school sheds. Despite these hardships, the resilience and unity demonstrated by the staff, students and families at Heatherwood School have been nothing short of inspiring.

Heatherwood School has benefited from Victoria's largest ever single investment in upgrading specialist schools, with 39 schools sharing in \$388.8 million. Through this funding the Victorian government has continued to upgrade and modernise Heatherwood School, progressing with the next stage of the school's master plan. The action I seek from the minister is to outline how the Victorian government will continue to support the Heatherwood special school in delivering quality specialist education, particularly in light of the recent challenges. Additionally, I request the minister to provide an update on the delivery of stage 2 of the master plan to ensure Heatherwood School can continue to thrive and offer the exceptional education its students deserve. I will continue to be a fierce advocate for this wonderful school and its remarkable community. I would just like to thank them again for their patience and support during this difficult time.

### North East Link

**Evan MULHOLLAND** (Northern Metropolitan) (17:29): (1385) My adjournment is to the Minister for Transport Infrastructure, and the action I seek is for her to explain the secrecy when it comes to the North East Link and explain why her authorities and departments are silencing local residents affected by the North East Link. Recently I joined over 400 people in Bulleen for a North East Link community forum that was hosted by the federal member for Menzies Keith Wolahan with the member for Bulleen Matthew Guy, the member for Kew Jess Wilson and member for North East Metro Richard Welch. But there were also several community advocates who were there and spoke. There were over 400 people there – that was as many as we could fit in the room – and over a thousand expressed interest. The action I seek of the minister is to explain why she did not attend, why she did not send a representative. We did ask the North East Link Program. We did ask every possible department.

**Sonja Terpstra** interjected.

**Evan MULHOLLAND:** I understand – and Ms Terpstra may want to chat to the minister – and found out it was also put to the minister that any government representative, should they be available, would be able to attend. We asked the minister to provide that opportunity, but no, she clearly did not speak to Ms Terpstra and invite Ms Terpstra along. I am sure Ms Terpstra would have been able to explain to the 400 people there why they were forcing everyone to sign non-disclosure and non-disparagement agreements, would be able to explain specifically the noise complaints, the light pollution, the actual pollution, the dust, the lack of parking in suburban streets. She would have been able to speak to all of the residents that have missed garbage collections because of North East Link workers parking in their streets, causing massive disruption. She would have been able to explain the amount of double glazing that is being put on by the North East Link, which is also silencing people from telling anyone about the fact they got double glazing. They were even told not to tell their neighbours that they got double glazing, even when the North East Link know that other houses need it too because they will be severely impacted. So I seek the action of the minister to be open and transparent with residents and with the community regarding the North East Link.

### Duck hunting

**Katherine COPSEY** (Southern Metropolitan) (17:32): (1386) My adjournment this evening is to the Minister for Environment, and the action I seek is that the blue-winged shoveler be removed from the game list for the 2025 duck-shooting season. On 15 January this year the *Herald Sun* published documents that they received under a freedom-of-information request, and these documents show that the minister ignored the recommendations of his own department in placing the blue-winged shoveler on the list of birds approved to be shot during hunting season. The blue-winged shoveler is a threatened species, and hunting of the native birds was previously banned in Victoria, including during the 2024 duck-shooting season. The latest University of New South Wales Centre for Ecosystem Science data shows that our native ducks have crashed in number to well below long-term averages and that they are not breeding. The report also reveals that the minister ignored recommendations of his department and the Game Management Authority to ban the use of electronic duck callers. All of this follows from the government's decision to ignore the recommendations of their own inquiry, which recommended the end of duck shooting in Victoria, following the ACT, New South Wales, Queensland and Western Australia. Why did the minister ignore the advice of his department and put a threatened species in even more danger? The action I seek, Minister, is that you remove the blue-winged shoveler from the game list.

### Energy costs

**Jacinta ERMACORA** (Western Victoria) (17:34): (1387) My adjournment matter for today is for Minister D'Ambrosio in the other place in her capacity as the Minister for Energy and Resources. The action that I am seeking is for the minister to provide me with an update on how the Labor government's programs to reduce the cost of energy are benefiting local communities in Western Victoria. The 2024–25 Victorian default offer for households is on average more than \$300 lower per year than the default offer in New South Wales, Queensland and South Australia. The reduction of the default offer by 7 per cent in 2024 saved households around \$100 per year and businesses \$260 on average per year on their electricity. According to the Australian Energy Market Commission, Victoria's growing share of renewables will continue to deliver some of the lowest wholesale electricity prices in the country for the next decade, with prices in Victoria to fall by 9 per cent over the coming decade. The AEMC has predicted that the ongoing electrification of Victorian households will also help to reduce Victorian household energy costs.

Despite this, higher interest rates and higher prices for essentials such as food continue to put pressure on Victorian families. I am committed to supporting the communities of Western Victoria in reducing the burden of the rising cost of living, including the cost of energy that households need to stay cool in summer, warm in the winter and keep their lights on. That is why I am seeking that the minister provides me with an update on how the Labor government's programs to reduce the cost of energy are benefiting local communities in Western Victoria.

### Police resources

**Renee HEATH** (Eastern Victoria) (17:36): (1388) My adjournment is for the Minister for Police, and the action that I seek is for the minister to advocate for proper funding to address crime, which is out of control in Victoria. Local police officers are doing the best they can, but the state Labor government is not providing them with the resources they need. In Somerville we have just seen three teenagers terrorising shoppers with imitation guns at the Somerville shopping centre. Witnesses said:

... they were out of control, and pointing guns in our faces yelling and swearing ...

They were, thankfully, arrested, but knowing Victoria's bail system, as we sadly do, I will not be surprised if they are out and at it again. Criminal offences increased by 32 per cent in the Mornington Peninsula shire in 2024. Meanwhile the state Labor government have weakened bail laws, they have cut crime prevention funding, they are increasing the age of responsibility and frontline policing has been diminished. Labor have also cut the open reception hours at Hastings police station, and

Somerville police station has no open reception hours at all. Police are under-resourced, and Labor's soft-on-crime approach means serious offenders face no real consequences. I ask for action to be taken in this area.

### **Companion animals**

**Georgie PURCELL** (Northern Victoria) (17:37): (1389) My adjournment matter this evening is for the Minister for Public and Active Transport, and the action I seek is for the minister to allow all companion animals on public transport. Currently Victorians can only bring small animals on trams and buses if they are in suitable carriers, but most pet owners in Victoria have dogs, and the largest breeds are the most popular, including labradors, greyhounds and border collies. On trains the rules are different: all dogs can travel but only if they wear a muzzle.

For many Victorians their companion animals are their family, so when we go out we do not want to leave them behind. Sometimes it is due to their care needs or our needs, to go to work or to a dog park or, importantly, to attend vet appointments. The current restrictions on travelling with pets are an enormous deterrent for many Victorians who want to bring animals into their families and benefit from the companionship that they provide. The cost-of-living crisis is also resulting in less people being able to afford to run their cars and opting for more environmentally friendly options, but it means that their animals cannot be part of their everyday lives or, worse, can no longer fit into their lives and are surrendered.

By comparison, in Europe, the UK and parts of New Zealand animals are welcome on most modes of public transport, but not here under this government – a government whose own data from the first ever pet census showed us that an estimated 1.4 million Victorian households have pets. That means that over half of the population are being limited to transporting their pets by car. The 2023 report also tells us that for vet trips limited transport options and hard-to-access vet clinics were notable barriers to their usage. Companion Animal Network Australia conducted a study of dog owners in Sydney that estimated 2.4 million dog-related private car trips could be incurred in Sydney each and every week. Imagine if all of those road users were taken off the road and what this would do to alleviate traffic congestion and emissions. Guidelines can be easily adopted to ensure the safety of both passengers and animals on public transport, such as having separate carriages. Allowing this to happen is a free and easy way to improve public transport accessibility here in Victoria, and I hope the minister will remove the restrictions on animals on public transport and create a new framework based on inclusion for everyone.

### **Beaconsfield level crossing removal**

**Michael GALEA** (South-Eastern Metropolitan) (17:40): (1390) I raise a matter this evening for the attention of the Minister for Transport Infrastructure, Minister Williams. It relates to the Station Street level crossing removal project in Beaconsfield, a project I have spoken about many times before in this chamber, which followed the successful community campaign to save the historic railway house adjacent to the station there and has been saved as a result of that campaign. I was very, very pleased to secure an intervention from the then Minister for Transport Infrastructure Jacinta Allan to preserve that railway heritage house, to keep it for the benefit of generations of people in Beaconsfield to come. It has been very exciting to see, in the almost two years since, the Station Street level crossing removal project really come along. To see that bridge almost completed is wonderful, especially when you take into account the huge amount of growth that is still being built and the new houses that are being built in the areas to the south of the station. It has been really wonderful as well, as the local MP out there in the Berwick and Beaconsfield area, to be working with the community on this project and to work with them to resolve any issues as they arise.

We are at the exciting stage now where we actually have the consultation process for the names for this new road bridge that is going to link between these two sides of Beaconsfield over the railway line. There were lots of really good suggestions, including one from the community, of Bunya Bunya Bridge, after the historic indigenous tree that was also saved as a result of the intervention of now

Premier Allan. In order to comply with the rules set out by Geographic Names Victoria there are a number of names that have been put forward to the community, some named after the local area and some named after significant local individuals. Whilst that process is still open, it would be remiss of me not to convey to the minister the overwhelming preference that I have heard from the community for one particular name. That is McKenna Drive, named after Mary Carmel McKenna, who is an icon of Beaconsfield. She sadly passed away two years ago. She was heavily involved with the local school, St Francis Xavier, which just happens to be right at the intersection.

**David Limbrick** interjected.

**Michael GALEA:** Mr Limbrick's school too – there you go. As Mr Limbrick would know, it is right at the intersection of this new road bridge that will remove the Beaconsfield level crossing. She was also involved in the Beaconsfield Junior Football Club and was well known, adored and respected by the Beaconsfield community. Indeed she received an OAM, so on behalf of all the Beaconsfield residents who have most strongly advocated to me, the action that I seek from the minister is that we name this wonderful new bridge McKenna Drive.

### Department of Health

**Georgie CROZIER** (Southern Metropolitan) (17:43): (1391) My adjournment matter this evening is for the attention of the Minister for Health, and it is in relation to any potential outbreak requiring a public health response. The action I am seeking is regarding the significant changes and the loss of experienced personnel from the public health team in the Department of Health and the loss of experience with the numbers of chief health officers that have gone – we have lost the department secretary; the whole place has been gutted. There is a concern around the expertise that is now left within the Department of Health. I am wanting to get reassurance from the Minister for Health that the department is prepared to manage a major public health response should the need arise – for instance, if there was an outbreak of avian flu in Victoria or some other virus like we have experienced with COVID. God forbid we go back to those days. None of us ever want to go back to that. However, there is a significant impact to community, and we know with the outbreak of avian flu in May of last year there was an egg farm near Meredith that was impacted, as were a number of other farms, and over a million chooks were killed to arrest that virus in those chooks at that time. In the States I notice that there has been detection of the H5 virus in dairy cattle, but it has also crossed over into humans, and I think there are something like 67 humans with this avian flu. The Centers for Disease Control and Prevention over there are dealing with it.

I am raising this again because I am concerned about the impacts of the public health team in the Department of Health and want to understand exactly what the health department has in preparation for an outbreak – we are still in the summer months, and we are coming into autumn and then winter – and what the government has in place should something like this occur in Victoria. As I said, we do not want another COVID response. I am not suggesting that for 1 minute, but I do want to understand what the Department of Health has got in place should there be an outbreak, because we do not want the response that we had with COVID and how it affected Victorians and Australians. Indeed far too many people are still feeling the impacts from the government's response through that time.

### Merri-bek North education plan

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (17:46): (1392) My adjournment matter is for the Minister for Education. The residents of north Merri-bek have long voiced their frustration over the state of our public secondary schools. Coburg High School, Glenroy College, John Fawkner Secondary College and Pascoe Vale Girls College face growing inequalities, low enrolments, underfunding and declining academic outcomes. Since 2014 enrolments in these schools have steadily dropped, directly impacting school funding and limiting curriculum choices. Many parents are abandoning public schools in Melbourne's north, seeking alternatives simply because of a lack of investment in the schools our young people deserve.

The Merri-bek North education plan had the largest community response of any education plan consultation to date, which only emphasises the deep concern and urgency felt by local families. Since the plan was introduced in 2022 limited meaningful progress has been made. The Merri-bek North education plan consultations found that parents want their children to have access to a diverse range of subjects, extracurricular activities and modern facilities. While the education plan remains in the works, none of the necessary changes are being implemented across these schools. We have heard from constituents that the students have been shipped around between schools to attend subjects individual curriculums do not have the funding to offer. This is not a system that fosters learning, it is a system failing our young people.

Pascoe Vale Girls school stands as of pillar of our community providing education to a diverse student body, including many from various cultural and faith backgrounds. It has the potential to thrive, but like so many schools in our region it needs greater support. There has been a longstanding demand from the community to expand the Pascoe Vale Girls school to become co-educational. The change would increase enrolments, strengthen funding and ensure a wider curriculum. The Merri-bek North community deserves stronger action and priority in education funding.

The action I seek from the minister is a commitment to funding for the families of north Merri-bek, as they deserve better. It is time for action to rebuild trust and reinvest in the future of our public schools.

### Housing

**Nick McGOWAN** (North-Eastern Metropolitan) (17:49): (1393) In November of last year I wrote to Minister Shing, and at the time I was representing the interests of a constituent of mine in Ringwood. That constituent had brought to my attention that there was a public house that had remained in this street in Ringwood untenanted for two years – for two whole years. I would like to be able to say that that was an isolated case, but what I am finding increasingly among our community is that local residents are reporting to me, very frequently, almost, that there are other homes that are likewise untenanted government-owned properties. I appreciate the response from the minister, and I received that response in January this year, so I would like to place on record my thanks to the minister for that response. Nonetheless, I would also like to ask the minister to reconsider her position.

The advice the minister has received from Homes Victoria is that the residence in question is due for maintenance and, to quote the letter from the minister, ‘some major works’. I think there is perhaps some discussion around that, perhaps even some debate to be had about whether that is the case and whether that advice is correct. Certainly the information I had is that that is not correct. Nonetheless I have been to the property, and I have seen the home for myself. We have a perfectly good home that may be in need of days – perhaps a couple of weeks – work, but we nonetheless have a two-bedroom home in the middle of Ringwood not 4 or 5 minutes walk from the train station, 4 or 5 minutes walk from the bus terminus, 4 or 5 minutes walk from Eastland, 4 or 5 minutes walk from health clinics, not too far at all from the hospital at Maroondah and surrounded by any number of local primary schools and secondary schools which are not too far away. It is a perfect location for the property. It is currently owned by the government. It has sat there for two years and has been allowed to be let go, to literally rot.

The minister’s decision, at least in this case, on the advice of the department is that that property should be sold, should be put up for private sale. I would, as I have already said, ask the minister to reconsider that decision, to reconsider the evidence or the information from her department that it requires major works, because that is not the information I have. I would appeal to the minister’s discretion in this matter, because we are, as we know, in a housing crisis. We have too few social homes, we have too few community homes. We have too many women who are victims of family violence and would look for a home just like this for their family, which could be rehoused in weeks. I would ask the minister to take another look with a view of not putting this up for private sale but actually using it for the public benefit.

### Adoption

**David LIMBRICK** (South-Eastern Metropolitan) (17:52): (1394) My adjournment matter this evening is for the attention of the new Attorney-General. I had the pleasure of meeting with a constituent recently who is involved with supporting and advocating for adoptees, particularly adult adoptees. It was a very interesting discussion. Apparently with modern innovations such as DNA testing and sites like ancestry.com, there are increasing numbers of adults who are discovering later in life that they were actually adopted. I can only imagine that this must be a jarring experience, especially if the parents that raised them have passed away. Obviously there would be many questions, from curiosity about their birth parents to important questions about hereditary health conditions. Apparently it can be quite a process to seek and receive relevant information, and while the Victorian government have introduced integrated birth certificates which list both the birth parents and the adopted or social family, there is a bit of a process to get there. The constituent that I met with and the people they are working with are not seeking any change in policy but do want a better understanding of how the process is working. What they are seeking and what I am requesting from the Attorney is information on the kinds of documents adoptees are seeking and how long it is taking to receive them.

### Patient transport

**Wendy LOVELL** (Northern Victoria) (17:53): (1395) My adjournment matter is for the Minister for Health, and the action that I seek is for the minister to order that all overdue reimbursements through the Victorian patient transport assistance scheme be promptly paid. The Victorian patient transport assistance scheme is a vital subsidy scheme that helps rural and regional patients who travel long distances for medical treatment. Many regional Victorians who are receiving specialist medical treatment, like cancer treatments, must travel to Melbourne because it is the only place that they can get their treatment. The travel can often be expensive, especially for those who are elderly or out of work. The subsidy scheme offers enormous help to those people. Patients pay for their own travel, whether by car, by taxi or flying, and then eligible patients can get a reimbursement from the government. A small amount can also be claimed for accommodation for those who want to arrive the night before a morning appointment.

The government's website says that payment of claims can take up to six to eight weeks from receipt, but in reality many patients are waiting much longer than that, and many of these patients are among those who can least afford to wait, who need their reimbursements issued promptly, because that money has to go towards living expenses. There are also volunteer organisations who help eligible medical patients, and they are also waiting for reimbursements. There have been recent reports that health services in my electorate of Northern Victoria have been waiting several months for their reimbursements to come through, and some are owed hundreds of thousands of dollars. This is completely unacceptable. For a small volunteer-run organisation, payment delays of this length cause serious problems. Delays affect cash flow and even threaten the ongoing viability of the service these organisations offer.

In the midst of this payment crisis the Minister for Health Mary-Anne Thomas is missing in action. This is another symptom of the dysfunction in the Victorian health services caused by the Allan Labor government. Labor are not resourcing the health services properly because they are spending all their time and all our money on their massive metro projects like the Suburban Rail Loop and neglecting crucial services that support access to medical treatment for regional and rural Victorians. The minister must investigate and audit this failure in the reimbursement scheme and act immediately to order prompt payment of all money owed to individuals and services who are long overdue to receive their reimbursements.

### Meadow Creek solar farm

**Rikkie-Lee TYRRELL** (Northern Victoria) (17:56): (1396) My adjournment this evening is for the Minister for Planning, and the action I seek is for the minister to reject planning application PA2403133. For two years the community of Bobinawarrah have been campaigning against the

components of the Meadow Creek solar facility they propose to build in the King Valley in northern Victoria. This project threatens the livelihoods of many generational farmers who care for the King Valley. The community have told me they have been told by their insurance brokers that they will not be able to insure their properties due to the high cost of the facility. Insurance companies do not offer insurance to farmers to cover hundreds of millions of dollars of liability. This area is one of the most profitable agricultural regions in the Wangaratta council area. It is part of Victoria's food bowl. Food security should be a high priority of the government.

This project also threatens endangered native species. The region is home to the endangered Sloane's froglet, the critically endangered regent honeyeater and the vulnerable Murray cod. Locals have told me they are concerned with the proposed impacts and possible removal of 31 mature trees on the site, which provide habitat for native wildlife. This area is also of high importance to the tourism industry, being the home of Brown Brothers wineries, Pizzini Wines and Chrismont Wines. This facility has the potential to cause loss of income to this industry with the disruptions caused by the construction stage. The project has no social licence. There have been over 500 submissions made to the Department of Transport and Planning objecting to its construction. The concerns of my constituents are real, and the minister must take these into account. Minister, the action I seek is that the application number PA2403133 be rejected for the protection of the King Valley.

#### **South-Eastern Metropolitan Region police resources**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:58): (1397) My adjournment is to the Minister for Police. The action I seek, Minister, is that you address the safety concerns of all Victorians by providing Victoria Police with the necessary resources to keep our community safe. The Community Advocacy Alliance has called out rapidly rising concerns, arguing that in Melbourne alone there are up to 10 communities hiring private security firms to patrol their streets because they feel police are just not available to do it adequately. Residents of affluent suburbs in Melbourne are hiring private security guards because they do not feel safe. As reported, the residents of Middle Park are hiring private security guards to patrol their neighbourhoods so they can feel safe on their streets. Other private security companies have already been patrolling areas in Werribee, Wyndham Vale, Camberwell, Hawthorn, Toorak, Brighton, Caulfield and Balwyn for months, which raises a huge concern. What about the communities like the ones I represent in Dandenong, Frankston, Narre Warren South, Narre Warren North, Cranbourne, Mordialloc and Carrum Downs who, for example, cannot afford to pay to feel safe?

In my electorate, as I have talked about several times this week, crime is increasing at a terrifying rate. In Carrum Downs crimes against the person have increased by 20 per cent in 12 months. In Frankston South burglaries increased 82 per cent in 12 months. In Mordialloc theft of a motor vehicle increased by 48 per cent in 12 months. In Narre South burglaries increased at 77 per cent in 12 months. In nearby Pakenham property offences have increased by 34 per cent in 12 months. And in the area of Cranbourne burglaries have increased by 700 per cent in 12 months – 700 per cent.

The people in the south-east pay their taxes – taxes which pay for a police force that has a primary mandate to protect the community and keep people safe. We in Victoria are now being forced to create a class system based on who can pay to be looked after and feel safe in their homes and on their streets. This is not a Third World country, and yet residents are frightened and forced to take the extreme measure of paying for private security patrols because they have lost faith in our policing system. This is not a criticism of Victoria Police, who are battling this government to provide them with a wage negotiation, for example, which has been going on for years. Even the Fair Work Commission has walked away from this long-running pay dispute, advising the Chief Commissioner of Victoria Police in his application to resolve the dispute.

Victoria Police is forced to defend its crime statistics because of the pressure this government has put the police force under. But we know that brazen home invasions are now becoming a reality, and it is happening everywhere in metropolitan Melbourne. In fact everywhere I go I hear stories of people that

can tell you about home invasions, car thefts, burglaries and people that have been stabbed and injured. It is just out of control in the south-east. Minister, will you improve resources for Victoria Police so that people are not forced into taking the law into their own hands?

### Land use activity agreements

**Gaelle BROAD** (Northern Victoria) (18:01): (1398) My adjournment is to the Premier. The action I seek is for the state government to address the lack of transparency surrounding land use activity agreements, known as LUAA, in Victoria. All Victorians deserve to know the detail behind these agreements – the conditions, the charges and where the money is going. I looked into this issue after a small residential housing development in White Hills came to a standstill when the developer, partway through a project, was informed by the City of Greater Bendigo that a LUAA applied to his development, and he refused to accept the conditions imposed. When a LUAA applies, the payment of community benefits to the traditional owner group is required. A short extension of a road triggered the agreement with the Dja Dja Wurrung Clans Aboriginal Corporation, and he was informed that costs based on a percentage of the land value would be applied in accordance with their valuation.

The issue led me to speak with people from various councils and land developments. I soon discovered this was not an isolated incident. Under the Labor government and following a High Court decision known as Timber Creek, the formula applied and costs imposed under LUAA agreements have morphed considerably in recent years. I understand that the land justice unit in the Department of Premier and Cabinet audit local councils for compliance with the recognition and settlement agreements and land use activity agreements. But for those asked to comply with these agreements, there is no transparency, no reporting of these issues or a right to appeal, no timeframes imposed and no opportunity to question the land valuations imposed by those charging the fee. It appears that conditions are set and costs imposed without question. Across central Victoria LUAA agreements are holding up housing and public projects, in some cases for two to three years, and adding tens of thousands of dollars to projects.

The Timber Creek High Court decision in the Northern Territory has been used to replace the current formula in the agreement, and some developments have been asked to pay 50 per cent of the land value plus another 10 per cent for cultural loss, so it is effectively 60 per cent of the land value. Both local councils and developers are hamstrung until an agreement is reached. Local councils have no power to change the process or ask questions unless they go before VCAT and risk further delays to the project trying to challenge a state government agreement. In addition to the fees applied to projects, other conditions can apply, such as a requirement to rename a creek or road, pay for additional staff to attend the project site and observe the works and for staff to undertake cultural training. At the end of the day it does not matter who is funding these projects – all Victorians are paying the price.

### Suburban Rail Loop

**Richard WELCH** (North-Eastern Metropolitan) (18:03): (1399) This state is at a crossroads as services fail, as food bank queues grow, as spending cuts are made, as crime rises and as state debt grows and grows to the point where once again our state's credit rating is under threat. And I say 'once again' because Victorians, as most Victorians know, have been here before – a failed state Labor government bankrupting this state, driving business into the ground and overseeing the most rapid fall in living standards in the state's history. In the Cain–Kirner years we were quite literally the laughing-stock of the nation. I remember a joke from the time: what is the capital of Victoria? Punch line: about 2 cents. And I remember the comedy show *Fast Forward* or *The D Generation* doing a skit with the Labor Premier in a polka dot dress desperately busking for money. We were humiliated, we were bankrupt, we were lost. Those of us around at the time all saw the pain this state went through to right the ship, to slowly return pride to the state. It took vision, it took courage. It was not plain sailing, but it succeeded, and one thing was certain: the solution did not reside in the party that had caused the crisis. The solution resided in the Liberal Party.



Sadly, the thing most Victorians thought could never happen again is happening again. We are back in the days of the death spiral of the Cain–Kirner years. All the signposts are there. In 1990 the collapse of the Pyramid Building Society and the collapse of Tricontinental were monumental events. They were disasters for the people of this state, in many cases personal life-changing disasters. In 2025 it is our generation facing disaster. We now face our generation’s Tricontinental moment, our generation’s collapse of Pyramid moment, our generation’s loss of state credit rating moment. It is that serious. And this generation’s moment is the Suburban Rail Loop. The commitment to and the lack of funding for the Suburban Rail Loop will ruin this state. To put all the state’s money into one single project will destroy lives. The bloody-minded determination to continue with it, to sign contracts regardless of the almost certain risk of costs beyond the current pseudo budget of \$34 billion, is every bit as reckless and negligent as the Cain–Kirner financial negligence in 1990.

The action I seek from the Minister for the Suburban Rail Loop is to commit to a full financial review of the SRL project, inclusive of updated project costings, intended tax capture methodology and contingencies in the event federal funding is not provided as budgeted. Anything less is to repeat history. Anything less is to condemn this generation of Victorians to the economic catastrophe that only Labor governments deliver. We have reached our Tricontinental moment.

### **Bushfire preparedness**

**Bev McARTHUR** (Western Victoria) (18:07): (1400) My adjournment matter for the Minister for Environment concerns the alarming report by forestry consultant John Cameron and bushfire scientist David Packham entitled *Melbourne’s Fire Risk Matches LA*. While on this topic, however, I also want to pay tribute to the communities in my electorate which continue to be affected by this year’s bushfire season. I spoke in a previous sitting week about the incredible work volunteers do to protect our property and lives out in the country, and the more recent fires in the eastern Grampians and Little Desert National Park around Dimboola and Nhill have seen us further indebted. The report I referenced makes stark reading. Its timing is deliberate. The recent impact of bushfire on urban areas in California should be a warning to us all. Fire does not always happen in remote, sparsely populated areas. I would never wish a fire on anyone, but if there is to be any positive taken from the fires in the Los Angeles area, it should be a powerful warning to us that we cannot be complacent.

On this note, I was interested to see Forest Fire Management Victoria’s (FFMV) chief fire officer Chris Hardman write recently:

... you should know that Victoria is prepared and that our land and fire agencies have worked all year to reduce bushfire risk.

We are prepared and ready to respond.

As I did many times in the previous Parliament, I want to put on record my serious scepticism about the way Forest Fire Management Victoria has changed the fuel load reduction target regime recommended by the 2009 Victorian Bushfires Royal Commission (VBRC). Because of very high forest fuel levels, Victoria is a ticking time bomb.

The report indicates that fuel reduction is well short of the Victoria bushfires royal commission recommendation of at least 5 per cent of the forest per annum on average and that fuel reduction has averaged 1.6 per cent per annum since the introduction of the Safer Together policy in 2015. FFMV has failed to meet its own risky fuel-driven fire risk targets in five districts every year for the last five years: metropolitan, Yarra, Latrobe, Midlands and Ovens. Three of these – metro, Yarra and Midlands – expose outer Melbourne to a catastrophic scenario worse than Los Angeles in 2025 and East Kilmore in 2009. Minister, the action I seek is a return to the fuel load reduction targets required by the VBRC. But despite being below target for many years in five districts, FFMV completed only 67 per cent of its planned fuel reduction and only 26 per cent of its priority fuel reduction over the last two years – some priority.

**Responses**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:10): There were 17 matters raised in the adjournment this afternoon, and all of those will be referred to the relevant ministers.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 6:10 pm.**