



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Tuesday 28 October 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 ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	Lib	Ratnam, Samantha ⁵	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem ⁶	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 ³	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David ⁴	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard ⁷	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² IndLib from 28 March 2023
until 27 December 2024

³ Appointed 14 November 2024

⁴ LDP until 26 July 2023

⁵ Resigned 8 November 2024

⁶ DLP until 25 March 2024

⁷ 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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Tuesday 28 October 2025

The PRESIDENT (Shaun Leane) took the chair at 12:02 pm, read the prayer and made an acknowledgement of country.

Announcements

Photography in chamber

The PRESIDENT (12:04): Can I just alert members that this week at different times there is going to be a professional photographer around the chamber taking action shots.

Bills

Australian Grands Prix Amendment Bill 2025

Casino and Gambling Legislation Amendment Bill 2025

Statute Law Revision Bill 2025

Royal assent

The PRESIDENT (12:04): I have received a message from the Governor, dated 21 October:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the under-mentioned Acts of the present Session presented to her by the Deputy Clerk of the Legislative Assembly:

39/2025 Australian Grands Prix Amendment Act 2025

40/2025 Casino and Gambling Legislation Amendment Act 2025

41/2025 Statute Law Revision Act 2025

Questions without notice and ministers statements

Malmsbury Youth Justice Centre

Nick McGOWAN (North-Eastern Metropolitan) (12:05): (1085) My question is to the Minister for Youth Justice. Minister, just two years ago the government closed Malmsbury Youth Justice Centre after spending tens of millions of taxpayer dollars on upgrades and paying staff \$15,000 each to stay on until its closure. The government is now spending millions more to reopen it. Can the minister inform the chamber of the total cost of reopening the centre?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:06): I thank Mr McGowan for what is a good question and a good start. I think that is his second question in this place. It is your second question, but it is a good start. Let me be very clear to everyone in the chamber: the decision to close Malmsbury was the right decision then, and the decision to reopen Malmsbury today is the right decision now. Let us get that very clear. We as the government have always said we will be prioritising community safety, and that is what we are doing. This is about unlocking additional capacity to ensure that dangerous repeat offenders have a custodial facility if the courts decide that is appropriate. In relation to the total cost, it should have been part of the announcement. I did answer this question on the doors: the cost will be \$141 million over five years to reopen Malmsbury.

Nick McGOWAN (North-Eastern Metropolitan) (12:06): I thank the minister for his answer. But to satisfy the chamber I would appreciate a breakdown of those costs, Minister, in respect to, obviously, staff redundancies and also the amount of money that is either capital expenditure or recurrent expenditure in this budget and from what part of your budget it comes from.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:07): I thank Mr McGowan for his supplementary question. Mr McGowan, the cost to close down the Malmsbury facility was already

acquitted as part of the budget processes in 2024–25. In relation to a budget update for this new additional investment – and I want to thank the Treasurer for her support – that will be as part of the midyear budget update. You are a former member of PAEC, Mr McGowan. You would understand the government is always very transparent about our investments, and we will continue to do that in the usual way.

Yallourn power station

Katherine COPSEY (Southern Metropolitan) (12:08): (1086) My question is to the Minister for Energy and Resources in the other place. Minister, last month I asked you about non-performance at Yallourn. You responded that the structured transition agreement ‘is designed to be a mechanism of last resort to ensure Yallourn can meet minimum energy generation requirements if needed’. How is this supposed to happen when three out of four units at the coal clunker plant were once again offline during the week of 14 to 17 October?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:08): I thank Ms Copsey for her question. I will refer that to Minister D’Ambrosio for a written response.

Katherine COPSEY (Southern Metropolitan) (12:08): Thank you, Minister, for referring that on. Minister, given Yallourn’s repeated failures, are there enforceable penalties or compensation to the government for non-performance in the secret agreement with EnergyAustralia, and have any been triggered since the agreement was signed?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:09): I will also pass on the supplementary question to the minister for a written response in accordance with the standing orders.

Ministers statements: asylum seeker vocational education and training program

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:09): I will begin with a quote: ‘Education was my beacon of hope.’ This message, shared with me by Robert, will stay with me for a long, long time. I met Robert yesterday at the Asylum Seeker Resource Centre in Footscray alongside fellow asylum seekers and VET students, Manal and Lina. We were joined by the fabulous Footscray local member Katie Hall, ASRC CEO – a Melbourne legend – Kon and many passionate ASRC staff and volunteers. Together we celebrated the Allan Labor government’s \$3 million investment in the asylum seeker vocational education and training program, including \$400,000 for the ASRC. This program, which helps asylum seekers gain VET qualifications, is already giving back in spades. Robert spoke movingly about his difficult journey to Melbourne and the struggles he faced on arrival. Through it all, he said, education was his beacon of hope. I am pleased to inform the house that he will soon graduate with a diploma of community services from Victoria University. Lina and Manal have also overcome great obstacles to enrol in VET, with Lina studying a diploma of screen and media at RMIT and Manal studying early childhood education at Chisholm. So far the asylum seeker VET program has supported more than 950 asylum seekers, and we could not be prouder of their achievements. My final words belong to Kon, who in his usual compassionate and gracious manner, said:

This program brings out the best in us. Just like Treaty. In this great multicultural, First Nations country of ours, we will always be stronger together.

Malmsbury Youth Justice Centre

Evan MULHOLLAND (Northern Metropolitan) (12:11): (1087) My question is to the Minister for Corrections. The government is struggling to fill corrections roles, hence its well-publicised recruitment drive and \$8000 sign-on bonuses. How long will it take for Corrections Victoria to recruit the 114 staff necessary to reopen Malmsbury Youth Justice Centre following this backflip?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:11): I thank Mr Mulholland for that question. I think it is a question probably better addressed to my youth justice portfolio since Malmsbury is a youth justice facility, Mr Mulholland. But obviously it is a question directed to myself, and I am happy to take it.

Harriet Shing interjected.

Enver ERDOGAN: Thank you, Minister Shing. No, I am happy to take this one. What I will say, Mr Mulholland, is that we have been very successful in our drive to recruit new people to our youth justice system. In fact at both our Cherry Creek and Parkville facilities over 95 per cent of roles have been filled, understanding that people that work in this field are quite passionate about making change. At this Malmsbury facility I am very confident we will find the workforce, in particular because the focus at Malmsbury will be on the lower risk profile – young people that have shown promise in their rehabilitation and reintegration. With the new model at Malmsbury there will be a focus on vocational education and training with jobs at the end of it. That is the goal. I am very confident those 100-plus roles will be filled in the timeframe.

Evan MULHOLLAND (Northern Metropolitan) (12:12): I asked how long, and we are told ‘in a timeframe’. That is not really an answer, but okay. A supplementary question to the Minister for Youth Justice: will the government be re-engaging staff who received redundancy payments following the closure of Malmsbury Youth Justice Centre just to reopen it?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:13): I thank Mr Mulholland for his supplementary question. I do want to take this opportunity to thank everyone that works in the youth justice system, especially the countless staff that did work at Malmsbury – for a number of decades, some of them, I might add. Every staff member at Malmsbury was provided an opportunity to take additional an role not only in youth justice but across the criminal justice system. There were opportunities and a process that we worked through with the staff there. But many chose to take a package, and I can totally understand that. After a number of decades working in a complex environment many of them took that opportunity.

In terms of the Malmsbury facility, everyone is welcome to apply, but of course the cohort that will be placed at Malmsbury will be very different to what was there in the past. There will be a focus on lower risk and a stronger focus on educational and vocational opportunities. I encourage everyone in the broader community to take the opportunity. You can make real change in our youth justice system.

Fire services

Jeff BOURMAN (Eastern Victoria) (12:14): (1088) My question is for the minister representing the Minister for Environment in the other place. Minister, Forest Fire Management Victoria have apparently had to scrap 290 G-Wagons, the vast majority of their forest firefighting appliances. What is the minister doing to ensure that Victorians are kept safe during the upcoming bushfire season given there are 290 or so appliances missing?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:14): I thank Mr Bourman for his question. This will be referred to the Minister for Environment for a response, and I am sure that he will provide that consistent with the standing orders.

Jeff BOURMAN (Eastern Victoria) (12:14): I thank the minister. What is the minister also doing to ensure that the FFMV personnel are kept safe by having decent equipment while doing their job?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:15): I thank Mr Bourman for his supplementary question, and that will be referred to Minister Dimopoulos.

Ministers statements: Somebody's Daughter Theatre

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:15): What an exciting time it is to be a Victorian. Each spring Melbourne comes alive with events – the AFL Grand Final, the Spring Racing Carnival and the Royal Melbourne Show, to name a few – and it is also the season for a number of events in my corrections portfolio. Spring marks the return of the theatre production and art show by Somebody's Daughter at the Dame Phyllis Frost Centre. Since 1980 the community-led Somebody's Daughter Theatre Company has supported women in custody by conducting workshops in music, drama, dance and visual art. The women participate in rehearsals throughout the year, culminating in an annual production held inside the four walls. Last week I had the pleasure of attending this year's performance, *Second Byte*, alongside the chair of the Women's Correctional Services Advisory Committee and hardworking member for Wendouree, Juliana Addison in the other place. It was apparent how much work and passion had gone into making this year's production a success. The results of countless rehearsals, workshops with professional actors and clever set design were on show for the 100-plus crowd to see. *Second Byte* contained plenty of humour, personal insights into the justice system and social commentary that would give our sharpest political commentators a run for their money. But this show is about more than putting on a good show. Programs like Somebody's Daughter are an important part of our efforts to rehabilitate people whilst they are with us. The program gives women confidence and skills in working together as a team and solving problems with creativity, things that will help them lead productive lives after their release into the community, because that is good for them and good for all Victorians and their families. I want to give my special thanks to Maud Clark and Kharen Harper, the powerhouses behind Somebody's Daughter Theatre, for another successful production, and of course I want to thank everyone across this chamber for their support for this important program.

Early childhood education and care

Evan MULHOLLAND (Northern Metropolitan) (12:17): (1089) My question is to the Minister for Children. The government response to the *Rapid Child Safety Review* stated that four key recommendations would be before Parliament by October 2025: establishing an independent early childhood regulator, establishing a new shared intelligence and risk assessment capability and bringing child safety risk information together in one place, changing the reportable conduct scheme to improve information sharing, and mandatory online child safety training and testing and a dedicated review process for working with children checks. While these are not in place Victorian children remain at risk. Will the government be introducing legislation to deal with all four recommendations that are due by October?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:18): I thank Mr Mulholland for his question and for the opportunity to talk about the way in which our government is responding in relation to what were very serious child safety accusations back in July but also the breadth of work that has been undertaken across the system in relation to both individual incidents and the system as a whole not just here in Victoria but indeed across the country. When the accusations of July were first put forward, this government took immediate action to do some of the things we could do immediately, such as the ban on devices and a registration system for those people who work in our early childhood settings, where indeed we have a kindergarten funding relationship, which allowed us then to set up a register, which I am pleased to report to the house now has 68,866 additional workers who have registered. What we will do this week is introduce a piece of legislation that acquits the review's recommendation for an independent early childhood regulator. There are two more pieces of legislation that will follow that in order to acquit the elements of the review that go to setting up a new child safety regulatory framework here in Victoria that will oversee the implementation of the national law. The independent regulator legislation will be introduced this week.

What we also have is a bill that will look at the improvements to the national law. Again, when these accusations and others around the country first came to light, child safety ministers right around the country took immediate action in partnership with the Commonwealth and agreed to not just what were initially a tranche 1 of improvements to the national law but additional things which were within the 22 recommendations of our review, many of which were for us to advocate to the Commonwealth to improve things within this national system, and indeed adding into that the paramountcy of the child and the best interests of the child as core. It is something that exists across our child protection legislation when it comes to protective services for children across the board, but it was not something that existed in the national framework for child safety within early education. It is something that will be in there now as a consequence of Victoria advocating for that, post our review.

So there is the national law reform bill still to come. That national law has to be agreed by cabinets across the country – not just here in Victoria but in other jurisdictions. That process is underway, and I am pleased to advise the house that that will be here very soon, in due course, and able to be debated concurrently with the bill that we will introduce this week. We will make changes as well to our social services regulatory legislation, which will also allow us to bring together the reportable conduct scheme matters and the child safe standard matters. But these are complex and they all interact with each other. While this week we have been able to introduce the early childhood independent regulator bill, there are still things that have been finalised across the country in the national law bill and in that social services regulatory piece as well.

Evan MULHOLLAND (Northern Metropolitan) (12:21): It is good to have confirmation that the government will not meet its October deadline for most of those reforms which were set out in the rapid review. Minister, the acting commissioner for children and young people Meena Singh said that they are compromised in delivering the reportable conduct scheme to its fullest benefits due to its lack of funding, despite notifications being up 30 per cent in the year 2023–24 and 136 per cent since it began seven years ago. Will the government meet its ongoing commitment to meet funding for the scheme and meet its October deadline for changes to the scheme?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:21): I thank Mr Mulholland for the supplementary question. There are a few matters in there, some of which are directly related and some of which perhaps would have been better in substantive questions in and of themselves. But to take the first point, the funding for the Commission for Children and Young People has increased, and how the commission chooses to spend that money and allocate that money within their remit is a decision for the independent commission. That said, as I indicated in my substantive answer, we are working within the 12-month deadline to acquit all of the 22 recommendations of the rapid review. Many of those we were able to act on immediately and many of those we acted on through subsequent national forums. Both in August and just a couple of weeks ago we had education ministers meetings where these matters were given the due consideration necessary to further them through the process. We will continue to work towards both of those pieces of legislation and the other things that go to improving child safety within our early childhood education settings and also wherever children are learning, playing and being cared for.

Dingo protection

Georgie PURCELL (Northern Victoria) (12:23): (1090) My question is for the minister representing the Minister for Environment. In 2024 the government allocated over \$2.5 million to trial nonlethal control methods to manage dingoes in north-west Victoria. Big Desert dingoes are a genetically distinct and isolated population, with only around 40 remaining in the wild. Estimates indicate the dingoes in the north-west of the state are at risk of extinction if threats to the population are not addressed. For several years TO groups across Victoria have voiced their concern, urging the government to protect this culturally significant species. In addition to their cultural value, dingoes play a crucial role in ecosystems as apex predators. Without them we will see catastrophic consequences for the entire environment. Can the minister outline what has been achieved with this funding and identify where and when the trials are taking place?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:24): I thank Ms Purcell for her ongoing interest in this issue. This matter will be referred to Minister Dimopoulos, the Minister for Environment, for a response.

Georgie PURCELL (Northern Victoria) (12:24): Thank you, Minister, for referring that on. The creation of three new national parks in Victoria covering over 130,000 hectares has been celebrated as a win for conservation, yet it raises some serious concerns for wildlife protection. Seasonal hunting is already planned within these parks, and the dingo unprotection order remains in effect in the eastern parts of the state. Given this, can the minister advise whether dingoes will still be permitted to be killed within or around these new national parks?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:24): Again I thank Ms Purcell for her ongoing interest in these issues. I am directing her supplementary to the Minister for Environment, and I am sure that he will respond to her, consistent with the standing orders.

Ministers statements: aged care

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:25): The Allan Labor government is committed to ensuring that all regional Victorians can access high-quality aged care close to home. Last week I had the pleasure of joining member for Eastern Victoria Tom McIntosh to visit some of the major investments our government is delivering across Gippsland. In Orbost the structural works are now complete on the new \$45.3 million public residential aged care facility. Designed to promote independence, the dementia-friendly facility will provide a home-like environment for residents and is on track for delivery next year. It is also fantastic to mark the commencement of early construction on a residential aged care facility in Maffra featuring private bedrooms with ensuites that promote dignity and independence. The facility will enable contemporary models of care for older Victorians.

Ageing in place is vital for older Victorians, especially in regional communities, and our investments mean more locals can remain in the places that they know and love. Our government has been proud to deliver for regional communities right across Victoria, replacing older facilities with purpose-built homes that meet community expectations and ensure residents can age in place even as their care needs increase. I have been proud to visit recently completed facilities in Rutherglen and Camperdown. Construction is progressing really well at Cohuna and Mansfield, and there are early works now for the construction of the \$54 million investment to deliver a new facility in Numurkah, modern and purpose built to provide the care residents deserve and a safer working environment for our staff. The Allan Labor government will always back our regional communities. We are proud to be delivering the aged care services and infrastructure that regional Victorians deserve.

Foster carers

Nick McGOWAN (North-Eastern Metropolitan) (12:27): (1091) My question is to the Minister for Children. Minister, there are recent reports on both the ABC and in the *Age* in respect to the payments made to foster carers. In fact foster carers have been blindsided by the government's announcement in this respect – that is, that they have slashed the allowances that foster carers receive. It was up to \$100 a day, and without notice or explanation that has now been decreased, in some cases down to \$34 a day, to care for children who require around-the-clock therapeutic support, specialist medical appointments and trauma-informed care. How does the government explain these drastic cuts that are forcing experienced carers to potentially walk away from the system and leaving vulnerable children without stable homes?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:28): I thank Mr McGowan for his question, and I also take this opportunity to thank our carers for the amazing work that they do – both our kinship carers and our foster carers – particularly in a system that is very heavily weighted towards kinship care. They are an important part of our system, and they

are highly valued. In response to the specific allegations of those opposite and indeed those that were aired on the ABC, I can assure the house that there has been no change to the policy. There has been no cut to the allowances.

David Davis interjected.

Lizzie BLANDTHORN: There has been no change to the policy and there has been no cut to the allowances, Mr Davis. What I can tell the house is that care allowance levels vary based on the age and needs of a child. They can be reassessed as a child's needs change, and they can be reassessed up as well as reassessed down. But there has not been any change either in the funding available for the care allowance or in the distribution policy that goes with the care allowance.

What I would say to members of this house – and we have asked the same of the ABC – is that if they have specific examples or specific concerns in relation to specific families and children, then we would appreciate seeing them and hearing them so that they can be adequately addressed and, if necessary, reassessed. But we have not changed the policy and we have not changed the funding available. In addition to the base allowance, we have subsequent allowances, and these are for new placements. The new placement allowance for level 1 allowance placements is for the first six months. That is an additional allowance. We have education assistance payments, which is a payment per year until a child is 18 to assist with meeting the educational costs of children in care. We have client expenses funding, which is also available to help cover the costs for extraordinary expenses. There are also many other ways in which we support and value our carers, be they foster carers or kinship carers. We have not –

David Davis interjected.

Lizzie BLANDTHORN: Mr Davis, I say it again: we have not cut the funding and we have not changed the policy.

Sonja Terpstra: On a point of order, President, Mr Davis was aggressively pointing, and I ask that he not aggressively point. Also, President, on the noise level coming from those opposite, I am sitting behind the minister and I cannot hear her answer. I would ask that those constant interjections be deemed unruly and that they should cease and allow the minister to continue her answer in silence.

The PRESIDENT: I uphold the point of order and call the house to order.

Lizzie BLANDTHORN: Thank you very much, President; I appreciate that. Again, for the benefit of the house and for the benefit of those who may not have been able to hear, there has been no change to the carer allowance policy. We provide allowances for children and families. I ask and I invite any member of this house to speak with me about a particular issue that they might have about a particular individual or family, and we are more than happy to follow that through for them. I am also more than happy to repeat as necessary – although the clock may not permit me – all of the additional allowances that we have on top of the base allowances. Where I was up to was that I was about to talk about the many other ways in which we support carers in our system. Indeed the 2024–25 state budget provided \$38 million for improving outcomes for children and young people in home-based care, including funding for continuing the highly successful care support help desk.

Nick McGOWAN (North-Eastern Metropolitan) (12:31:): I thank the minister for her answer. Minister, it is not just the ABC and the *Age* who have reported this, it is also the Foster Care Association of Victoria and in particular the CEO Samantha Hauge. She said that she was concerned that 'reduced payments risked a further decline in the number of carers able to support children with high-level needs'. Does the minister commit to ensuring that any parents who have been reduced from level 4 or 5 and put on level 1 will have that immediately reviewed with a view to restoring it to level 4 or 5, given that, as the minister rightly says, the children are assessed both on their age and their needs?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:32): I thank Mr McGowan for his supplementary question. As in my substantive answer, I invite

any member of the house and I invite anybody – including Ms Hauge from the Foster Care Association of Victoria, to whom I am absolutely indebted for the work that she does to support foster carers, and the kinship carers association – to advocate on behalf of a family to the department and certainly to me. If there are individual cases of concern to any member in this place, then I invite them to raise them with me. But I do assure the house and I do assure the community and the relevant stakeholders that there has been no change to the policy.

Illicit tobacco

Sarah MANSFIELD (Western Victoria) (12:33): (1092) My question is for the Minister for Casino, Gaming and Liquor Regulation. Victoria's belated but nonetheless welcome tobacco licensing scheme will be fully operational in February next year, when enforcement commences. We understand that Tobacco Licensing Victoria, the regulator, will have 14 licensing inspectors responsible for enforcement for the entire state. By contrast, Queensland Health has 138 authorised officers, New South Wales Health has 28 inspectors and South Australia has at least 20 authorised officers. Can the minister assure Victorians that 14 inspectors will be adequate to manage enforcement of the licensing scheme to combat the illicit tobacco trade?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:34): I thank Dr Mansfield for raising this really important issue, an issue that is obviously very close to my communities and also me as a member of Parliament, not just as a minister. It is an issue around crime, and as a government we are committed to stamping out all forms of crime. That is why we are implementing Victoria's first ever tobacco licensing scheme with a \$46 million investment in this year's budget. We are giving powers to crack down on illegal sellers and establishing a dedicated regulator. I think it is important that there will be fit-and-proper persons tests. Because Dr Mansfield's question was about enforcement, the key to enforcement – because there is a criminal element to this, a very serious criminal element – is that it will be coordinated and risk based, together with Victoria Police. I think that is important. A big part of these laws are the deterrent factors of up to 15 years imprisonment and fines of up to \$1.7 million for companies and over \$300,000 for individuals.

These are important reforms that will make a difference, but they are not the solution themselves. We know it has been widely reported. I am sure, Dr Mansfield, you watch the ABC. There are multiple factors for the rise of the illegal tobacco trade, and we want to stamp that out. I think the inspectors will have an important role as they will be taking a risk-based approach. This work has not stopped. We have Taskforce Lunar, which has made hundreds of arrests already in relation to this trade and seized tens of millions of dollars worth of illicit products, and these inspectors will have a role in coordinating that approach with Victoria Police. But the number of inspectors alone will not be the measure of its success.

Sarah MANSFIELD (Western Victoria) (12:36): I thank the minister for his response. I appreciate that there are many aspects to the scheme. With that said, 14 inspectors still do not seem like quite enough given the scale of the problem. That aside, you also talked about the penalties that apply and the strength of these laws. New South Wales, Queensland and South Australia have strengthened or are proposing to strengthen their laws even further to control illicit tobacco trade. This includes the ability to order the closure of a premises engaged in illicit trade for up to 12 months. By contrast, the most that TLV is going to be able to do is suspend the tobacco licence of a trader for up to 90 days or disqualify a person from holding a licence for up to five years. Does the government plan to strengthen Victoria's laws, given the scale of the illicit tobacco issue in this state?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:36): I thank Dr Mansfield for asking a really important question of public interest. I believe still that the biggest deterrent is up to 15 years imprisonment for individuals. That is a lot stronger than what was in place previously. That is in place now even before the inspectors are on the ground, and that is more powers for police to enforce and

obviously for the courts to apply. But in relation to the settings in other jurisdictions, I think we are always open to making improvements to our current regime. I have always said, looking at best practice, this issue is not unique to Victoria. We are seeing this illicit trade growing across the eastern coast but South Australia as well, so every jurisdiction is facing similar challenges. I guess it is important to say that a lot of those laws and the strengthening are relatively new. Let us watch and see what impact it has. Going back to my initial point in the substantive, I think there is a broader issue around the Commonwealth settings about customs. I am working with the Commonwealth, I have written to the federal minister and I look forward to the ongoing partnership at the Commonwealth level to make a real difference. But I want to thank you for your interest.

Ministers statements: Suburban Rail Loop

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:38): I rise today to give an update on everybody across the way's favourite project, the government's commitment to deliver the Suburban Rail Loop. Last week it was a delight to join caucus colleagues and friends at the Burwood site, where we will be launching tunnel-boring machines next year and where Terra Verde has been undertaking major construction since last month, to announce the preferred consortium, being Place Alliance, that will be party to negotiations as part of the Stations Alliance North contract. This contract will deliver state-of-the-art underground stations at Glen Waverley, Burwood and Box Hill, radically changing the way that Victorians move, live and work across our great state and also providing people with more opportunities to find a home within walking distance of schools, public transport, education and health care. As part of the SRL, these new stations will also support the delivery of 70,000 homes.

We are building for our future and setting Victoria up for the next generation while the daily lottery that determines the Liberals' position on this project continues. I am sure it was not just those on the other side of this house who were surprised to hear that the new shadow minister for the SRL is someone who recently declared:

If the project's commencing, the project goes ahead ...

But let us not get too excited, because the Liberals remain reckless and divided, and there is nothing they hate more than having policy certainty except for each other. The newly appointed Shadow Treasurer – the most recent newly appointed Shadow Treasurer – recently said:

... we will pause and review the contracts, and the construction arrangements and the finance arrangements related to the Suburban Rail Loop.

Victorians, frankly – this is about the 10th position in recent memory – deserve better than 10 positions on a project that will actually deliver jobs, housing and infrastructure. We have got a clear and decisive vision. We are getting on with doing the job and building the Suburban Rail Loop now and for future generations.

Written responses

The PRESIDENT (12:40): That finishes ministers statements and questions. Minister Tierney will get answers for Mr Bourman and Ms Purcell from the Minister for Environment, as she committed to, inside the standing orders. Minister Stitt will get answers for Ms Copsey's substantive and supplementary from the Minister for Energy and Resources.

Constituency questions

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (12:41): (1894) My constituency question is for the Minister for Carers and Volunteers. Thirty-one men's sheds are being supported through \$860,000 worth of funding in grants announced in the 2025–26 men's shed funding program, including, I am very happy to report, funding of just over \$5700 for the Berwick District Woodworkers Club. It is a local club in my electorate that was successful in receiving a grant to purchase a 60-watt laser cutter

for its woodworking activities. It was delightful to have a great chat with the club on the phone last week and inform them of the good news. This is a very small but mighty grant program that provides great support to our very hardworking men's sheds. I know how excited this particular local club in my electorate is about receiving this grant. I ask the minister today how this men's shed funding program is supporting community spaces in the South-Eastern Metropolitan Region.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (12:42): (1895) My question is for the Minister for Health, and it is regarding the safety of staff at the Wodonga hospital campus of Albury Wodonga Health. Minister, will you provide lighting in the Martin Park car park to improve safety for Albury Wodonga Health staff, who are currently being threatened by aggressive youths? In the past year staff at the Wodonga hospital have been terrorised by a group of lawless pre-teen youths. These youths, aged between 10 and 12 years of age, scale the hospital's roof and throw rocks at the staff and have threatened doctors with knives and machetes in the car park. This is a hospital where more than 1000 staff who work 24/7 in emergency, maternity and general wards finish and start shifts at all hours. There is not enough parking provided at the hospital, so some staff are forced to park in the neighbouring football reserve, where there is no lighting in the car park. Police and security are doing their best, but doctors, nurses and other staff who must walk to their cars alone in the dead of night need better protection. I urge the minister to provide lighting in the Martin Park car park.

Western Metropolitan Region

David ETTERSHANK (Western Metropolitan) (12:43): (1896) My question is for the Minister for Water. While AI potentially brings great benefits, there are enormous environmental costs, in particular the water and energy required to run data centres. The *New York Times* reported last week that a 100-megawatt data centre consumes roughly 2 million litres of drinking water per day. That is the equivalent of 6500 households. And in western Melbourne, there are currently 19 data centre development applications. As the AI arms race heats up, community water supplies are being threatened. There is currently no statewide policy about where the water for proposed data centres will come from and how they will impact already stressed reservoirs, waterways and wetlands. Last week I met with groups connected to the Maribyrnong and Werribee rivers, which are already over-extracted and in ecological decline. My constituents ask: will the minister meet with key stakeholders of the Urban Waterways Alliance to update them on how proposed data centres are likely to impact our already stressed waterways and rivers?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:44): (1897) My question is to the Minister for Victims, Minister Carabine, and it relates to the tragic death of Kaiden Morgan-Johnston in Morwell last month. Last week I met with Kaiden's family – his mum and dad, Sascha and William, and extended family – who, as you would understand, are deeply distressed by this heartbreaking loss. His family expressed to me a strong desire for justice for Kaiden and law and order and meaningful action to ensure that such a tragedy does not occur again. They are seeking to understand what the government will do and can do to provide this justice and to keep other family members and community members safe into the future. The family has asked for an opportunity to meet with you, Minister, to directly discuss their concern and hear what steps the government is taking towards not only a safer Latrobe Valley but a safer Victoria. Minister, will you please meet with Kaiden Morgan-Johnston's family?

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:45): (1898) My constituency question is for the Minister for Public and Active Transport. Minister, constituents in my Northern Metro electorate, particularly those with disabilities, continue to be disadvantaged in accessing trams along Sydney Road. Included in this cohort are elderly residents, parents with prams and people with mobility challenges. They are seeking an update on your legal obligations and commitment to making

all tram stops along Sydney Road fully accessible. While accessible tram stops have been delivered in High Street, Northcote, and Bridge Road, Richmond, Sydney Road continues to get left behind. There are no accessible stops along the 5.5-kilometre stretch of Sydney Road between Brunswick Road and Bakers Road in Coburg North. Accessible trams connect people to their communities, workplaces, medical care and education and contribute to everyone having the opportunity to live a good life. Minister, everyone has a legal right to access transport. Will you finally prioritise Sydney Road?

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:46): (1899) My question is to the Minister for Consumer Affairs. My constituent who lives in St Kilda has raised concerns with his local MP on numerous occasions about the rights and responsibilities of owners corporations in relation to short-term rentals like Airbnb. My constituent and other owners in his building have had to endure appalling behaviour of visitors in short-stay rentals, including drug dealing, drug abuse, violence and very extreme antisocial behaviour. Now they are facing a very onerous and expensive process to enforce their own resolution to ban short-stay rentals through VCAT, which requires another special resolution of a 75 per cent vote of the owners corporation. My constituent quite rightly points out that residents have a right to protect their homes, their privacy and their safety. Minister, will you meet with my constituent and his fellow residents to understand their concerns about the regulation of short-term rentals?

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:47): (1900) My constituency question today is for the Minister for Carers and Volunteers. I am asking my question today on behalf of the Network of Inner East Community Houses. They have 29 member houses. They run across my region in places like Manningham, Whitehorse, Boroondara and Monash. These neighbourhood houses are in dire need of funding. The government support just has not kept pace with the cost of running a neighbourhood house and paying staff – to the point that 46 per cent of neighbourhood houses across Victoria have run at a loss over the last two years and many are facing the awful proposition of considering closing. They are already operating on a shoestring budget, with limited staff and stretched resources, alongside a growing demand for their services. Neighbourhood houses offer so much to their communities; they can be a wonderful local hub that connects and upskills people. They should have the funding that they need. Minister, will you restore funding to neighbourhood houses with a 25 per cent increase?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:48): (1901) My question is for the Minister for Planning. Over a month ago I convened a public meeting in Greensborough for locals to discuss the proposed 17-storey high-rise in Greensborough. I note that she was extended an invitation to attend but unfortunately apologised on the day of the forum and did not attend, leaving numerous questions unanswered. Because this decision has been made in private and there has been no public consultation, there are questions that only the minister can answer. To that end, I took questions from the forum and then wrote to the minister on 17 September, and I am yet to have an answer. I would ask that she immediately respond so that everyone in Greensborough can be informed about what is happening in their community.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (12:49): (1902) My question is to the Minister for Environment. The bushfire season is fast approaching, and yet 290 G-Wagons and 59 Unimogs – critical frontline firefighting vehicles – have been taken offline due to chassis and subframe faults. These vehicles are crucial to Forest Fire Management Victoria's response capability, particularly in remote and high-risk areas. In a recent season briefing I was assured by the chief officer Jason Heffernan that no CFA vehicles were out of operation. However, Fire Rescue Victoria indicated

similar challenges with critical appliances off line and in need of repair. Minister, can you confirm how long Forest Fire Management Victoria vehicles have been out of commission, what steps are being taken to address the faults and safety issues identified and that regional communities in Northern Victoria will have adequate emergency vehicle coverage at the start of the fire season?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (12:50): (1903) My question is for the minister for transport. Minister, it has come to my attention that in addition to not having a public toilet, Ringwood East train station has the longest wait times for any station from the CBD, with services every half an hour in off-peak. If I miss a train at Ringwood East on a weekday, it is faster for me to walk to Ringwood station than it is to wait for another train. Conversely, I might find the time to walk all the way to a public toilet. Williamstown, Werribee and Frankston all have services every 20 minutes until midnight. The *Network Development Plan – Metropolitan Rail* forecast that by 2016 there would be improved evening services to the Ringwood, Belgrave and Lilydale lines, with trunk services operating every 10 minutes and branch services operating every 20 minutes, mirroring the intra-peak services and levels. Frankston got these upgrades, but Ringwood did not. With the Metro Tunnel soon to be completed, when will the Belgrave and Lilydale lines receive the upgraded services that every other line has?

Western Victoria Region

Bev McARTHUR (Western Victoria) (12:51): (1904) My question is to the Treasurer. Why are you forcing local councils to act as your tax collectors yet again, this time through your 94 per cent hike in cat and dog registrations? Councils like the shires of Glenelg and Southern Grampians have written to me directly about the financial burden they face. They are being made to do your dirty work collecting and remitting higher state charges, copping the community backlash and losing vital revenue that should fund local animal management services. Just like the new Emergency Services and Volunteers Fund levy, this is another example of Labor cost shifting onto local government to plug holes in your state budget. According to your own department's figures, there are one million registered cats and dogs in Victoria, so this hike alone will strip at least \$3.9 million from Victorian households. Treasurer, when will you stop treating councils as unpaid tax collectors for your government?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (12:52): (1905) My question is also for the Treasurer, and it concerns land tax, which is having a very big effect on a number of my constituents. I particularly pick up Mr John Dikranis, a registered building practitioner who runs a firm, Protocon. He has five properties which have had massive land tax. He has had tough years in recent times since COVID and has fallen behind. He did have a payment arrangement with the State Revenue Office and he did fall behind in that payment arrangement. He has tried to contact his local MP Tim Richardson, and he has got properties across a number of local areas. The correspondence shows the SRO dismissing legal steps there, and I ask the Treasurer to ensure that the SRO works with businesses so that they are not pushed over the edge. The aim of these taxes must surely not be to kill these businesses.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (12:53): (1906) My constituency question is for the Minister for Police and it concerns the surge in violent crime in the outer northern suburbs. My community in Broadmeadows have had violent attacks and chaos on our streets almost on a daily basis. We saw horrifying footage from the Harmony Cup on the weekend. We have seen time after time incidents at Broadmeadows station and at Broadmeadows Central shocking our news headlines. This is unacceptable and a direct result of this government's weakness on crime. Minister, it is time your government admitted your failings. We need to urgently strengthen Victoria's bail laws and

introduce wandering powers and extra powers for police. Minister, the Premier recently said that the CBD is safe. Is Broadmeadows safe?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:54): (1907) The government promised Victorians that machete amnesty bins would be placed outside 24-hour police stations to ensure safety and proper supervision. My question is to the Minister for Police. Mernda police station, for instance, and I believe other stations like Whittlesea, are now operating on reduced hours, from 9 am to 6 pm, and some are closed on weekends. That commitment is clearly in doubt, and we are finding that in the south-east as well. Minister, will you confirm the number of machete amnesty bins that are currently located outside stations that are not open 24 hours and whether any of the bins in the south-eastern region, including Frankston, Dandenong and Cranbourne, will remain outside any other closed or part-time stations?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:55): (1908) My constituency question is directed to the Minister for Public and Active Transport regarding the ongoing disruption on the Werribee line due to testing for the upcoming Metro Tunnel project. I ask: when will the full train service resume on the Werribee line? Bus replacements have been operating for several months, severely affecting shiftworkers. My constituents rely heavily on train services for transportation, and the bus replacements have significantly increased travel time and disrupted work schedules. Can the minister please provide an update to commuters regarding the timeline for the completion of the testing and the restoration of full services on the Werribee line?

Petitions

Assistance dogs

Georgie CROZIER (Southern Metropolitan) presented a petition bearing 66 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that many current and former Police and Emergency Services members are suffering from post traumatic stress injury (PTSI). The science is irrefutable. Providing assistance dogs to many sufferers is a cost-effective means of alleviating many of the adverse effects of PTSI.

A former police officer succumbed to PTSI after being shot in the head. The officer was provided with an assistance dog, Yogi. The officer's medication requirements reduced dramatically, vastly improving their general and mental health.

Sourcing and training assistance dogs is expensive. New South Wales allows prisoners to work with dogs until they become fully trained working assistance dogs. In Victoria, at Tarrangower Prison, inmates train greyhounds to be assistance dogs. Benefits are twofold: inmates' rehabilitation is assisted by having the responsibility of caring for and training these dogs, giving them a sense of purpose and boosting their self-esteem and confidence and fully trained dogs are available.

There is an urgent need to acquire and deliver assistance dogs to Police and Emergency Service workers suffering from PTSI. Substantial savings to the health system would be an additional benefit.

The petitioners therefore request that the Legislative Council call on the Government to immediately introduce an assistance dog acquisition and training program in selected prisons to provide assistance dogs to current and former Police and Emergency Service workers suffering from post traumatic stress injury (PTSI) and initiate funding to finance this program by adding one or two dollars to the cost of dog registrations across Victoria to be specifically reserved for this purpose.

Energy policy

David LIMBRICK (South-Eastern Metropolitan) presented a petition bearing 148 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council to the Victorian Government's proposal to ban new natural gas connections.

Plumbers and gas fitters with over 20 years of experience in the industry know gas plays an essential role in Victorian homes, businesses and industry. The mind boggles at the short-sightedness of destroying such a reliable, affordable, and skilled sector.

This ban will force households onto expensive and unreliable electricity, dramatically increasing winter bills. It will also destroy thousands of Victorian jobs including plumbers, contractors, manufacturers, and suppliers. Companies such as Braemar have already left the state and others like Dux and Rinnai at risk of closure.

Undermining energy security by removing a proven, flexible fuel source will place greater strain on an already unstable electricity grid. Victorians are being stripped of consumer choice, while the gas industry is being silencing through anticompetitive advertising bans.

No country in the world has eliminated natural gas. Other jurisdictions are investing in renewable gas alternatives such as biomethane and hydrogen blending, not tearing out their networks. We call on the Government to abandon its ban, restore choice, and support renewable gas innovation.

The petitioners therefore request that the Legislative Council call on the Government to stop the ban on new natural gas connections and remove all current and proposed policy and legislation to this effect being enforced on the Victorian people.

David LIMBRICK: I move:

That the petition be considered on the next day of meeting.

Motion agreed to.

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 14*

Sheena WATT (Northern Metropolitan) (12:58): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest* No. 14 of 2025, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

Motion agreed to.

Public Accounts and Estimates Committee*Report on the 2025–26 Budget Estimates*

Richard WELCH (North-Eastern Metropolitan) (12:59): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table a report on the 2025–26 budget estimates, including an appendix, from the Public Accounts and Estimates Committee, and I present the transcripts of evidence. I move:

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

Motion agreed to.

Richard WELCH: I move:

That the Council take note of the report.

First of all, I would like to thank all the Public Accounts and Estimates Committee staff, who worked very diligently for some very long hours for a couple of weeks as we went through PAEC. It is an arduous thing. I would also reflect that the two weeks I spent there on PAEC, I probably learned more

about more portfolios than I had learned in the previous year. I found it an incredibly valuable, eye-opening and rewarding experience.

A member: And shocking.

Richard WELCH: Yes, the eye-opening part, I guess, is exactly that.

I saw that PAEC is sort of a crucible of government, and I saw in that period something that probably reflects the state of the government as it staggers into a final year. The primary concern I had was really around the accounting standards. Time and time again across departments, line items were amalgamated – were compounded into meaningless figures that could not provide any transparency. This happened from department to department. The whole point of PAEC and the whole point of government in liberal societies is you are meant to have transparency, and transparency provides accountability. We saw in the way that the financial reporting is done now that we get neither: we get neither the clarity of accounting standards and line items that provide good governance nor the ability to scrutinise those numbers in an appropriate way. Anyone who has been in business or who has been on audit committees within businesses would have been incredibly frustrated by the way government works. It seems odd, if not simply wrong, to me that government works in a way where the standards are lower than what we expect of civil society in accounting.

One of the really notable things that came out of those discussions was, first of all, how clearly adrift we are in terms of economic management. There is no clear, overriding sense of purpose or mission in the Victorian economy, such that really so much of the discussion ends up being about how we will maintain our credit rating, how we will not address debt but simply rein in the speed at which debt is accumulating. Now, if that is your highest economic aspiration in the state, the state has got a problem. I reflect that it is not unlike Victoria in the 1980s, when we started the decade as the financial capital of Australia and through a lack of purpose and a sense of drift we ended the decade with Sydney being the financial capital of Australia. I think we are in a very similar situation now. Economic policy is not simply a matter of issuing selective grants, creating statutory bodies or issuing Treasurer's advances at random. That is not economic policy. Economic policy talks directly to matters of productivity, to the working capital of industries and to the ability to create wealth. That was very apparent by its absence throughout all those two weeks of discussions.

We also see of course that major expenditure – we are talking about many tens of billions of dollars – was covered off with entries 'to be confirmed'. The Suburban Rail Loop, the single biggest economic footprint in our budget, was 'to be confirmed', simultaneously within the same financial year we are signing contracts on it. If that is not an abuse of the accounting process of government, I do not know what is. It does not provide transparency. We also had the incident where the state government cut education policy by \$2.4 billion by not taking up its entitlements, yet I was confronted with the situation where asking whether the minister had received advice on that cut was met with obfuscation and evasion, to the point where I think in retrospect it should have been a matter of contempt of Parliament that that was not revealed. It was a material issue with a material question that did not get answered, and the Victorian people are the worse for it. I would like to commend the report to the house.

Michael GALEA (South-Eastern Metropolitan) (13:04): I am also pleased to rise to speak on another report of the Public Accounts and Estimates Committee, another budget estimates report, and a report I am happy to commend to the chamber. Indeed it has been, as Mr Welch said, quite a fascinating process, as it always is. I am not sure if you will be joining us again next year, Mr Welch. Hopefully we will see you there. If not, we might have some new friends from your side. I know Mr McGowan is desperate to stay on the committee if he possibly can. It is a very worthwhile exercise that PAEC undertakes on behalf of the Parliament each year, and I look forward to diving into some more details in a contribution later on where I will have more time to do so.

I do wish to acknowledge and thank in particular the very hardworking secretariat – Igor Dosen and Charlotte Lever, who is the lead analyst for this element of PAEC's work, and all the team. We are

very fortunate to have such a strong, hardworking team supporting the committee. I would also like to acknowledge in particular the chair, the member for Laverton Sarah Connolly, and all other committee members. We will of course be back in the Legislative Council committee room in just a couple of weeks for the other side of this equation, which is the budget outcome hearings – those financial and performance outcomes for the 2024–25 financial period.

I have spoken in this chamber many times about the topic of this report, and that is the budget for this year. Indeed, as we know and as this report verifies as well, the government is on track with its five-point financial fiscal strategy for recovering from the COVID years. We heard extensive evidence from the Treasurer, who is in the room with us, on that strategy but also on her priorities to ensure that the budget is in good shape because we know that the Victorian economy is in extremely good shape, and it continues to go from strength to strength. I look forward to discussing this report at a later date.

Aiv PUGLIELLI (North-Eastern Metropolitan) (13:06): If you had one question, one opportunity, to ask everything you ever wanted of a minister, would they answer? Or just let it slip?

The room's ready, briefs stacked, graphs are heavy.

There's info on the slides already, that tax and levy.

It's PAEC – and on the surface we are calm and ready to get answers, but ministers keep on forgetting what they wrote down.

The government talks so loud. They Dixie and shout, but the facts won't come out.

We're asking how, ministers deflecting now.

The clock's run out, time's up, it's over – wow.

Snap back to reality – whoa, no transparency.

'Oops,' goes the government.

They know we're so mad, but we won't give up that easy.

No, we won't have it, we know we want answers.

They don't think they matter.

It's cope – government morally broke, and so stagnant, they know.

When they go back to electorates, that's when it's back to the polls again.

Time for transparency.

Better fix this broke committee.

People hope for good government.

We'll never lose ourselves, in the room, in this chamber.

Reform it, you better fix it while you can.

You only get one shot. Do not miss your chance for change.

This opportunity comes once in a budget cycle.

I would like to thank the secretariat for all their hard work. Keep it up.

Motion agreed to.

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

Health Complaints Commissioner – Report, 2024–25.

Interpretation of Legislation Act 1984 – Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 89/2025 (*Gazette G42, 16 October 2025*).

Planning and Environment Act 1987 – Notices of approval of the –

Boroondara Planning Scheme – Amendment C400.

Darebin Planning Scheme – Amendment C229.

Greater Shepparton Planning Scheme – Amendment C198.

Hume Planning Scheme – Amendment C278.

Knox Planning Scheme – Amendment C201.

Mildura Planning Scheme – Amendment C116.

Victoria Planning Provisions – Amendments VC294 and VC296.

Whittlesea Planning Scheme – Amendments C249 and C286.

Recycling Victoria – Report, 2024–25.

Regional Development Victoria – Report, 2024–25*.

Statutory Rules under the following Acts of Parliament –

Child Wellbeing and Safety Act 2005 – No. 107.

County Court Act 1958 – No. 112.

Criminal Procedure Act 2009 – No. 104.

Gambling Regulation Act 2003 – No. 106.

Magistrates' Court Act 1989 – No. 111.

Mineral Resources (Sustainable Development) Act 1990 – No. 108.

Surveillance Devices Act 1999 – No. 105.

Victorian Civil and Administrative Tribunal Act 1998 – No. 110.

West Gate Tunnel (Truck Bans and Traffic Management) Act 2019 – No. 109.

Subordinate Legislation Act 1994 –

Documents under section 15 in relation to Statutory Rule Nos. 104, 106, 107, 108, 109, 110 and 112.

Legislative instrument and related documents under section 16B in respect of the Energy Retail Code of Practice (Energy Consumer Reforms) Amendment 2025 under the Essential Services Commission Act 2001.

Surveillance Devices Act 1999 – Surveillance Devices Inspection Report by Integrity Oversight Victoria on its inspections of surveillance device records during the period 1 January 2024 to 30 June 2024, under section 30Q of the Act.

Victorian Electoral Commission (VEC) – Report, 2024–25*.

** together with the Minister's reported date of receipt.*

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

Regulatory Legislation Amendment (Reform) Act 2025 – Division 1 of Part 6 – 20 November 2025 (*Gazette S576, 21 October 2025*).

Proclamations of the Lieutenant-Governor in Council fixing operative dates for the following acts:

Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025 – Parts 9, 10 and 12 – 15 October 2025 (*Gazette S557, 14 October 2025*).

Mineral Resources (Sustainable Development) Amendment Act 2023 – Parts 1 and 3 – 20 October 2025 (*Gazette S557, 14 October 2025*).

*Business of the house***Notices****Notices of motion given.****General business**

David DAVIS (Southern Metropolitan) (13:24): I move, by leave:

That the following general business take precedence on Wednesday 29 October 2025:

- (1) order of the day 16, second reading of the Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2024;
- (2) order of the day 1, resumption of debate on the second reading of the Safer Protest with a Registration System and a Ban on Face Coverings Bill 2025;
- (3) notice of motion given this day by Richard Welch on the administration of the CFMEU; and
- (4) notice of motion given this day by Sarah Mansfield on Cohealth.

Motion agreed to.*Members statements***Women's Health East**

Sonja TERPSTRA (North-Eastern Metropolitan) (13:25): I rise to speak about the outstanding work of Women's Health East, an organisation doing vital work across Melbourne's north-east and one I am very proud to support. Women's Health East has been a fierce advocate for women's health and equality. Whether it has been pushing for safer, fairer workplaces, improving access to reproductive health care or tackling the root cause of gendered violence, they have never shied away from the hard conversations and they have never stopped fighting for change. I want to acknowledge their submission to the Victorian inquiry into women's pain. For too long women have had their pain dismissed, whether it is endometriosis, pelvic pain, migraines or other conditions that have gone untreated or ignored. Women's Health East called it out for what it is, and that is medical misogyny. They have made it clear we need systems designed by women, for women, with lived experience at the centre. Their recommendations are practical, powerful and necessary, and they have called for services that are accessible to all women, because no-one should be left to suffer in silence.

I want to recognise the leadership of Elly Taylor, who served as CEO for four years and helped grow the organisation's reach and impact. Elly's commitment to Women's Health East and the values they stand for has been nothing short of inspiring. I would also like to thank Fiona Sharkie for stepping in during Elly's absence and leading the organisation with such strength and care and to warmly welcome the new interim CEO Kate Phillips, who has big shoes to fill but I know will carry the torch with the same passion and purpose as her predecessors. Women's Health East is a brilliant example of what community-led advocacy looks like, and I thank them for the important work that they do and their continued advocacy for women in the North-Eastern Metropolitan Region.

Graham Forge

Melina BATH (Eastern Victoria) (13:26): It was a sad day at the end of the Mountain Cattlemen's Annual Get Together with the sudden death of mountain cattleman Graham Forge. Graham was a revered horseman and was said to be in his element when he was in his saddle and mustering cattle. He had ridden all his life and was a pioneer of the Mountain Cattleman's Association Victoria packhorse race. Born on a farm in King Valley, Graham spent his life grazing beef cattle in Victoria's stunning north-east. He loved sleeping under the stars and he had a deep affection for horses, cattle, regional Victoria and of course his family. He was tragically taken while competing on horseback. May I offer my sincerest sympathies to his family and friends. As one mountain cattleman said to me, 'He has gone to God with his boots on beside his family and horses.' May he rest in peace.

Lucas Furlan

Melina BATH (Eastern Victoria) (13:27): Lucas Furlan is an absolute legend. He is a trapshooting champion from Latrobe Valley. His dedication to his sport is well documented. He previously represented Australia in 2023–24 as a junior world champion, wearing the green and gold. He has now been presented with the opportunity to become part of the Sport Australia Hall of Fame scholarship and mentoring program, only the seventh target shooting athlete to achieve this honour. Lucas has a big future ahead, and I congratulate him on his well-earned success and his incredible family. Well done, Lucas. Gippsland is proud of you.

GV Woodworkers

Rikkie-Lee TYRRELL (Northern Victoria) (13:28): It gives me great pleasure to dedicate my members statement today to the wonderful community organisation GV Woodworkers. I was delighted to accept an invitation to attend the organisation's 33rd annual wood show, held this past weekend at the Shepparton showgrounds. GV Woodworkers is a not-for-profit community group with over 100 members who have an interest in all types of woodworking, including wood-turning, joinery, woodcarving, fine furniture and carpentry. Woodworkers from all over Victoria travel to display their skills with practical demonstrations as well as to sell their beautiful products to the public. It was great to be joined at the event by my fellow Northern Victoria colleague Ms Lovell as well as Ms O'Keeffe from the other place. The variety of beautiful products on display for purchase was amazing, and I did not leave the show empty-handed, purchasing two gorgeous chopping boards and a document box made from my favourite tree, the jacaranda. I would like to congratulate show coordinator Len Taylor and the GV Woodworkers committee on another successful event. I look forward to returning next year.

Southern Metropolitan youth advisory council

John BERGER (Southern Metropolitan) (13:29): I would like to update the chamber on my youth advisory council, which has continued to meet with students across my community of Southern Metro. Over the past few sessions the youth advisory council has discussed climate change and housing, giving feedback on the importance of these issues for the younger generation. The Allan Labor government is committed to helping the next generation enter the housing market and, more importantly, to ensuring that through strong climate action we leave a more sustainable world behind for them. I look forward to seeing what more my youth advisory council will put forward on how we can continue to support young people over the coming meetings.

St Kilda PCYC

John BERGER (Southern Metropolitan) (13:30): I wish to update the chamber on the St Kilda PCYC. I was pleased to attend the round table held by the St Kilda PCYC for local community representatives including Josh Burns, the federal member of Parliament for Macnamara; local councillor for Balaclava Ward Libby Buckingham; and representatives from the local community and Victoria Police to discuss the future of the club. The St Kilda PCYC is the hub for community and social events in my constituency, acting as a not-for-profit that is home to key facilities for the community, including for sport and recreation. It has been great to see the outpouring of community support for the St Kilda PCYC. I will always advocate for local community institutions in Southern Metro, and that includes the St Kilda PCYC. I thank them for meeting with me and the other local representatives.

West of Melbourne Economic Development Alliance

Trung LUU (Western Metropolitan) (13:31): Last week the highly anticipated West of Melbourne Economic Development Alliance summit was held in Werribee Park near Werribee in my electorate. The summit was a fantastic event organised by hardworking executive officer Lesley Rogan and her team and chaired by Professor Peter Dawkins AO. The summit brought together industry leaders, representatives of councils, think tanks, university bodies and educators, department staff, federal and state parliamentarians, former premiers and some of our parliamentary colleagues in this place. It was

great to have the federal leader the Honourable Sussan Ley and the state leader Brad Battin, in the next house, also address the summit and outline their vision for the whole wonderful western suburbs. It was a privilege to be on a panel with Cr Phillip Zada, LeadWest chair; Cr Mia Shaw, the mayor of Wyndham City Council; and of course my colleague in the other place Ms Horne. I appreciated the opportunity to outline our priorities for the west for better roads, infrastructure, service and communities but also outline the plan to get business thriving in the west. Once again, I thank all involved so much for the opportunity and for making the summit such a success and a voice for the west.

Horseracing

Katherine COPSEY (Southern Metropolitan) (13:32): As the gambling-fuelled carnival of cruelty to horses gears up for another season, I am disturbed at recent allegations that Racing Victoria's top vet was pressured and coerced into allowing horses with a high risk of catastrophic injury to race. Dr Grace Forbes lodged an application for an order to stop bullying with the Fair Work Commission. She says she was asked to be 'flexible' in her assessments and that this could only mean one thing: Racing Victoria officials wanted horses to pass the veterinary safety protocols regardless of whether they were fit to race. While these allegations will need to be investigated by the commission, it is clear that horses are catastrophically injured regularly on Australia's racetracks. The Coalition for the Protection of Racehorses' *Deathwatch* report reveals that at least 175 racehorses died in the 2024–25 racing year, the highest since recording started a decade ago. Meanwhile the gambling industry that drives and thrives on this animal cruelty is costing us billions. Wagering losses have been increasing steadily over time, and despite a slight dip at the start of the pandemic, in 2022–23 Australians lost \$8.4 billion on wagering, a number that the Australian Institute of Health and Welfare says is notably higher than the past two decades. For these reasons and more, like a growing number of people around the state and the country, next week I will be saying nup to the cup.

Palliative care

David DAVIS (Southern Metropolitan) (13:34): I want to draw attention today to the issues around palliative care. I have had this matter raised with me by a number of people in my electorate in recent days. In part that is due to the bill that is forthcoming, but in part it is due to the tightness of government spending on palliative care. What I seek from the Minister for Health is additional and clear funding for palliative care, because we have an ageing population – we have a population that is facing very significant challenges – and the state government appears to have not allowed palliative care to keep pace. This took on some new concern for me with the budget estimates report just coming through right now. There is very clearly an expected outcome where there will be less palliative care funding in 2025–26 than there was in 2024–25. There is no proper breakdown of this figure, and I think that is a concern. It is a concern for those in my electorate who raise these issues with me, and there are a number of those in this recent context. The PAEC report blows the whistle on the state government's lack of transparent reporting on palliative care – something very close to my heart.

John Murtagh

Sarah MANSFIELD (Western Victoria) (13:35): Vale, Emeritus Professor John Murtagh AO, a giant of general practice who shaped how many of us care for our patients. John literally wrote the book on how to be a GP. Like thousands of medical students, I learned patient-centred care from his 1600-page textbook, *John Murtagh's General Practice*. He was a country kid who survived polio and turned that early experience into a life in medicine and teaching. He served rural communities, including Neerim South, and inspired generations with clear writing and the kind of practical wisdom only gained through experience. He was 89 when he died in Melbourne last week. His textbook was published in 1994 and is now in its ninth edition. It is the gold standard for general practice, translated into at least a dozen languages and used across 20 countries. It has everything from the restricted rule-out, or Murtagh's method of diagnosis, to one of my favourites, his famous clinical pearls, like his method to get a bug out of an ear. The World Organization of Family Doctors made him a lifetime

fellow in 2007, recognising contributions to global family medicine. In 2019, he was appointed an Officer of the Order of Australia for service to medicine. As a working GP before entering this Parliament, I say thank you. Thank you for teaching us to listen, to think, to act early and above all, to be compassionate. I offer condolences to John's family and colleagues.

Hamer scholarships

Richard WELCH (North-Eastern Metropolitan) (13:37): I welcome the revival of Victoria's Hamer scholarships, not just another scholarship but a bridge between our state and Asia built through education. It was a Liberal government that created the Hamer scholarships in 2012, named after former Premier Rupert Hamer, the visionary who forged Victoria's first sister state relationships with Jiangsu, China. The purpose was simple but profound: to give young Victorians the chance to live and study in China. These scholarships helped many young Victorians master Asian languages, better understand these cultures and build the face-to-face, people-to-people ties that underpin trade and trust. And it worked. Dozens of Victorians returned from Asia fluent, confident and globally minded. Many became founders, educators and export leaders, strengthening Victoria's connection with our region. The program was paused by the Labor government in 2019, leaving that bridge unattended for too long, so its return is very welcome. It is not just a funding program but a renewed effort to deepen our personal connections, mutual understanding and genuine cultural exchange between Victoria and our partners in Asia. It recognises China's growing international standing and presence and its extraordinary advances in science and technology. Embracing and leveraging these relationships is how Victoria maintains a globally competitive and diplomatic nature.

ABLE Publishing Press

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:38): It has been a great pleasure to support our budding authors and new authors at the ABLE awards gala dinner each year, and it was an honour to feature as one of their motivational speakers in the nexus view segment. My thanks are extended to my good friends, community and business entrepreneurs Dr Sarifa Alonto Younes and her husband Dr Hassan Younes for their continued support and contributions to make this world a better place to live. I look forward to hosting their first Women's Economic Forum roadshow and launch at Parliament this November.

Diwali

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:39): Happy Diwali to my friends in the Indian community throughout the south-east and around Victoria. Congratulations to the Victorian Transport Association women's group for their wonderful celebration and to all Festival of Light celebrations throughout the south-east. Happy Diwali to the people of the Shri Shiva Vishnu Temple and thanks to the Hindu Society of Victoria for their special dinner function and the incredible fireworks which are enjoyed by the whole community each year. Congratulations to Usha Rani Gulapalli, who is the first serving female president of the Hindu Society of Victoria.

South-Eastern Metropolitan Region schools

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:39): Congratulations to Dandenong West Primary School students and their community for their 100th birthday celebration, and special thanks to the current and former teachers and principals for their years of dedicated educational service to our local community. Congratulations to Mentone Girls' High School on its 70th anniversary celebration and for its continued provision of excellent education of girls in the south-east.

Mordialloc Motor Yacht Club

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:40): Congratulations to the Mordialloc Motor Yacht Club on its 100th anniversary. Despite the rain, the celebration was well attended by the community. As a birthday present, the club requires a legally compliant bridge to allow its disabled and ageing members to attend the clubrooms on the island.

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

Lee TARLAMIS (South-Eastern Metropolitan) (13:40): I move:

That the consideration of notices of motion, government business, 278 to 1114, be postponed until later this day.

Motion agreed to.

*Bills***Statewide Treaty Bill 2025***Second reading***Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

Melina BATH (Eastern Victoria) (13:40): I rise to speak on the Statewide Treaty Bill 2025, and in doing so I acknowledge the earnest interest that many in not only this chamber but in the Aboriginal and Torres Strait Islander section of the community have for this bill. There are many there who are going to be rejoicing at the end of this week with the passage of this bill, and I want to extend my goodwill and good wishes to them. After this bill has come through and the legislation exists, because I am sure it will pass, when I walk out of this room and this house and do work the following week my focus as the Shadow Minister for Aboriginal Affairs will still be on and always will be on the betterment of the lives of Aboriginal and Torres Strait Islander Victorians and on improving the wellbeing, outcomes and life experiences of them. Let me also say from the outset that the Liberals and Nationals do not support the Statewide Treaty Bill. We will be opposing the bill in full, and if we are elected to government in 2026, we will introduce legislation to repeal the bill in the first 100 days.

What I might just say is that, as we begin this debate, we stand in this institution, which is the state Parliament of Victoria, and we stand in a country which is an amalgam of many, many different nationalities who have called and come to call this place home, but we also stand in a democratic society, a democratic space, and it is one of the longest democracies in the world. One of those reasons for that is because when we can come in here, we are elected members of Parliament through the Victorian Electoral Commission. We have evolved over the last 170 years to be thankfully far more representative of our community than we once were, but it is about when you are over 18 that you have the opportunity – one person, one vote – to vote for your lower house Assembly member and your upper house particular Legislative Council member. We form 128 people – 88 in the lower and 40 in the upper – and that representation provides us with the opportunity to debate ideas, to debate issues, to debate public policy and to have our fray with words and not, as we have seen in other countries – ongoing and in the past – with weapons of great danger and damage. So I think we should all, as we begin this debate in the upper house, cherish those ideals and respect the principles on which they stand and then move forward in a contest of ideas and ideals, and that is the basis by which I will be conducting this debate.

As I reflect on the process that is here today and reflect that I have been the Shadow Minister for Aboriginal Affairs for the past 10 months – and I was delighted to receive that portfolio – I am not new to Parliament. I am now 11 years in, and during my time some of the most inspiring and understanding experiences that I have had have been sitting down with a breadth of Victorians but also sitting down with elders of our Aboriginal community in the Eastern Victoria Region and indeed further afield, talking about and listening to one of my passions, which is fire in the landscape and cultural burns – firestick, if you will – but also in this last 10 months spending time visiting various towns, Aboriginal corporations, cooperatives and members and listening, and that is what part of our role should be. As I have done that over the last period of time, it has become very clear to me that, first of all, the Statewide Treaty is not universally understood by people, whether they be Aboriginal

and Torres Strait Islander or other Victorians. I think some of the blame for that actually lies with the Allan government, because those details and its creation over time have overwhelmingly been conducted behind closed doors and through an internal mechanism. People are not aware of this document – the 250-page document and 300 clauses within. It is the government's jurisdiction to provide that information. I think there is a lot of misunderstanding or just a lack of transparency about the Statewide Treaty.

The further I got out into the regions, whether it be far East Gippsland or far western Victoria or the north, when I spoke with people and listened to their issues and ideas, first of all, there was a feeling that this is overwhelmingly Melbourne-centric – that is the perception that I received from talking with people. There were some wonderful people there who were in favour of this, who were on the First Peoples' Assembly, but many people really wanted their issue dealt with, whatever that be. They wanted to bring about better change, and they were frustrated with the government for not being able to cut through the silos that we see in this state in relation to whether it be local procurement in terms of access and local rangers actually getting the jobs that are in their area; whether it be better health services and really targeting those health services to improve the lives, improve the health and improve the trajectory of Indigenous Victorians; whether it be housing, education, aged care and the importance of that; or whether it be people going on country. These were some of the very important issues that were raised, and we on this side are highly unconvinced that the Statewide Treaty Bill will deliver their outcomes.

I appreciate that during the course of the last 10 months I have had the opportunity to speak with First Peoples' Assembly members, and I respect them and thank them for the respectful conversations that they have had with me and that we have reciprocated. I think the key thing – my takeaway – is that we all have a similar vision. Now, I say that in general terms, because there will be a nuanced version and vision for people who are Aboriginal and Torres Strait Islander, but overwhelmingly people want to see lives improved, better outcomes for Indigenous Victorians, and overwhelmingly that is around achieving the nationally agreed Closing the Gap targets. That is a big statement because it is hugely significant and challenging to make those nationally agreed targets come to fruition. In the last 24 years we have had 20 years of Labor government, and when we look at those targets, many of them are stagnating or moving ahead very slowly or in some cases going backwards. That is a significant concern to all Victorians, because we need to make those improvements as we move forward. But it is not happening now, and the government will say this is the answer and this is the way forward. I am very concerned that, albeit through good intent, some of the most significant threats to good governance and good outcomes are actually coming in the guise of virtuous reforms that cannot come to fruition.

I appreciate the dignity of the conversations that I have had with those across the board but also elders; there is very special time in sitting and listening to the wisdom of our elders. I also acknowledge the dislocation, the disruption, the disease and the ongoing disadvantage that has occurred over the last 200 years. That is a fact. Everyone will visit and see history from a slightly different viewpoint, a different kaleidoscope of understanding. But we are where we are in 2025, and the Liberals and Nationals believe that treaty will not deliver those outcomes and is not the best way forward.

There is this legislation, and the legislation enacts the Statewide Treaty. It enables and enacts that First Peoples' Assembly of Victoria and state of Victoria treaty. In doing so, we have changed our position over time. It seems that the document has departed from the initial framework that was delivered in 2022. Indeed the Premier has said and the Minister for Treaty and First Peoples has said that this is the start – this is just the beginning, that document states – and this Statewide Treaty marks the beginning of a treaty era. So it is coming, and we understand that there will be further and potentially many, many treaties.

The Nationals and the Liberals believe in equality before the law. We believe in equal treatment, equal opportunity and equal justice for Victorians regardless of race and regardless of background or heritage. We certainly believe in closing the gap, but we do not believe that this is the outcome that

we will see. We want to see inclusive, community-led and focused practical outcomes, which I will outline a little later. One of the sadnesses about closing the gap – and it is a challenging space; I acknowledge that – is we know that children are in out-of-home care at the rate of 20 times that of non-Aboriginal children. Suicide rates are three times higher. For life expectancy, there is a gap of eight years. We know that employment for Aboriginal Victorians is 23 per cent lower than for non-Aboriginals. We know that only 34 per cent of children starting school are developing on track, and there is a disparity between youth engagement and year 12 completion rate. Very tragically, Aboriginal adults are incarcerated at a rate 14 times higher than that of non-Aboriginals. We know that housing is a significant issue, and I heard that when I travelled the state.

These are not just statistics; these are certainly a call to action. Yet this bill, which is 250 pages long, mentions Closing the Gap twice. In the bill there are no binding obligations for the state of Victoria to meet those Closing the Gap targets. There certainly is an arm – and I will speak to that – about monitoring government performance, but there are no consequences for the government not meeting those benchmarks. If there is one thing that we certainly understand, it is the importance of education, of housing and of agency to create self-determination – to create a future.

I want to drill down into some of the structural elements of this bill, because this is not just a whim. We cannot legislate good intent and good wishes, or it would be done; we have to legislate laws and rules, both enabling and prescriptive laws, and this is part of the severe concern that we have. The bill establishes Gellung Warl as a statewide representative deliberative body of the First Peoples of Victoria, and it has the three institutions. It has the First Peoples' Assembly, the representative or political arm; it has an oversight and inquiries arm; and it has a continuing truth-telling arm. One has a four-year term, one has a four- to six-year term, and the other one, as far as I can see, is unspecified. These bodies negotiate treaties, hold the government to account and advise Parliament. The concern I have here is that Parliament can have a discussion with Gellung Warl, but it cannot hold Gellung Warl to account. Gellung Warl receives permanent funding and operates independently of ministerial direction. We heard that in the bill briefing that we had with the government – the minister was very clear – it sits outside ministerial direction. We see and we understand that accountability through this Parliament, through democracy, is so important. We have a Minister for Disability. They are responsible for the policies, the funding and the outcomes for that sector, and we could go on for education, for women and for children and there are ministers for all those sectors. We have a Minister for Treaty and First Peoples, but that minister sits outside this body and this accountability, and that is one of our sincere concerns.

We know that every piece of legislation that comes before this house, that is introduced in Parliament, must be assessed for treaty compatibility, and the Clerk must notify everybody, regardless of subject matter – even for routine legislation, like we had in here last sitting week. I will go backward in time: we had the Australian Grands Prix Amendment Bill 2025; we had the Statute Law Revision Bill 2025 – typos and grammar flaws; we had the Domestic Animals Amendment (Rehoming Cats and Dogs and Other Matters) Bill 2025; and we had the Casino and Gambling Legislation Amendment Bill 2025. Each of these bills, under this legislation, requires a statement of compatibility detailing whether the assembly was consulted, the nature and timing of any advice and the assessment on the bill's alignment with treaty principles – and you can just feel the fact that all of this will take effort, resources, staff and the like. This inserts the assembly into a legislative pipeline, treating it as a default stakeholder in all parliamentary processes and business. This creates, in our mind – the Liberals and Nationals' – a parallel advisory structure that undermines the principles of the Westminster system with equal representation. The requirement to notify the assembly whenever a bill comes in, whether it affects the internal rules or substantive rules, effectively grants it oversight in parliamentary lawmaking.

We see that there is a term 'matters affecting First Peoples'. This term, which is in the bill – 'matters affecting First Peoples' – is not defined in the bill. So there is this vagueness around what the assembly can assert its relevance over; it can be in terms of almost every area of public policy. It must certainly

advise government departments and service providers. This creates legal ambiguity and procedural uncertainty. The assembly can make representations. It can advise the government departments and service providers. It must advise ministers and secretaries. It can meet with the department secretaries and the Chief Commissioner of Police to develop consultation guidelines in relation to those. The list of authorities and state-funded providers is made extensive by this. In short, every government body and provider except the courts, the Ombudsman and IBAC can be assessed through the First Peoples' Assembly's Gellung Warl, and these service providers must provide the First Peoples' Assembly with a submission and answer questions within the 60 days unless agreed. Now, that will be seen as an important aspect of this for some, but there is a lack of clarity on the level and depth on issues. There is ambiguity on this, and there is concern from the Liberals and Nationals. In terms of substantive and internal rules and guidelines, this bill, this legislation, treaty, grants the First Peoples' Assembly significant powers over internal rules, substantive rules and guidelines and standards. It does raise in our minds highly serious concerns about oversight, transparency and accountability.

In many ways, the assembly is both the political arm but also the rule maker and the rule assessor. In terms of freedom of information, the treaty bill amends the Freedom of Information Act 1982 to create automatic exemptions for entire categories. For example, all records representing meetings between the assembly and cabinet, briefing papers prepared by ministers or the assembly for those meetings and any documents exchanged between ministers and cabinet are automatically exempt. The First Peoples' Assembly has more FOI and secrecy protections than ministers or other statutory bodies. Even powerful oversight bodies like IBAC and the Ombudsman have only a targeted exemption ability in the FOI act, such as protecting the integrity of investigations, while their administrative records remain subject to public scrutiny. We know it is important; we know and understand that there will be culturally sensitive material. Indeed, this government passed, through amendment of the Inquiries Act 2014, a higher threshold for evidence provided through the Yoorrook justice system only a few short months ago.

We are also concerned about the funding implications. There is funding of \$3 million this year, \$24 million next year, \$71 million the year after and \$72 million the year after that, indexed at an increase of 2.5 per cent on top of the previous year. There is a capital expenditure of \$37 million, and if we progress that over time, we see almost \$2.7 billion in Victorian taxpayer funding that is not subject to taxpayer scrutiny. It bypasses Treasury and it bypasses Parliament. It is managed independently by Gellung Warl. Now, if we compare that with other institutions – other bodies like this Parliament, the Victorian Electoral Commission – that also receive standing appropriations, ongoing funding, the negotiation is with the Treasurer and the Presiding Officers and other relevant agencies. There are discussions and negotiation. This bill locks in that funding for perpetuity, and the funding can be extended. It has to be asked for through the minister and the Treasurer, but there is no cap on that funding, so it could be increasing all the time.

The Liberals and Nationals are also concerned about Gellung Warl being exempt from the Public Administration Act 2004. There is discussion around the 33 members that will form the First Peoples' Assembly, but the bill provides for a maximum of 80 members – comprising general members or appointed reserve members – and the remuneration of these members is set and paid internally through a process. Being exempt from the Public Administration Act, which enforces employment-standard, merit-based hiring and accountability measures, is again concerning, and this government is wrong to leave the First Peoples' Assembly exposed like that. We believe that this is an overreach, and again it lacks that transparency and clarity. The government has also stated that the Aboriginal community infrastructure program will become the First Peoples' Infrastructure Fund, and again there will be no administration oversight from the minister or the executive government on this.

We also are concerned about the electoral integrity of the First Peoples' Assembly and that it has a non-public electoral roll. People can be on it, and this is part of it, at 16 years old. They can be on it as long as they have lived in Victoria for three out of the last five years. The other concern that we have is that there are regulations built into this bill so that people with serious criminal histories can stand

for election to it unless they are currently imprisoned or under travel restrictions, and the bar is set differently if I compare it to local government or to becoming a member of Parliament. There are a different set of criteria.

When we were in the bill briefing, I was informed that Indigenous Victorians have suffered from past trauma and deserve a second chance. I agree with that. I think that is highly important and a standard that we should understand. However, if they are accepting people onto a separate statutory body that then has overarching control and funding arrangements, I am very concerned that the government, again, has left the First Peoples' Assembly open to taking on people who may not be the best people to complete that work.

I am also concerned that this bill enables the assembly to select all 11 members of the Aboriginal Heritage Council under the Aboriginal Heritage Act 2006. I think there are concerns around this. There are also concerns around the answerability to community. The bill claims that Gellung Warl will be answerable to the community, but the community is defined by the assembly. It is not the Victorian population. It is not the people or the broad-scale Victorian population. So we have got an accountability framework that is self-drafted, is self-policed and lacks internal review. It is in-facing government.

There are many examples where I have been contacted by people who are highly concerned. One of the things I will raise is that two elders from my electorate have written to probably everybody. One is Pauline Mullett, and the other one is Cheryl Drayton. Pauline Mullett is a native title holder for the Kurnai and Auntie Cheryl Drayton is a Kurnai elder, and they have been extensive in their commentary and concern. I will not go into that right at the minute; I will save that for another time in the debate.

The Liberals and Nationals believe in delivering real and measurable improvements to the lives of Indigenous Victorians. We will create, if elected in November next year, First Nations Victoria, a dedicated and community-led body that will be focusing on Closing the Gap targets through transparency, through accountability and through genuine partnership. We want to devolve the power and devolve actions from a central body out. The minister would have responsibility to implement flexible funding, policy initiatives and services out into the community, working with the community – co-location with the community. We know that we can remove duplication. We know that it is important to deliver real services. We want to focus on suicide prevention, child protection, life expectancy, education, employment and local agency. We celebrate those who can do and are doing amazing things in their community, and we want to remove the structural silos that we see and that I have heard about going around, where we have members in our Aboriginal organisations who are desperate to knock on the door of the health department, to talk to the minister, to punch through a silo, to get the services that they need. That is part of our focus. We do not want these silos, and we want to ensure that there is cultural safety and that the administration is efficient. We want to be able to provide that care, working hand in hand. It is a different model with a focus on a very similar outcome to provide that important work. We also respect these differences. We understand that there are different pathways.

We do not believe this bill creates unity, we do not believe this bill supports democracy and we do believe that it will fail to deliver measurable outcomes. That is why, as I say, we will oppose this bill in its entirety. We are steadfast in our commitment to Aboriginal and Torres Strait Islander Victorians.

Sheena WATT (Northern Metropolitan) (14:10): Today is a historic day. Today is a day decades in the making. Today is the day we come together as members of this place, as advocates, as allies and as a community to speak to the first ever Statewide Treaty. This moment – this history, this legacy – and what it means to my people, my community, is almost beyond words. Five years ago to the day in fact, I stood there and delivered my first speech. I began by acknowledging and thanking the Wurundjeri people for the blessings they bestowed on me and affirmed our shared ambition for truth-telling. And in the spirit of that truth, I feel those blessings every time I walk in this place but especially right now. I acknowledge and pay my respects to you today for your elders and ancestors, for your

stewardship, for your guidance and for your continued care and custodianship of this country that I so love and call home. You see, in that speech I talked about the significance of the national apology to the stolen generations. That was the day that my personal story and my political purpose came together, when I committed myself to doing my part in ensuring that we build a fair and truly democratic future for First Nations people. With this bill, we do just that.

I stand today and every day in the footsteps of generations of our ancestors. I carry with me the knowledge, stories and spirit of our elders. I am strengthened by a deep and powerful connection to country, kin and culture, one that stretches back more than 60,000 years. Standing before you all in this place, I feel the weight of this heritage, and it fills me with pride. Today we join together in the spirit of healing and reconciliation to acknowledge the past and commit to a better future for Aboriginal and non-Aboriginal Victorians alike. Today we heed the call made by generation after generation of our elders, a call to move forward to a new era together. Today, after more than a century of waiting, we mark the beginning of that new era, the treaty era.

The path to treaty has been long. Our old people have been on the journey to treaty since the beginning of colonisation, having long been vocal in calling out the history of injustices and dispossession faced by First Peoples in this country. As a state we began to walk alongside First Peoples in 2016, when this Labor government embarked on the first community consultations with the Aboriginal Treaty Working Group. In 2018 we strengthened our commitment to treaty through the establishment of the Victorian Treaty Advancement Commission and the passing of the Advancing the Treaty Process with Aboriginal Victorians Act 2018. In 2021 we established the country's first ever truth-telling commission, the Yoorrook Justice Commission, to reckon with the past and ongoing injustices experienced by mob in this state, recognising that a commitment to treaty is also a commitment to honesty, reconciliation and healing. In 2022 we agreed to the treaty negotiation framework and created the Treaty Authority to facilitate fair, effective and efficient treaty negotiations between the state and First Peoples. In 2024 we began treaty negotiations and began the task of translating our commitment to a better, fairer tomorrow into the bill and Statewide Treaty that are before this house today. Over the course of this week we will take the final step towards this nation's very first treaty, the culmination of 10 years of leadership and hard work by this government, the First Peoples' Assembly of Victoria, the Treaty Authority and the Yoorrook Justice Commission as well as the advocacy of many staunch, deadly First Nations people who have fought for justice and recognition for mob over the decades, some of whom are with us today in the gallery.

I want to take this opportunity, as rare as it is special, to honour Dr Jill Gallagher. I have had the unique opportunity to learn and grow under the esteemed leadership of Aunty Jill, and I see her steadfast influence all over this treaty legislation that is before us from her foundational work as the treaty advancement commissioner. It is filled with passion, purpose and unwavering aspiration for the future that we all deserve. There are threads of compassion and understanding that are synonymous with the way Aunty Jill made sure that everyone had a say in the shaping up of our representative body that negotiated this first Statewide Treaty. Amongst it all, Aunty Jill had the time to be my light; to keep me strong when I wavered; and to remind me that as the daughter of a stolen generation survivor, I too could find my way home and establish an even deeper connection to my people, a connection that today gives me the strength to stand before you.

What I have not said publicly before is that these last two years have been both a challenge and a triumph, as I discovered that out there was my grandmother, alive and strong on Yorta Yorta country, after a lifetime of me and my mum being told otherwise. My story is not uncommon, but the opportunity I had to connect with a family member is. Up in Mooroopna I met my grandmother for the very first time last year, in an embrace that crossed the generations and, truthfully, our imagination. The hurt, the pain, and the attempt at erasure of our people, history, culture and language cannot and should not be a burden to bear alone as First Peoples, as it has been for me and my family and too many Aboriginal families in our state. That is why I want to take this time to thank the truth tellers who so bravely shared their stories at Yoorrook for speaking truth to power and for changing the public

record of our state. I honour their courage, and I commit to never letting their histories and their stories that so closely echo my own be forgotten. In the name of those who came before us, I am here today with a message to my fellow stolen generation survivors and their descendants, those of us driven by a fierce determination to not let the atrocities of the past ever happen again. To you I say this: Parliament will from today hear you; it will hear your stories, your truths and your dreams. It is on all of us here in these red and green seats to forever honour the promise of treaty.

Throughout this process I have been reflecting on my unique position as the only Aboriginal member of the Victorian Parliament. And it is not lost on me – as I stand before you today speaking about the meaning and significance of treaty, of self-determination and of justice – that I am in the very place that has historically excluded and contributed to the very inequalities experienced by Aboriginal Victorians. As I stand here in this chamber, it is not lost on me that this place voted for inflicting pain and hurt and irrevocable damage to our communities. The removal of our children and the dispossession and separation from country, kin and culture happened because of decisions made right here. For too long our lives were at the mercy of people speaking for us – never, never held accountable for their historic failures to change our lives for the better.

It was this Labor government, led by Daniel Andrews and now Jacinta Allan, that believed in the ambition of a treaty – in committing to self-determination in principle, policy and practice – and called upon all of us to live true to our values. To our premiers, current and former, I give my deepest thanks. Yet I am convinced that it is Natalie Hutchins that deserves recognition for her persistent impatience, for seeing and absolutely rejecting the institutional procrastination towards First Peoples' progress. Natalie came to the portfolio in 2014 entirely committed to listening and acting on the views of the very people who would be impacted by the decisions she made as minister. She set up this government with a momentum and hunger for change that she shared with Gavin Jennings and Gabrielle Williams, who with equal parts determination and solidarity, proudly continued us on the long walk to treaty. And thank you, Chris Couzens, for your quiet dignity and grace, fuelled by a love of family, community and culture. And now treaty – back in the hands of Natalie, with an urgency that last week became abundantly clear, we have this bill before us. So to you, Natalie, thank you. Thank you for setting a new standard for determination and for so thoroughly rejecting the status quo.

For over 200 years in this place and many other halls of power like it, laws and policies have been made about my people without us. But today we change that. Today we create a new status quo, recognising that where past governments have tried and failed time and time again, it is time to try something new. We know that giving people a say on the issues that impact them leads to better outcomes for health and wellbeing, for housing security, for education and for so much more. For First Peoples, this is no different. We know from decades of failed policies and ineffective commissions and bodies that the best way to make a difference in the lives of First Nations people is by giving us the tools to take ownership over our own lives. That is how we close the gap. That is how we end the ongoing harm and inequalities faced by our people. That is what treaty is all about. It is about giving Aboriginal Victorians a say in the processes of law and policymaking so that we can have the same opportunities and the same chances to thrive and succeed as any other Victorian. It is about acknowledging the scars of colonisation, of the stolen generations and of past and ongoing injustices experienced by First Nations Victorians, and committing to doing better. It is about justice, self-determination and creating a better future for all Victorians, one built on respect, truth and mutual understanding.

The truth is the treaty is not just a promise for a better tomorrow, it is also an invitation – an olive branch extended from my elders to the Victorian community, asking you to join us in righting the wrongs of the past. It is an opportunity to meet the moment, to walk beside us. Shamefully, it is an invitation that those opposite have turned their backs on in the other place, and I urge the members opposite not to make the same mistake here. On our side we have accepted this generous offering from our First Peoples because we do not shy away from change. Treaty is not just words on a page, it is action. It is how we face the truth of our past and turn it into a shared strength. It is not about division;

it is about coming together as equals, as partners in a shared future. I have said before that today is a day that will go down in the history books, that will be remembered for generations to come. I ask this chamber: how do you want history to remember you? Do you want to have to apologise in years to come? For treaty is here, treaty is now. I invite everyone in this place and beyond to walk with us together, hand in hand. Let us make history. I commend the Statewide Treaty Bill 2025 to the house.

Interjections from gallery.

The PRESIDENT: Before I call the next contribution, it is going to be a really long day if everyone gets applauded. Or not – the other way. We appreciate you being here. It is great that there is such an interest in our chamber – it is not usually that much – so you are very welcome, but for future contributions, we will not do that.

Sarah MANSFIELD (Western Victoria) (14:27): It is a true honour to rise to speak on this bill before us today, which the Greens will be proudly supporting. Can I first acknowledge the First People of the land on which we stand, the Wurundjeri people, and of the land on which I live, the Wadawurrung people. I also acknowledge member for Northern Metro Sheena Watt and thank her for that extraordinary contribution. I would like to acknowledge the First Peoples' Assembly, including co-chairs Ngarra Murray and Rueben Berg, who gave powerful addresses in the other place, and all First Nations people who are following this today.

Last week, after treaty had passed the lower house, I was walking through the bush at Point Addis and thinking about what I would say when treaty arrived at this place. What do you say about such a significant moment – something so consequential, something so important, but in a strange way so simple and obviously right that I suspect in years to come we will wonder why it took so long to happen. Looking around me at the wild cliffs, the hills and the lizards scurrying amongst the rocks, listening to the waves and wind and birds and considering all that this land has experienced and witnessed, I considered how this continent holds so many stories, many of which I have been lucky enough to learn about. From the nearby middens, where Wadawurrung gathered for feasts; to the eel traps at Budj Bim, where Gunditjmara caught eels to eat and trade; to the birth trees in Ararat, under the protection of which Djab Wurrung people gave birth for generations; to the ancient artworks and sacred rock formations at Gariwerd and Arapiles, tens of thousands of years of First Peoples history is etched – systems of governance and trade, of medicine and kinship, of food production and land management. The land remembers.

The land also bears many scars: the reserves in which First Peoples were forcibly kept to prevent them from going into towns at night, the massacre sites, the flow-stressed rivers, the concrete and bitumen, the unmarked burial sites for children stolen and institutionalised, cleared land and forests, the lost grasslands, the desecration of ancient and sacred sites, the mines like open sores in the earth, the wounds of colonisation that struggle to heal and continue to be made – wounds that I must acknowledge the truth of my links to. My father's ancestors were some of the earliest white European settlers on Dharawal and Eora nations. I do not know whether they were involved in direct settler violence, but at the very least their opportunities and livelihoods were built on systems that led to the dispossession and attempted erasure of First Peoples. My mother migrated to Australia in the 1970s from Ireland as her family sought a better life, and they lived in the land of the Toongagal people. While possessing a deep respect for First Peoples, perhaps born of a shared anti-British colonial sentiment, her family were nonetheless afforded rights and status denied to those who had for tens of thousands of years lived on this land. I was born on Gadigal land and subsequently have lived on Bidjigal, Dharawal, Ngannawal, Wurundjeri and Wadawurrung land. Like my parents', my opportunities and privilege cannot be separated from the deliberate and structural denial of the same for First Peoples, nor can those of my children, who continue to profit from land and structures that deny First Peoples sovereignty.

All of these truths have been witnessed by this land, and they are carried by First Peoples who, like the land, proudly and resolutely endure despite everything colonisation has inflicted – the massacres,

the stolen children, the silencing of languages, the eugenics projects – and who survive and flourish despite the denial of sovereignty or true self-determination or, too often, basic respect. They are truths we heard through Yoorrook and we must continue to hear – truths that I have seen play out in my work as a doctor. The real people behind the statistics – the woman who, terrified her baby would be taken from her, refused all antenatal care; the young man who was savagely assaulted but refused to report it or go to hospital because he was terrified of being incarcerated himself, just as his father had been repeatedly; and the older lady who did not want her Indigenous status recorded on her medical file, a depressingly well-founded distrust in racist systems and institutions that too often have contributed to the maltreatment and dehumanisation of First Peoples.

For tens of thousands of years First Peoples have lived on this land – a rich tapestry of cultures, languages, laws and customs and deep symbiotic connections to the land, waterways and skies. This was interrupted abruptly on 26 January 1788. The colonisation of this continent proceeded violently, without the agreement of First Peoples. Sovereignty was never ceded, and from that day First Peoples have never stopped fighting for the most basic of rights – the power to once again make decisions about their own lives. As we have heard, the campaign for treaty has been many, many decades in the making. Victoria's formal work towards this treaty bill alone has taken over a decade of tireless work and extensive engagement with First Peoples and the Victorian community, and I sincerely want to thank the First Peoples' Assembly and all of those involved.

To those who oppose this, who say they were not consulted or do not know enough about it I say: go out and find out more. There is plenty of information available. Look at the deep community engagement by the First Peoples' Assembly over the past 10 years; this treaty process has been taken to two elections and until very recently had strong bipartisan support. Seek out the truth we heard through Yoorrook. Learn about your local history, your own past. Learn about the history of treaties. A treaty is a legally binding agreement between two or more sovereign parties. It cannot undo the immense and pervasive harms of the past and will not by itself prevent them from continuing, but it is a critical step forward. The essence of this bill will establish structures that will enable greater self-determination when it comes to decisions that directly impact First Peoples. Nothing about us without us – I really think that is an idea that we can all agree just makes sense.

For those who need some evidence, look no further than the work of Aboriginal community controlled health organisations or the countless pilot projects and studies that consistently show improved health outcomes when First Peoples lead, design and deliver programs with and for their own communities. These outcomes should not be a surprise, and yet governments and institutions continue to make decisions and impose Western systems and funding models, however well intentioned, that too often do not meet the needs of First People. It is time this changed, and treaty provides the necessary foundations for that change. When land and waterways are respected and given space and when abuse and domination of them stop, they flourish, as do people. While the stories of the past cannot be erased from this ancient land, treaty marks the beginning of a new chapter, one that all Victorians can write together.

David DAVIS (Southern Metropolitan) (14:35): I am pleased to rise and make a contribution on this bill, the Statewide Treaty Bill 2025. I want to make a few early points and then I want to work through some work that has been provided to me by a group of lawyers, a working party that I spent time with looking closely at these matters. I have read much of the material that has been put into the public domain concerning this. I did watch many of the activities in the Assembly. I am very interested in the history of our state and our nation, but particularly, I might add, Victoria's. It is true that Victoria's settlement, primarily in 1834 from Portland and 1835 from Melbourne, did see the dispossession of Indigenous people in this country and in this state. I would commend to people, if they want to see a relatively solid but good summary of that, the book *1835* by James Boyce, which lays out many of the steps and the mechanisms by which that dispossession occurred. Notwithstanding that, I am a person who believes strongly in our Westminster system, I believe strongly in democracy and I believe strongly in the position of our Parliament. I am a former health minister, and as health

minister I had a lot to do with the Indigenous community in Victoria. We had forums and we had summits. I was very active in ensuring there was sufficient and new funding provided and that the Closing the Gap focus was a significant one for our government between 2010 and 2014. Notwithstanding that, I have very significant concerns about this bill.

I want to acknowledge the work done by my colleague Melina Bath – her good-natured, thoughtful contribution; her understanding of the Indigenous community; and her engagement on a broad level across the state. I think she has laid out many of the concerns that the Liberals and Nationals feel about this bill. It is quite possible to be both generous and supportive of the Indigenous community but to also have legitimate concerns about the shape of this bill and what the bill will in fact do. This bill is a bill that grafts itself on top of our Westminster system. It burrows deep inside our Westminster system and, in my view, fundamentally weakens key principles. It is not just a voice, it is a voice on steroids. It is actually a body that will undermine many of our core principles of democratic governance and parliamentary sovereignty and our views about equal citizenship. I want to put on record my thanks to Marcus Clarke KC and the group of eminent lawyers that he convened to advise me on a number of matters about this bill. Many of the points I make come directly from that group after their thoughtful consideration. Also, Margaret Chambers, Lana Collaris and others in that group have provided significant input, and I want to put that on the record.

The defects in the bill, according to the briefing that I have been provided – and in my view, very heavily too – fall into three categories: the erosion of parliamentary control over government; secondly, the creation of race-based differential treatment of citizens; and thirdly, the establishment of parallel governance structures that compete directly and will undermine our democratic institutions. These are not implemented in a way that can be resolved through tinkering. They are essential to what this bill does.

I am going to enumerate eight principles now, or topics, that I think are compelling and concerning in their impact. The first is the issue of parliamentary sovereignty and financial control. Section 144 establishes automatic appropriations from the Consolidated Fund, adding very significant costs to the budget and weakening basic and fundamental parliamentary controls that are part of our system and have been actually at least since the English Civil War. These remove Parliament's fundamental power to control the public purse through the annual and expected budget process. Practical examples of this would be where there is a budget crisis response during an economic downturn requiring spending adjustments across a wide front across government. Competing priorities: if a natural disaster requires emergency funding for schools or hospitals, Parliament will be less able to reallocate funding. Performance accountability: unlike other government agencies whose funding is demonstrated through results, Gellung Warl receives automatic increases regardless of its performance, effectiveness or public satisfaction with its operations. That is the wrong approach, in my view. We need more performance focus, not less. Democratic mandate changes: if a new government is elected on a platform or reduced or changed government priorities, it will not be able to implement those matters straightforwardly. Inflation protection asymmetry: this sort of protection is not provided to any other agency.

Institutional independence and oversight are the second problem, and this is the problem of compromise of integrity bodies through political consultation. I am concerned that part 21 amendments require integrity bodies – including IBAC, in new section 15A; the Ombudsman, 13AD; and the Auditor-General, 9A – to develop cultural safety guidelines and procedures in consultation with the First Peoples' Assembly. These will have the practical effect of undermining the ability of those agencies to undertake their work. I think that is wrong, and I think it is important to put that on record. I do not want to see corruption investigations in any way weakened. I do not want to see Ombudsman complaints in any way weakened. I do not want to see the audit independence of the Auditor-General in any way weakened. I do not want to see the information commissioner involved with disputes involving Gellung Warl documents through a series of so-called cultural safety procedures. The performance monitoring also is an issue in this context as well.

The ministerial accountability and responsible government pillar is a very important one too, and these changes break the fundamental Westminster principle that all executive power must be exercised under ministerial responsibility to Parliament. Regulatory standards see Gellung Warl making substantial rules about Indigenous identity certification. There is inquiry, and intrusiveness is possible. Nginma Ngainga Wara is able to conduct inquiries – this is sections 103 to 108 – on a series of matters which may be fair in certain circumstances but equally may be politically motivated or unfair. Budget allocation disputes where there are agency disagreements – there are issues here. Ministers cannot direct the assembly to reconsider its positions. There are questions of service, standard conflicts and emergency response requiring rapid coordination. The issue of information access and transparency inequality is also important. Part 11 and the Freedom of Information Act 1982 amendments create two classes of government information: standard information subject to normal transparency rules and laws; and culturally sensitive or culturally secret information with special protections.

New section 32B will exempt documents containing such information from FOI requirements. This is very concerning indeed, and this will see issues around government contractual disputes. There is a risk to public policy development. Records and cabinet papers discussing Indigenous affairs can claim cultural sensitivity exemptions under section 28(4), whereas identical policy discussions on other community issues will not be restricted in the same way. Complaint investigation where IBAC investigates corrupt allegations involving Gellung Warl: the cultural safety guidelines under new section 15A may restrict information gathering and disclosure in ways that do not apply to other investigations. Parliamentary committee access: parliamentary committees seeking documents about government consultation with Gellung Warl may well be denied access on cultural sensitivity grounds, different from equivalent consultations, and the same applies with audit transparency. The cultural safety guidelines under new section 9A may limit public reporting of findings.

The democratic process and majority rights are another important principle, and this may see a series of important steps. Part 8: representation meetings in clause 77 and treaty compatibility assessments in clause 66 – I am particularly worried about these treaty compatibility assessments, which are designed, in a loaded set of words that are in the bill, to require discussion of colonisation and related matters and sets of objectives that are set, which may or may not be appropriate and relevant to the particular piece of legislation. I think that this will have a very negative effect on the ability of the chamber to do its work over the longer haul. No doubt we will all push forward and no doubt we will all work our way through things, but there will be an institutionalised change there that will ensure in quite a negative way this constant approach. There are taxation policy issues: new tax measures affecting all Victorians must undergo treaty compatibility review and potential assembly consultation. These are significant points as well.

There are race-based differential citizenship rights. We see that there are a whole series of practical examples that come through the creation of separate political rights based on racial classification. The bill separates classes of citizenship with different political rights. Clauses 17 and 55 establish that only persons meeting specific racial criteria can vote or participate, obviously, in Gellung Warl. There are many issues, I might add, on the electoral franchise for this body. There is the real concern, for example, that convicted criminals will be able to be elected as long as they are not actually under some movement restrictions. There are different arrangements that are applied for this particular body than are applied for parliaments or even municipal councils, so I think there are real issues in the qualifications that are required for election to a number of these bodies.

I am conscious of the time I have. Economic freedom and the regulatory burden are another important category, and I want to say a couple of things there. I think that there is a very significant risk that this body – this cluster of bodies, I should say – will, in effect, lock up and slow down the activities of the government and many economic activities in Victoria. That is a real concern. We already have many restrictions on the ability of businesses and people to live their lives without excessive restriction and control, and this will add a new layer. Legal certainty and the rule of law: there are questions of subjective standards without objective criteria. The bill repeatedly relies on subjective standards like

‘good faith’, clause 6; ‘reasonable’, which is throughout various provisions; and ‘culturally sensitive information’, clause 4 – without providing objective criteria for these determinations.

One of the key issues I should point to – and I am conscious that the time I have is quite short – is the risk in these binding agreements that will be signed. I think that many government agencies will in effect, through these guidelines that are signed as binding agreements, have massive restrictions placed on them, and these are legally enforceable agreements. Many private sector organisations may in good faith, to use that phrase, seek to sign these, but they will also be caught and entangled in them. I think there are many concerns. I want to pay tribute to Ms Bath and the work she has done and to the people that provided me with information. We will oppose the bill and will seek to repeal it.

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (14:51): I am very proud to rise today to speak on the Statewide Treaty Bill 2025. At the outset can I acknowledge the traditional owners of the land we are gathering on today, the lands of the Wurundjeri people of the Kulin nations, and I pay my respects to their elders, past and present. I acknowledge their strength, resilience and continued connection to their country. I would also like to acknowledge the Wurundjeri, Bunurong and Wadawurrung peoples as the traditional owners whose lands encompass my community in Melbourne’s west, and I pay my respects to their elders, past and present. And I acknowledge the traditional owners and First Nations people who are here in the Parliament today.

I am proud to be part of the Allan Labor government, a government that is committed to a future based on equality, truth and justice. Like many others in the government, last year I had the privilege of appearing before the Yoorrook Justice Commission. It was both a powerful and deeply humbling experience, one that I would say changed me, changed the way in which I approached my responsibilities as a minister and, I hope, changed me for the better. I also want to take a moment to acknowledge the incredible work of the commissioners who led that powerful truth-telling process.

The truth is that ongoing injustices within the mainstream mental health and aged care systems have persisted. We know that these injustices continue to reinforce barriers to First Peoples in this state in terms of their ability to access culturally safe care and support. Colonisation has caused historic, intergenerational and ongoing trauma and continues to have a profound impact on the mental health and wellbeing of First Nations Victorians. We see this in the enduring disproportionate impact that mental health distress and suicide have in First Peoples communities, and we know that First Peoples pass by suicide at a rate three times higher than the non-Indigenous population. This is unacceptable, and it must change. The commission heard that the current structural framework of government is in itself a barrier to self-determination, so achieving true self-determination requires fundamental structural change, and it requires a new way. The bill before the house today presents us with that real opportunity to create that change. Self-determination for First Peoples’ social and emotional wellbeing has not been prioritised enough, and treaty provides us an opportunity to change this. Through treaty we will enact real, tangible outcomes – the sharing of power and resources in a way that is meaningful for Aboriginal Victorians.

For far too long in this place, laws and policies have been made about First Peoples and not by them. Racism, a lack of cultural safety and Western models of care which do not reflect a holistic approach to social and emotional wellbeing have only compounded the growing health gap between the First Peoples of this state and other Victorians. This is not the first time in this place that you will have heard me say that we know First Peoples have better health outcomes when the services they access are self-determined and culturally safe. Ultimately First Peoples communities hold the knowledge to determine how to best support the emotional and social wellbeing of their communities. Aboriginal community controlled health organisations in Victoria are at the forefront of this work, delivering culturally safe practices and making meaningful change to the social and emotional wellbeing of First Nations peoples in Victoria. In my portfolios of mental health and ageing, I am proud to be able to work with the Victorian Aboriginal Community Controlled Health Organisation (VACCHO), under the strong leadership of Aunty Jill Gallagher, and the Balit Durn Durn Centre of Excellence in Social and

Emotional Wellbeing led by Sheree Lowe, who is herself an elected member of the First Peoples' Assembly of Victoria representing the South-West Region. I want to thank those two incredible women and their team for the work that they continue to do.

It is a really great privilege to also attend the Aboriginal Health and Wellbeing Partnership Forum, which is co-chaired by the Minister for Health, Mary-Anne Thomas in the other place, and Mick Graham, the VACCHO chair. The forum is a great example of how genuine partnership between government and First People can deliver tangible outcomes. In the forum, policy priorities are determined by the members of the forum, including the development of budget bids.

But those systems that we have in place now can only go so far. Treaty will transform our ways of working across government, ensuring that self-determination is at the heart of all the work that we do, and it brings with it real accountability for government to properly resource those solutions which are self-determined. As Minister for Multicultural Affairs, I have the great privilege of working closely with both our newest Victorians and diverse communities who have contributed to our state for generations. These communities have come from all over the world and chosen to make Victoria home, and I often reflect that aside from our First Peoples, the Victorian story is one of migration and arrival. We have all come here in relatively recent years from somewhere else, and at every community event I attend, whether it is with the Greek community, the Vietnamese community, the Indian community or countless others, there is a genuine reverence and an acknowledgement of the history and connection to country of our First Nations people. And for the warmth of our First Nations representatives and leaders, who have always opened their arms to the diverse communities that call Victoria home, I say thank you. It shows the generosity of our First Peoples and a commitment to fairness and opportunity that through treaty we are beginning to reflect back.

I would like to take the opportunity to thank the members of the First Peoples' Assembly of Victoria – in particular the co-chairs, Rueben Berg and Ngarra Murray – for their incredible leadership and also thank the Premier and Minister Hutchins for their leadership and compassion, as well as former ministers Gabrielle Williams and Gavin Jennings, who were both instrumental in delivering this historic piece of work. Finally, I want to acknowledge and recognise our dear friend and colleague Sheena Watt. No-one in this place has done more to advance treaty than Sheena has.

Treaty does not seek to divide us. It does not take from anyone. Treaty is about creating a better future for First Peoples and indeed all Victorians. We have a long way to go, but this is an important next step on the journey to reconciliation and the ongoing effort to close the gap. I thank the chamber for the opportunity to speak, and I commend the bill to the house.

David ETTERS HANK (Western Metropolitan) (14:58): I want to recognise the many First Nations people who have come here to mark this historic occasion and also acknowledge that we are meeting today on the land of the Wurundjeri Woi Wurrung peoples of the Kulin nation and that sovereignty of these lands and waters has never been ceded. I would also like to thank Ms Watt for her extraordinary contribution. If that did not move you, I do not know what would.

We are all privileged to be parliamentarians. It is an honour to serve the people of Victoria to help shape the future of this state. It is a privilege that I never take for granted, I hope. I feel particularly fortunate and profoundly honoured today to be able to give my support to the nation's first formally recognised treaty between a state and its First Peoples. This is the beginning of a new era and a long-awaited day for the original custodians of this land. They will finally have a say over the policies and institutions that govern their lives. The process that has led to this piece of legislation began nearly a decade ago, but anyone who is cognisant of our state's history – of the devastation wrought by colonisation and the brutal care of the state, of the ongoing harms and injustices borne by our First Peoples – knows that this day has been a very, very long time coming.

This land is home to the oldest surviving culture on earth – a people that have been here since time immemorial, that have lived through two ice ages, that have survived the ravages of colonisation. Yet

it is only recently, as a nation, that we have begun to acknowledge this ancient heritage. Only recently have we seen any sort of recognition that this land is the ancestral home of a sovereign people and that their sovereignty was never ceded. Within my relatively short lifetime, I have witnessed a shift in our historical narrative. I am old enough to remember when the lie of terra nullius was broadly unquestioned – back when world maps were divided into monolithic colours and Australia was one of the large pink areas belonging to the Crown. Like so many of my fellow Victorians, I learned little or nothing about the First Peoples of this state. If I learned anything, it was that the history of this state began when the original inhabitants of this land since time immemorial left it all to John Batman in an exchange for some trinkets, and then they simply moved away. It was the original great replacement theory – the perpetuation of the Darwinist lie that the Indigenous peoples of this country, like the Indigenous peoples of other colonised countries, were on the verge of extinction.

In my 15 years of formal education the dispossession, the devastation and the genocide of our First People was never mentioned, and I was deeply shocked when I learned of it. I was also painfully aware that I understood very little of these people. They were so little known, so little understood, so little seen. Despite their rich heritage, their timeless connection to this land and their proud culture, our First Peoples were barely visible in my youth. There were prominent exceptions, like the boxer Lionel Rose; the tennis player Evonne Goolagong, now Evonne Cawley; the artist and rights activist Albert Namatjira; the poet Kath Walker, now known as Oodgeroo Noonuccal; and of course the irrepressible Charlie Perkins. But while their exceptionalism garnered wide attention, their communities remained largely veiled to much of the country.

Times have changed, at least some, yet still many cling to the fears, the prejudice, the misinformation forged in our colonial education – attitudes compounded by the fact that many Victorians do not know any Indigenous Australians. Noel Pearson recognised this and all but anticipated the failure of the Voice referendum because of it. He said:

Unlike same-sex marriage there is not the requisite empathy of love to break through the prejudice, contempt and yes, violence, of the past. Australians simply do not have Aboriginal people within their circles of family and friendship with whom they can share fellow feeling.

Unlike members of the LGBTQIA+ community, he said:

... we are not personally known to many Australians. Few have met us and a small minority count us as friends.

The Voice referendum was lost – attacked from the right and sections of the left, perhaps poorly communicated and steeped in disinformation, agonising to First Nations communities and final in its judgement. The Statewide Treaty Bill 2025, though – contrary to the counterassertions and the hysteria – is not the Voice revisited. It is rather a much broader, more considered and comprehensive approach to changing the relationship between Victoria's First Nations people and those who govern them. There are those who would label this bill as divisive, calling it an unnecessary layer of bureaucracy, stating it would be better to fund programs that improve literacy or fund health, education or housing. But seriously – seriously – is anyone arguing that these things are mutually exclusive? The racist institutions, the oppression, the injustice that our First People have endured since settlement, we cannot say that these do not exist, nor that they should not be addressed. If we consider the scale of disadvantage that First People in Victoria are subject to, from their over-representation throughout our criminal justice system, the children in residential care, the ongoing black deaths in custody, the many, many ways that outcomes for First Peoples lag behind the rest of society, and then consider the sheer volume of programs from successive governments that have produced little to no positive change in these outcomes, it is more than apparent that we need to do things differently. For the opposition to propose that a new standalone department will deliver better results than a Statewide Treaty is both foolhardy and more of the same – another government department doling out programs largely disconnected from the lived experience, the learnings and the wisdom of Aboriginal people.

That is why this treaty is so very vital. It is a commitment between equals. It acknowledges the truth of our collective past and the ongoing impacts of colonisation, and it recognises that our First Peoples are the ones best placed to make decisions that affect their communities. It is about respect and it is about self-determination. For too long Victoria's prosperity has flowed exclusively to non-Aboriginal Victorians. It is hard to comprehend the extraordinary hurdles placed in the way of First People's right to live freely, to prosper and indeed to have the same chance of success that every immigrant – like my family – to this state is automatically afforded and takes for granted.

A prime example of how First People were locked out of the prosperity of this state was their exclusion from the soldier settler scheme. According to the Australian War Memorial archives, and I quote,

Aboriginal and Torres Strait Islander people have served in every conflict and commitment involving Australian defence contingents since federation, including both world wars ...

Around 1000 Aboriginal and Torres Strait Islander men enlisted in the two world wars, but shamefully upon returning home they were excluded from soldier settlement schemes and were deemed 'unsuited to farming' and 'lacking the capacity for independent landholding'. While some 12,000 non-Indigenous Australians benefited from that scheme, only two Indigenous Victorians received land. Indeed co-chair of the First People's Assembly Ngarra Murray's own grandfather was denied land under the scheme. She gave evidence to the Yoorrook Justice Commission:

Having volunteered to serve a nation that barely recognised our people's existence, Aboriginal soldiers like my grandfather risked their lives fighting for Australia. But when they got home, they faced the same old racism and discrimination. They were denied equal opportunity in their own country, and the disadvantage that caused has trickled down generations.

If we need further evidence of the criminal and civil wrongs experienced by First People for over 150 years, there is abundant evidence in the hearings of the Yoorrook Justice Commission.

That brings me to a thorny question, and that is of reparations. Needled by voices from the right, we seem to be very, very squeamish about the idea of reparations. It is touted as divisive and almost discriminatory, yet we have a legal system that addresses restitution for civil and criminal wrongs every single day. We expect to be compensated for harm, for loss, for injury due to another party's wrongful act or omission. This concept is indeed a very keystone of our legal system. So how is it that we can say it is wrong for First Peoples to have their civil wrongs compensated? The magnitude of disadvantage by our First Nations people is not a reason to deny compensation. We should be considering how it can be achieved so we do not continue to compound that disadvantage. If we are to mature into a truly equitable and reconciled state, we must embark on the virtuous path that treaty and its constituent arms provide. We all have much to gain from treaty, not least of which is the acceptance of our true history. It is no doubt discomfiting to acknowledge the massacres, the forced removals, the suffocating and brutal control of the state. But what is the alternative – to hold fast to a lie?

At the end of the day this is a considered and modest approach to change, a vehicle for self-determination for Victoria's First People and a model for other states and the Commonwealth to follow. Victoria leads the nation in achieving this important milestone, and we can do that today and on Thursday. It follows nearly a decade of work: research, truth-telling, public hearings – a thorough ventilation of all the issues. But if it is to have life in the years to follow, if it is to bear the fruit of its potential, it needs the backing and the goodwill of all members. What are those opposite hoping to achieve by opposing this historic treaty, by pledging to repeal it if they are elected? Whom is such an election promise aimed at? Are they trying to enhance their far-right credentials? Rather than trying to out-right the right, would it not make more sense to rotate to the centre? The honour of supporting this historic piece of legislation is profound. It is a transformational moment for our state and indeed for our nation.

I want to end with a quote from Daniel James, the Yorta Yorta writer and broadcaster, which beautifully encapsulates this very historic moment:

This treaty illuminates the way ahead. Not through denial or silence, but through listening, respect and self-determination. It shows that moving forward means facing history rather than burying it, celebrating culture rather than erasing it, embracing one another rather than excluding.

People will look back on this moment and will remember those who rose to meet this moral challenge. Legalise Cannabis Victoria is proud to meet this challenge. We are proud to support reconciliation and to elevate and to strengthen our civil society. I commend this bill to the house.

Joe McCracken (Western Victoria) (15:13): I do not think there is any doubt that we all want better outcomes for Victorians, including Aboriginal Victorians. We all want healing where there has been harm, and we all want young people, including young Indigenous people, to have the same opportunities in health, in education and in life as every other Victorian. I do not think that has ever been in question. But this bill, the Statewide Treaty Bill 2025, does not deliver those outcomes. It does something else. It divides Victorians into two classes of people, and I cannot support that. We should be closing the gap, not creating a new one in our democracy.

I want to talk through some of the clauses in the bill and the impact that they might have. The first one is about equality and how that has got to remain the cornerstone of our society. In clause 1(a)(i) Gellung Warl is given decision-making powers in relation to First Peoples of Victoria. That means race becomes the basis for political authority – influence – in this state. But I challenge the government: tell me an area of lawmaking or decision-making that does not impact First Peoples. Roads, police, hospitals, schools? Everything that we do in our lawmaking capacity impacts everyone in this state. Carving out those parts just does not make sense. In clause 1(a)(v), Gellung Warl can hold the government to account specifically regarding actions towards First Peoples. Accountability and government should be equal for all Victorians, not segmented for some. In clause 2(2)(c), the bill makes Gellung Warl an enduring part of the Victorian democracy, yet most Victorians will never be represented within it or vote for its leadership. How is that fair for the majority of Victorians, who do not identify as Aboriginal or Torres Strait Islander? The plain truth is that if you cannot vote for those who influence your life, that is not democracy and it is not fair. One parliamentary system for all Victorians is fair; two systems is not.

I want to talk about the new political power centre and it being outside of universal accountability, because clause 13 says that Gellung Warl is not subject to ministerial direction. That is a publicly funded body, paid for by all taxpayers, with public power but without universal democratic oversight. In clause 18 the First Peoples' Assembly can represent First Peoples in negotiations with the state and advise Parliament and ministers. That is influence over law and policy, but it is only advocating for one group of people. In clause 66 of the bill, every new bill introduced into Parliament must include a statement of treaty compatibility. This gives a permanent procedural role in all Victorian lawmaking to a particular group of people. Let us just be honest about that: the government is creating a system where one heritage group gets a say on every law and most other Victorians do not. That is not equality before the law. The government always espouses equality, but from this day forward those opposite forfeit the right to talk about equality, because that is not what they are advocating here. Those opposite can never, ever lecture anyone again about equality in this state when they support legislation that is so anti-equality. It creates a parallel governance structure that is permanent and uncapped.

In clause 10(2), Gellung Warl contains three statutory bodies: the First Peoples' Assembly, Nginma Ngainga Wara and Nyerna Yoorrook Telkuna. This is not just recognition; it is creating a whole new governance framework. In clause 12 and in clauses 143 to 145, these bodies can acquire assets, they can raise revenue, they can establish companies and they can receive dedicated ongoing funding from consolidated revenue. Essentially what we will have is a taxpayer-funded agency with economic and political functions that other citizens cannot access. In clause 2(2)(f) of the bill, the bill anticipates ongoing transfer of decision-making powers from the state – a permanent shift in sovereignty with no

final threshold in sight. There is a risk in that: if the destination is never defined, the journey will never end. There is no democratic mandate, there is no referendum and there is no clear limit. I urge the government – they should have put these reforms to the people of Victoria before they decided to push them through the Parliament.

I want to talk about bureaucracy, and outcomes as a second thought, because real disadvantage does exist. Children need safety, support and opportunity, but they need it now. This bill directs energy into funding chairs, committees, meetings, new bureaucratic hierarchies, lawyers and negotiation processes, all while lives on the ground do not meaningfully change. A new organisational chart cannot heal a broken heart. We should be funding health care with a focus on care outcomes, not just words. Education and training programs, youth diversion, housing and mental health, and employment pathways – these are things that actually change lives, not just create a separate political class. And truth-telling should heal, not divide.

From clause 118 onwards the bill creates Nyerna Yoorrook Telkuna to gather and publish truth-telling information. Truth matters. But whose truth? What truth? What objective truth? Or is it a subjective truth and not an objective truth? Collective guilt must not replace collective responsibility, and collective guilt does not heal. It does not look forward, and it does not achieve meaningful reconciliation. A future built on unity cannot be based on permanent blame, and we must learn from our history together, not be separated by it. Unity has to be the path to justice. We honour our past – everyone's past. We respect every culture. We recognise all people of this land, including Aboriginal people, as fully fledged members of the Victorian community, because that is what equality is. But fairness requires equality, dignity requires equality and reconciliation requires equality.

This bill makes equality conditional – conditional on race. Equality should never be conditional, and it should never, ever, ever be negotiable. We always hear that from the government. But this bill flies in the face of that. It is so disappointing. It is such an opportunity to make a difference. The framework for the proposed treaty does not pass the pub test. It does not pass the test of common sense, and it does not pass the test of morality. It is the wrong model containing the wrong priorities. I agree, the intention is right, but it is fundamentally flawed in design. We can right the wrongs of the past without writing new wrongs into law. We should walk together, not apart. We should encourage unity, not division. We should build one future together, not two: one Parliament, one citizenship, one Victoria. This is the path to true, lasting and meaningful reconciliation – reconciliation with practical outcomes, reconciliation that respects every single person as a human being, reconciliation that is fair. Every Victorian deserves to belong equally, completely and proudly. This bill does not do that.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (15:23): We are on Wurundjeri Woi Wurrung country today, and I want to begin by acknowledging the traditional owners of the lands upon which we gather. I pay my respects to their elders past and present. I also want to acknowledge any and all Aboriginal or Torres Strait Islander leaders or emerging leaders who have joined us here in this place today, who are following this debate, who have been part of the fundamentally seismic changes sought to be effected by the legislation in this place today, who have failed to access the benefit that is underpinned by the objectives of this legislation, because culture and governments and systems were not set up, were deliberately not set up to include them – to include you. And to that end I have one small voice in this place, but I want to use it today to restate what I said when I appeared at the Yoorrook Justice Commission on two occasions: I am sorry. I am so sorry that we as a Parliament, that we as successive governments and that we as decision-makers and the designers and architects of systems, the ones who have decided rights and therefore excluded rights on other bases, have been deliberately, wilfully blind to the idea of inequity – inequity that is ignored for reasons that go to the sorts of things we have heard in this debate, that this creates a system of division.

The starting point for discussion about treaty, about closing the gap and about the *Uluru Statement from the Heart* has been about the existence of disadvantage and a gap that was never created by First Peoples, but First Peoples nonetheless have borne it for generations. That is not only inequitable, it is

at law internationally an infringement upon basic human rights. We here in this place and at multiple levels of government have failed First Peoples time and time again in so many ways – in access to housing, in access to education, in access to goods and services and in the capacity to move around freely across the state and across our borders. Where it always was and it always will be Aboriginal land, the same cannot be said for a system of property ownership – rights, entitlements and licences – that has in fact ousted that in all but conceptual name.

We stand in this place and we reflect on the ideas and the discourse, the theories and the themes of what it means to include and what it means to provide systems that are better than those we have had. And yet invariably we will come back to a debate that talks to famous First Peoples or stars in sport or in art or in culture, and that to my mind just underscores further the token efforts that have gone into a debate and a discussion that should necessarily be about bringing everybody along, because closing the gap is not an argument that is made out by the exception to the rule being somebody who through exceptional talent and the gift of circumstance and perhaps the overlooking of prejudice in order to recognise talent secures a gold medal at the Olympics. That is the exception to the rule. This is where, again, in listening to the debate about treaty that has been had in this place for many years now, it has been all too easy – in the binary discussion about rights, entitlements, dignity, encouragement, aspiration and opportunity – to categorise people in a way that goes to the lowest common denominator.

At the Yoorrook Justice Commission, when I appeared in respect of both the water and the housing portfolios, it was with regard to the importance of a system that was not my own within which to operate. I want to thank the commissioners and the people who were the architects of the structures around the Yoorrook Justice Commission. *Mana-na Woorn-tyeen Maar-takoort: Every Aboriginal Person Has a Home* and *Burndap Birrarung Burndap Umarkoo* – the water policy and the work to recognise water as a living entity – these are not concepts that are here for the curiosity of our history books. These are living, discursive ideas and themes. These are connections to the oldest continuous culture on earth. And yet it is so easy for us in this place to pay lip service to the value – the intrinsic, inherent, visceral value – that these things embody for First Peoples.

I want to commend everybody who has brought us to this point. In truth and in treaty and in reconciliation there has been so much mis- and disinformation that has clouded the capacity for an objective and a compassionate debate, and it is all too easy to engage in that idea of noblesse oblige, the pat on the head – the idea that we do some kind of favour out of the desire to tick a box. Treaty has to be more than that, and indeed treaty is more than that, and that is why opponents of treaty are scared. Treaty does not diminish the rights of anybody to whom it does not apply. Rather, treaty increases the certainty by which access to those systems that non-traditional-owner people have had as a benefit for generations, that access is more equitably distributed, that opportunity and aspiration are there and are made available, notwithstanding systems that at their heart have been designed for the purpose of exclusion. This is not along the lines of the hate, the fear and the disinformation campaigns that occurred around the time of Mabo, of Wik, and that occurred around the time of native title debates, involving black hands reaching over pictures of backyards. This is not about the diminishment of any rights and entitlements for non-First-Nations people; rather, this is about the capacity and the obligation that we have to deliver equity, empathy, self-determination and the opportunity to walk alongside First Peoples.

I am sorry, and I hope that with the passage of this treaty legislation the enabling framework for the delivery of treaty or treaties can be something that makes us all better – not just those who are the beneficiaries of actions that can be delivered because that framework of treaty is there but those to whom treaty does not apply, who will then be part of a social contract that is more nuanced, more rounded, fairer. My colleague and our friend Sheena Watt has carried an enormous burden in this place, and to watch her today talking about the importance of treaty to her and to her family, to First Peoples, to multiple generations, and hear her talk to all-but-empty opposition benches smacked of disrespect at the same time that successive speakers got to their feet and talked about the importance

of making and creating a place and a space for First Peoples. Today was the opportunity for that place and that space, yet what we saw today was people not turning up and therefore turning their backs on the voice of the only First Peoples person in this Parliament.

We stand determined to make sure that treaty is delivered. We stand determined to make sure that the systems that we are delivering are facilitated, are designed and are operationalised at their heart in a way that recognises this oldest continuous culture. There is much to do. The work will go on as it needs to go on: across generations. The work will be continuous, and I hope that over time this flare of indignation, of other, will fade. I hope that as our own words fade into *Hansard* and disappear into the books that sit in the basement of these buildings the outcomes of treaty will be felt and will resonate across the lives of people who do not know our names – who do not need to know our names. To Ngarra, to Rueben, to the First Peoples' Assembly, to everybody from every community who has worked so hard, again, across these landscapes of anguish and of disadvantage and of pain and of rage: thank you for your forbearance. You did not need to show grace to this process, yet you did time and time again. Now it is our turn. It is our responsibility as a government, as a Parliament, to make sure that that grace and that forbearance that you never needed to show us in addressing problems that were not of your making but which have continued to affect First Peoples profoundly mean that we are able to do better but that when and as we do better we do not do that at the expense of a narrative that says that somehow someone is worse off as a consequence.

There is today an opportunity for equity. There is an opportunity for this Parliament to be at its best, and we do see that we are capable of that. We do know that we are capable of that. For every word that is uttered in this place, notwithstanding the fact that it may be relegated to a cellar somewhere, in a book somewhere that nobody ever opens again, there are real-world consequences for the families, for the children, for the generations who are here right now. I want to commend this bill to the house, but I also want to make sure that we all have the capacity to commit to doing better, whether that is through the dismantling of mis- and disinformation, through the creation of better systems for communication and decision-making or through the capacity for others to join in the process of better outcomes overall. I would like to think that we do this work and that we come with purpose. I would like to hope that from today there will be space created even for those who oppose this bill, and I commend it to the house.

Anasina GRAY-BARBERIO (Northern Metropolitan) (15:35): A le'i amata se fa'amatalaga e muamua lava ona ou momoli se fa'afetai I tagata muama o le atunu'u. Fa'afetai mo lo outou alofa ma le agalelei. Translated: I would like to give thanks and honour First Nations people of this country as Indigenous people from the Pacific. In my culture it is rude to face my back to you, so please forgive me as I face my back to you in my contribution.

Before I begin, I want to ground myself and all of us in the spirit of this place. I pay my deep respects to the traditional custodians of the land we stand on today, the Wurundjeri Woi Wurrung people of the Kulin nation. I would like to pay special respect to the First Peoples' Assembly that is with us here today. I also would like to give respect to Yorta Yorta woman Ms Sheena Watt, the only First Nations person in this place. I honour your ancestors, your elders, your women, your children and your enduring connection to this sacred country. I also want to acknowledge the ceremonial ground that I stand on right now. We know it as Parliament House, but before colonial settlement the eastern Kulin nation used to use these grounds as a meeting place for resolving differences, cultural ceremonies and Aboriginal lore. During colonisation, through dispossession and genocide, the people of the eastern Kulin nation were not only discouraged but later prohibited from entering Naarm by colonial settlers.

To understand the Statewide Treaty Bill 2025 before this chamber, we must first understand history and the role the government has played in its treatment of First Nations peoples. In 1869 the Victorian government, through the Legislative Council, conducted a select committee inquiry on First Nations peoples. Out of that inquiry came one of the most shameful pieces of legislation in our state's history: the Aboriginal Protection Act 1869. The goal of this act was clear: to regulate and control every aspect of First Nations peoples' lives. It dictated where they could work, who they could marry and where

they could travel. It stripped them of any sense of freedom, dignity and autonomy. The act, as we know, was never about protection, it was purely for subjugation.

In the years that followed, these policies led to the establishment of missions and reserves, places where Aboriginal and Torres Strait Islander peoples were forcibly relocated. Children were torn from their mothers, families broken apart, and many were forced to work as servants for white farming families. These institutions, under the control of churches and missionaries, were designed to control and forcibly assimilate First Nations people under the guise of civilisation to breed out the Indigenous people. They had strict rules forbidding people from speaking their native language or practising their traditions and ceremonies. This system of cruelty marked the beginning of what we now know as the stolen generations, a legacy of pain that continues today through communities.

Despite all the mistreatment and injustice, First Nations people have never lost sight of their culture and their sovereignty. The Statewide Treaty Bill stands as proof of their steadfast activism, resistance and belief in something better for their people. After decades of leadership and vision from First Peoples, we are on the brink of history, with Australia's first ever Statewide Treaty. It has passed in the lower house, and we are now on the precipice of passing it in the upper house. All of us in this place can recognise that while this bill is momentous, the truths it enshrines have been waiting far too long to be heard. They are generations overdue. This bill is historic, not only for Victoria but for Indigenous peoples across Australia and around the world. It sends a clear message: Indigenous peoples here and everywhere must have self-determination, be fully recognised in their human rights and have their shared histories of pain, injustice and colonisation acknowledged.

We just have to look across the ditch to our Māori brothers and sisters with the Te Tiriti o Waitangi delivering meaningful outcomes for Māori people – the preservation of language, culture, storytelling and cultural rituals. I spent a small time of my education in New Zealand, in Aotearoa, and was so grateful for the way that Māori language was embedded into the school system. We learned songs. It was so normal and such a big part of our culture. Even though we were not the Indigenous people in Aotearoa, we were so proud of Māori culture and sovereignty.

A few months ago, my office was fortunate enough to have a treaty forum to help connect communities in the north with the journey of walking alongside First Nations communities towards treaty. We were very fortunate to have Gurindji man and academic Dr Kevin Moore; Wemba Wemba, Mutti Mutti, Boon Wurrung, Trawlwoolway and Lardil man Indi Clarke of First Peoples' Assembly – great to see you, Indi; Awabakal woman Sarah Williams, founder of What Were You Wearing Australia, a non-profit organisation to end family violence; and Wurundjeri Woi Wurrung elder Uncle Andrew Gardiner. I am so grateful to them for their generosity and willingness to take me, my staff and the community on this journey, a journey showcasing their surplus of generational knowledge with land, waterways and their communities.

I also had the privilege of participating, listening and walking at the Yoorrook Justice Commission's Walk for Truth, marking the completion of Yoorrook's final report. This event brought so many Victorians together to work towards truth and celebrate the strength and resistance of Aboriginal people. There we heard from Kerrupmara/Gunditjmara man Travis Lovett, former deputy chair and commissioner of the Yoorrook Justice Commission, who said:

I have seen what this state can become if it chooses truth – not as a gesture, but as a foundation.

We thank the First Peoples' Assembly of Victoria, who have spent years guiding this process, and the Yoorrook Justice Commission, whose truth-telling reports have been and will continue to be central to this process.

This treaty is a peace agreement, centring First Nations voices on issues concerning First Nations people. History has shown that Parliament has failed at developing policies that truly uplift and support First Nations people.

As a Pacific Islander, we are the Indigenous people of the Pacific Islands. We Indigenous people speak 19 per cent of the world's 5000 languages. Today we proudly support and honour First Nations people and Statewide Treaty. Treaty represents a real step towards self-determination. It allows First Peoples, the experts for their own communities, to use their knowledge to care for the country, strengthen culture and influence the design and delivery of services that affect their communities.

The Statewide Treaty Bill is not about race-based division, as we have heard. That claim is outright misinformation. Those pushing that narrative are spreading fear and misunderstanding to protect old systems of privilege and political exclusion. We have heard some say that the Statewide Treaty Bill is a threat to parliamentary sovereignty. While we all know that is not true, it is an invitation to strengthen democracy through honesty and inclusion. Treaty does not take power away from anyone; it builds shared power. When we think about what is really being challenged here, it is not parliamentary sovereignty but the comfort of those who benefit from the silence of others. The Statewide Treaty Bill creates a space where truth-telling, accountability and partnership can flourish and be strengthened.

But the work towards First Nations justice and self-determination does not end here. We know First Nations communities are disproportionately impacted in so many domains in accessing a good and thriving life. The impacts of colonisation can still be felt today. The treaty bill is the first of many steps we can take in this place to ensure First Nations people have real, meaningful economic, social and cultural empowerment within Parliament. Decisions made by First Nations people for First Nations people have not only been missing from debates and legislation in this place, they have been excluded. Now, under treaty, the government must speak with First Nations peoples when making laws, rules or policies that impact them. It provides the power to hold the government accountable to promises and outcomes for First Peoples.

In the words of the Blak Greens, First Nations members of the Victorian Greens:

Nothing can erase the generations of pain, suffering, and injustice ...

done to our people and that our people have carried. They say that:

... this moment is not about forgetting or diminishing that truth. It is about taking a step forward and choosing a path towards change.

This treaty is a win for all of us. It is the foundation and invitation for all of us to walk together towards a better and more just future. To all First Nations people here: we as the people of Oceania honour you and pay respect to you; sovereignty was never ceded. I am so privileged and humbled to be here to make a contribution. I commend this bill to the house.

Interjections from gallery.

The ACTING PRESIDENT (Jeff Bourman): To those in the gallery: the President was very clear about interaction with the gallery. Think what you like. Please, no clapping or anything else.

Georgie CROZIER (Southern Metropolitan) (15:47): I rise to speak to the Statewide Treaty Bill 2025, which we are debating this afternoon. It is an important bill that has come before the house, because there are a variety of views on it, and that is why we are having this important debate. It is important to have this debate, given the impacts of such a bill that will apply to all Victorians. Before I go into that, and I have been listening to various aspects of the debate, I note Minister Shing's comments regarding the opposition being in the house. I note that when she was speaking, in fact there was double the amount of opposition members respectfully listening to the debate – not what she was asserting, that no-one was in the house for a previous speaker. Nevertheless I digress slightly.

This bill, as others have said, establishes Gellung Warl, which is a new statewide representative and deliberative body. It will create three key institutions, and these three bodies will have broad powers to negotiate treaties – and I want to come back to that point – hold government accountable and advise Parliament, with guaranteed permanent funding. The bill does a number of things that my colleagues have gone through in great detail, and I want to commend them for outlining the various clauses and

the details of this bill and pointing out why the Liberals and Nationals have concerns around this bill and will not be supporting it.

I make that point based on the news articles today that have shown where we need to be closing the gap. Everybody agrees with that aim – we all want and need to close the gap – but we have got health institutions that are triaging and prioritising patients based not on health and medical needs but on skin colour and race. That is wrong. That is wrong in every sense, and it goes against the oath that many people in the medical profession stand by in relation to making no judgement on things like age, disability, gender, sexuality or race. The Geneva medical convention states very clearly that those in the medical professions will not take those aspects into consideration when treating their patients and will do no harm. When, as I pointed out earlier in a press conference, a patient is coming through the doors of an emergency department, a very significant component is being triaged. When those nurses do that triaging aspect, they do not judge the person; they are triaging based on medical health needs. Of course Indigenous status is part of the risk. Triage is about risk and assessing the risks around health needs, and Indigenous status is, as I said, part of those risks. But that is not the sole criteria that should be acted upon – it is every other element. When other Victorians come in, if they are coming from marginalised communities, what is to say that they do not have complex needs as well and that they need that attention and care just like any other Victorian?

I am very concerned that elements of this treaty are setting up division. To say it is not is false. It will and it is, because there is your clear example today that it is divisive and it is wrong. I will argue that point because I am a former nurse, I am a former midwife, I have worked in the public health system and I have been in this situation when people come in. You never judge them; you act on their health needs at that critical time. So I am very disturbed about what has gone on, and I do see that the government has endorsed it by having it on their website. To say that they are not and blaming the hospital is completely wrong. The government is endorsing this policy.

To get back to this bill, this is basically establishing a third arm of Parliament. It is setting up a third arm of Parliament with certain rights so that even my colleagues on this side of the house will not have the same opportunities to question ministers or access information. This is setting up a different system within our current system. To say it is not divisive while one particular part of the community has larger and more significant rights over others when we are all in this house representing all Victorians and doing our work on behalf of all Victorians is wrong. Mr McCracken made some excellent points in his contribution, and I was madly scrawling them down. But I think in one of them he said, 'We should encourage unity, not division, and equality should never be negotiable.' And he is right, because that is what we are debating. We are debating these very elements. And that is wrong, as in the example I pointed out.

I know the intention is to be closing the gap. But as my colleague Ms Bath has said, there are no real particular elements of this bill that will go to ensuring that closing the gap will actually occur. There are issues and we do need to be addressing them – we all acknowledge that. I want to make the point that if the government was really serious about health outcomes for the Indigenous community – they are some of the most vulnerable, and I acknowledge that. I have looked after Aboriginal women and I have seen the complexities that they face from both a health and a social aspect. I do acknowledge that, and we need to be doing better – we all agree with that.

I am concerned about the closure of Cohealth in Collingwood, which looks after some very vulnerable Victorians, some of whom would identify as Indigenous, I have no doubt, and rely on the primary care and community care of that health facility. They will no longer have that ability to go and have their healthcare needs supported and addressed because it is shutting down. How is it closing the gap when you are closing down facilities that deliver primary care and community care to very vulnerable members of the community? Where are they expected to go? Where are these vulnerable patients supposed to go? They are going to go into the emergency departments. They are coming into the acute system because the primary care and the community care is not there. The other aspect that I raise in relation to this point is that the continuity of care is incredibly important, and you need continuity of

care to close the gap in health. That is what this government fails to understand. It actually will take these poor patients back further, because they will be bouncing around a system where they will not be achieving the very aim that this bill says it will do in closing that gap.

I think the bill is flawed in terms of what it says. It does set up a separate system. We do not really know. You know, it is treaties. It is not one treaty. This is the first of many treaties. As to what impact that will have on the rest of the Victorian community and what that looks like, no-one knows. There has been consultation with a select few. The Victorian community does not know the extent of this treaty, and I would urge Victorians to go and read this treaty, because it explicitly highlights exactly what this bill lays out and how the legislation will play out.

The implications for the Parliament of Gellung Warl are quite profound I think. No other statutory body in Victoria is empowered with such a combination of legislative authority, financial independence and structural insulation. The bill states that:

Gellung Warl is not subject to the direction or control of the Minister in respect of the performance of its functions and the exercise of its powers ...

It has the right to:

... acquire, hold and dispose of real and personal property ...

And it:

may do and suffer all acts and things that a body corporate may do and suffer.

The bill embeds the First Peoples' Assembly into nearly every stage of the Victorian legislative process. There is a mandate that the Clerk of the Parliaments must notify the assembly of the introduction of every bill, regardless of its subject matter, and this creates a blanket procedural obligation, effectively inserting the assembly into the legislative pipeline and treating it as a default stakeholder in all parliamentary business. In addition, every member introducing a bill must prepare a statement of treaty compatibility, and that statement of treaty compatibility must state:

- (a) whether the First Peoples' Assembly was given an opportunity to advise on the Bill or the First Peoples' Assembly otherwise made representations about the effect of the Bill on First Peoples; and
- (b) the nature and timing of any opportunity to advise and the nature and timing of any representations; and
- (c) in the member's opinion, the extent to which the Bill is consistent with any advice given or representations made; and
- (d) whether, in the member's opinion, the Bill is compatible with –
 - (i) advancing the inherent rights and self-determination of First Peoples; and
 - (ii) addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and
 - (iii) ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples; and
- ...
- (e) if, in the member's opinion, any part of the Bill is incompatible with paragraph (d)(i), (ii) or (iii), the nature and extent of that incompatibility.

So they are very directed in terms of what is required from anyone introducing a bill into this place, for this separate body to have proper oversight and to be able to say whether it has an impact or not. What happens if they disagree with a bill coming in? If I introduce a private members bill and it has to go over to this body and they say, 'No, we don't not like it,' what happens then to the process? Everything gets stalled. You know, it is lost. What is the old saying? Laws are like sausages; it is like a sausage factory. It comes out at the end eventually. However, we do not want to be stalling the process any more than we have to. We do not want to be bogged down in bureaucracy, and I see there is potential for that to occur.

One other element I will raise in the last few moments I have is in relation to the issue I spoke of before, around Indigenous Victorians being assessed and triaged in an emergency department above everyone else. That is a recipe for disaster. Because who is not going to claim they are Indigenous? How is that going to be monitored? It is going to set up chaos in our emergency departments, where our health system is already overstretched. I hear members of the government moaning and groaning over there – I can tell you that this issue is a very significant one, and it is not the fault of those people coming through the doors, it is a problem with the government and the failures within the system. But there is potentially room for chaos when people identify as Indigenous. Who is going to check that? How will that be checked? How will it be monitored? There are so many issues and indeed I will be asking in the committee stage later this evening – I do not know how late we will go to; the government will probably push us into the wee hours of the morning. But these are important questions that the government need to answer, because I do not think the Victorian community have any idea of the extent of this bill, how its implications for the Victorian community will play out practically, how it will actually be administered and monitored appropriately, and at what cost to the Victorian taxpayer.

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (16:01): I also, like many others this afternoon, would like to begin by acknowledging the traditional owners of the land on which we are currently gathered, the land of the Wurundjeri Woi Wurrung people, and pay my deepest respects to their elders past and present and to all Aboriginal and Torres Strait Islander people here today. In particular I wish to acknowledge those First Nations people who have joined us in the gallery today.

It is a great privilege to speak to this Statewide Treaty Bill 2025, which marks a real beginning for a just and fair future for First Nations people in this state. I have the privilege of living on the land of the Wadawurrung people and serving the people who live on the lands of so many traditional owner groups in western Victoria. I know the path to treaty has been incredibly long. It has taken courage and determination from our First Peoples, and I would like to acknowledge the many leaders and community members who have made such a profound contribution to bring us to this point today. I am also very proud that the Victorian government is committed to true reconciliation, truth-telling and treaty with First Peoples. This bill recognises that there have been 65,000 continuous years of wisdom and care for our land and waterways by First Nations people. This bill acknowledges the talent, the courage, the dignity and the culture of First Nations people. This bill will empower self-determination, and I would argue quite vigorously that this bill is above politics. We cannot undo the past, and though I am definitely on the side of ‘I wish we could’, we can change the course of the future, and that is absolutely the mission and purpose of this bill.

This bill is absolutely underpinned by integrity, humanity and rigorous and reflective intellectual insight. The work of the First Peoples’ Assembly has been nothing short of extraordinary. What they have done since 2019, and will continue to do, is having a strong focus on a future that is a benefit to all Victorians. They will ensure that First Peoples are at the heart of decision-making that affects their lives. The founding co-chairs of the First Peoples’ Assembly, Aunty Geraldine Atkinson and Marcus Stewart, led formidable achievements that have paved the way and the path to where we are today. Of course along that journey I have also got to know Geraldine quite well in terms of the Victorian Aboriginal Education Association Inc, and I consider her a personal friend. The Yoorrook Justice Commission, Australia’s first formal truth-telling commission, is one of the achievements. It brought together the voices of First Peoples across the state. The *Truth Be Told* report laid down the facts and the impact of colonisation on First Peoples. The findings were devastating, and my heart breaks with the injustices that have been laid bare. But the leadership of the First Peoples’ Assembly has shown us how to walk and work together for a stronger and better future. I am so proud that this government is listening to and works with our First Peoples. We are committed to doing what we consider to be absolutely right. The collaboration with the First Peoples’ Assembly and the current co-chairs Rueben Berg and Ngarra Murray epitomises how shared goals can be achieved when you listen, reflect and respect each other.

One of the many things that our First Peoples have taught us is connection of people to land, skies and waterways can never be taken away. I have had the privilege of being welcomed to Budj Bim on many occasions. It is a significant site for the Gunditjmara people – a site of culture, a site of tradition, a site of more than 60,000 years of aquaculture and a site that is older than the pyramids – and as a result of the work of the traditional owners and our government listening, Budj Bim is now a UNESCO World Heritage listed site. Not only is it historically and culturally important, it is vital for our shared future. Budj Bim exemplifies how First Peoples innovate, care, teach and invest in our future, and this would certainly not be the case if those opposite were in government.

We empower our First Peoples with the work that we do together, and of course it is about making sure that we right the wrongs of the past. We have been working towards this day for a long, long time, but also it is just the beginning. We have been doing a whole lot of things along the way in terms of the First Peoples' Assembly, but we have also been working really hard in a lot of different areas. In one of my portfolios it is in vocational education and training and skills. I can say that the *Marrung* education plan has been a plan that has held us in good stead, and I thank everyone that has contributed to that in the VET and TAFE system. We have also been able to deliver First Nations languages, and I have got to say one of the thrills of my life is to be able to walk into a kindergarten in Wadawurrung land and see and hear children speak and sing in Wadawurrung language. It absolutely warms your heart that there is a serious connection to country but also a connection between non-Indigenous and Indigenous people in my electorate. It is absolutely heartening to see things like the Kitjarra Centre at the Gordon where young kids who have disengaged get a real shot at making a difference in their lives.

In the short time that I have left can I just thank everyone that has been able to work so hard to get us to this point: current and former First Peoples' Assembly people; the Yoorrook commission; Natalie Hutchins; former ministers; Sheena Watt, who has just been extraordinary; and my lovely and determined and strong friend Chris Couzens in Geelong, my Geelong buddy – I just love you to bits for the work that you do; your determination is amazing. Can I thank everyone that has had the goodwill to hold hands and learn from each other and develop true, enduring friendships and relationships that are based on common values and common purpose to have a better Victoria.

Georgie PURCELL (Northern Victoria) (16:09): I too rise to speak in support of the Statewide Treaty Bill 2025 before us today, and in doing so I begin by acknowledging the traditional owners and custodians of the land on which this Parliament stands, the Wurundjeri Woi Wurrung people of the Kulin nations, and I pay my respects to their elders past and present. I extend that acknowledgement to all traditional owners and First Peoples across Victoria who may be in the gallery or watching via the live stream.

I would also like to acknowledge the leadership and the tireless work of the First Peoples' Assembly of Victoria, particularly its co-chairs Ngarra Murray and Rueben Berg. You have both shown us what true leadership looks like, but I recognise that the work to get to where we are today has taken time and a lot of effort and a lot of patience. The fight has been ongoing, so I recognise the people who helped shape this legislation from the very beginning. They include all of the members of the first term of the First Peoples' Assembly, particularly the inaugural co-chairs Aunty Geraldine Atkinson and Marcus Stewart and former treaty commissioner Aunty Jill Gallagher. I am also cognisant that this building that we stand in today is representative of colonial violence, and it was not built for First Nations people. I would like to acknowledge too our friend and colleague Sheena Watt for her words earlier and thank her for everything that she has done to get to this point. I would also like to remind members that words matter and we may be in for a long night. The words that are said today in this chamber will stay with people in the gallery, so please keep this debate respectful.

This legislation marks a turning point in history not only for our Parliament but for our state more broadly. For more than two centuries Aboriginal Victorians have called for recognition, for truth and for a seat at the table to shape the decisions that affect them and their lives every single day. In this moment before us we finally have that opportunity to take a meaningful step towards justice, not just through our words but also through our vote in Parliament and through law.

As someone who represents the Northern Victoria Region, which has one of the highest populations of First Nations people in our state, I personally am extremely proud to be given this opportunity to pass this nation-leading reform. This will be a moment that many of us will remember for a long time. There will be a time in the not-too-distant future when I will tell my daughter about the time that we voted in support of a treaty for First Peoples and that I was proud to play a part in that – that I was there in the building when it happened. I am comforted to know that she will grow up in a state that recognises its painful past while working towards a kinder future and that when she goes to school she will be taught the true history of our country and how it came about, because throughout my schooling I was not. I never learned about the atrocities that were committed against Aboriginal people. We never learned all the harrowing details of colonisation, the violence and dispossession that came with it or the ongoing impact that it still has to this day.

Despite so much being said about closing the gap, we know that we still have so much more to do to genuinely improve the lives of Aboriginal Victorians. In fact past attempts have not worked. According to the ABS, Aboriginal and Torres Strait Islander life expectancy remains 8.8 years lower for men and 8.1 years lower for women compared with non-Indigenous Australians. These are lives that are cut short by systemic inequality that we have failed to address. While Victoria has seen some progress, Aboriginal people continue to be over-represented in our prisons, with adult imprisonment more than 10 times higher than the non-Indigenous rate. In health, too many communities still lack access to culturally safe healthcare facilities, while in housing – one of the strongest determinants of health and wellbeing – we see Aboriginal Victorians disproportionately represented among those seeking homelessness services. These statistics make one thing clear: attempts to fix this disproportionate reality by politicians without lived experience have not worked, and they will not work. Closing the gap cannot be achieved without treaty. Treaty will ensure First Nations people are central to decisions that affect their communities, and it recognises that they are the experts in their culture, knowledge and country and that we, frankly, are not.

In my role I have the great privilege of speaking with many First Nations' community members about the deep cultural significance they share with many animals across the country. I have particularly seen this when speaking from a wildlife perspective, where our current wildlife legislation was written long before any law recognised the rights, voices or interests of traditional owners. These laws had left out a vital perspective, and the way our state continues to manage its wild species in many ways has been considered another ongoing form of colonial violence. Treaty offers us so many chances to build a future where this relationship is entrenched in law, and I hope today is an important first step towards that. Let me put on the public record exactly what treaty is and what it will do, because in practice it is a very simple concept, and importantly it is not something to ever be feared. It is also important to note that similar countries like New Zealand, Canada and the United States all have a treaty of their own with Indigenous peoples. The world has not ended for these nations, and people have not had their homes reclaimed. In fact Australia is a global outlier when it comes to forming treaties with First Peoples. We are lagging behind, and it is having real-world and real-life consequences.

Once this legislation passes, the First Peoples' Assembly, which is made up of representatives that have each been democratically elected by First Nations Victorians, will become permanent. The ongoing representative body will be known as Gellung Warl, which in the Gunaikurnai language means 'tip of the spear' or 'pointed spear'. It will include an accountability arm as well as a truth-telling body, and these two bodies will hold the government of the day accountable to its Closing the Gap commitments. They will also be consulted on any legislation that affects Aboriginal people. Gellung Warl will provide advice to government and ultimately make decisions on matters that affect First Peoples, including to lead ongoing truth-telling, healing and reconciliation efforts across our state. It will also meet with Parliament and cabinet, administer the Aboriginal infrastructure fund and Self-Determination Fund, make appointments to boards such as the Heritage Council of Victoria and Aboriginal Heritage Council and use the Yoorrook Justice Commission's official public record as a school curriculum resource to support the implementation of truth-telling in schools.

Yet despite all of this information being public, there has predictably been a scare campaign peddled by some conservative commentators, and sadly that unsurprisingly has filtered through to some in our own communities. I, like most MPs, have received a lot of correspondence from constituents on the Statewide Treaty Bill, and many – in fact most – are in support. But there have been some who have urged me to vote against this legislation, and in the interest of quelling some of that information it is important that we put on the record what the Statewide Treaty Bill is not. It does not change the Victorian or Commonwealth constitutions. It does not establish a third chamber of Parliament. It does not change tax laws or provide individual financial reparations, although as Mr Ettershank stated, there is still so much more to be explored. It does not have veto powers on policy or legislation, and it will not impact private land. The body will also be subject to the state's oversight bodies, including the Independent Broad-based Anti-corruption Commission, the Auditor-General's office and the Ombudsman. To say there would be no oversight would be to tell a lie.

But let us be clear: this bill is more than just a set of technical provisions. It is a moral statement, a collective act of courage, and it is just simply the right thing to do. As Ngarra Murray said in Parliament earlier this month:

This treaty heralds an era where everyone prospers ... It is children growing up proud of who they are, walking confidently in two worlds, knowing their language and history and that their rights are honoured. It is healthier lands and rivers because decisions are guided by thousands of years of wisdom. It is a future where Victoria is known not just for its natural beauty but for the way it nurtures culture, celebrates diversity and ensures that safety, dignity and opportunity are shared by all.

I know that even after this debate there will be people who continue to try and sow fear by saying that treaty divides us as a community. They will push this agenda that sharing power somehow diminishes it. I cannot emphasise how much I disagree with that rhetoric, because the reality is that when we lift others up, we all rise as a community. Treaty does not take anything away from anyone, but what it does is restore balance, respect and recognition where it has too long been denied.

Treaty is how we come together properly as one. We cannot have unity without honesty and without truth. We cannot have reconciliation without recognition, and we cannot move forward until we face what is behind us. I commend this historic bill to the house.

Moir DEEMING (Western Metropolitan) (16:20): I rise to make this contribution and to speak against this bill, not because I am against peace and not because I am against improving outcomes for our Indigenous Victorians. Obviously, that cannot be the case. In fact, I do not think I have met anyone who does not care about those things – certainly nobody in this place. There are facts that we have to face. One of those is that there are wounds in this country, just like in every country, that no laws can fully heal. Lives, languages and lands were lost, sometimes through neglect, sometimes through cruelty, and those losses do echo still. Indigenous Victorians are over-represented in every negative statistic. What can we do to help them? That is the question that we all want answered. The reason that people do not want to vote for this treaty is not because they do not want a proper solution, a fair outcome to these tragedies. It is because we do not think that this is the right answer. We do not even think that it will work. For my part, from what I can tell, history teaches us over and over that after injustice, you can have peace and equality. You can have good rise from the ashes of injustice, but never, ever, ever if you try and rebuild on the same architecture, the same division, that caused that destruction in the first place.

I believe that true equality and true peace rests on one simple, sacred idea: that the law applies to all of us equally because we are all equally valuable, and it binds all of us equally. The complications come when in history that arrives in a certain place, because of course it is not equal when equal rights start, and that is something that needs to be faced as well. But this bill, the Statewide Treaty Bill 2025, is also not the answer. I believe that even though it speaks of equality, it builds inequality through a new hierarchy; even though it speaks of healing, it institutionalises victimhood forever.

Our dilemma in this state and in this country is not a new one, and it is not unique. When my own ancestors left Ireland, they carried the memory of land wars, where tenant farmers fought to break the grip of absentee landlords – men who owned everything just by virtue of their birth and answered to no-one by the law. The cry of the Irish reformers was simple: the land should be for the people who work it, not for dynasties, not for corporations. They fought to replace that privilege with accountability, and that is what made democracy real. Then a generation later in New Zealand my Māori ancestors sought justice and learned a similar lesson too. The promise of stewardship, guardianship of land for all descendants, was a noble one. But when power was centralised in tribal corporations, not dissimilar to this design, it was corrupted, and ordinary Māori, especially women and mixed-heritage families, were often silenced, excluded and exploited. Many of them found that true guardianship depends not on bloodline or bureaucracy but on a shared moral duty and equal rights before the law.

I have noticed throughout this debate that people have claimed there is only one Aboriginal member here, but there are two Aboriginal members of this Parliament – one in Labor, one in One Nation – and there are four First Nations people, of which I am one. I found out only after I had my first child. I found out at my grandmother's funeral that my father had changed his name and lied to me about my ethnic heritage. It occurred to me during this debate that my Irish heritage, even though that is technically first nations in Ireland, is disregarded, but my brown side is somehow given this extra special status. I do not understand why. I really believe that this treaty is going to bring back this tenant–landlord system, and it is not going to be dressed in aristocratic titles but in the language of heritage and representation and self-determination.

I do not think it just establishes two parliaments. I think it establishes something worse – a corporate entity with authority over Parliament. It answers to its own members, not to the electors, just like a corporation. It is financed by taxpayers, but it is audited by no minister. It is shielded from freedom-of-information requests and independent of Parliament's control. That is throwing democratic sovereignty out the window. It is corporate sovereignty – power that you cannot vote out but you still have to pay for. Already much of this is spreading through our culture. As we just heard, St Vincent's Hospital adopted publicly and unashamedly a policy that treats people based on their race. I would not defend that if it was happening for white people, and I am not going to defend it or accept it just because it is happening for Aboriginal people.

This contradiction, these double standards, this illogic, runs through every clause of this bill. There are two electoral rolls – one public, one private – which means some people get two votes for political power in this state based on their race. We have got two heritage councils – one for Aboriginal heritage, one for everyone else. We have got two educational systems now – one built on Aboriginal ancestry and the other one just for everyone else. We have got two infrastructure funds – one exclusive, just for Aboriginal heritage, and the other one for everyone else. We have to look at two statements of compatibility now – one for universal human rights and one for this treaty corporation. But the same taxpayers fund both. The same citizens have to obey both, and nobody can question just one of them. I really do not think that this is going to bring peace. I think this is going to entrench segregation.

We were told that this bill would close the gap, but there are no practical measures in there. We cannot undo history, but we can provide better quality education. We cannot undo history, but we can support families struggling – every family, not just Aboriginal families – with kids that are going off the rails. Why would you only bother aiming to close the gap based on race anyway? We do not want to close any gaps by deepening division. We do not want to unite people by rewriting our rules along racial lines. I do not believe that we are going to be able to heal injustice by creating a class of people, a different class this time, that are untouchable by law, even if their ancestors are the ones who used to suffer under it. That is the moral heart of this matter. Oppression does not vanish just because it changes hands.

We are told that this bill will right the wrongs of history, but history's wrongs were born out of exactly this same kind of structure – privilege by birth, power without oversight and wealth drawn from the

many and taken into the hands of the few. This Parliament was built to defend equal rights through the law so that everybody gets treated under the law equally. The other issues that we are talking about here today, the other inequalities, cannot actually be fixed through the law. It has got to be one Parliament, one vote per person, one type of law for everybody, otherwise how will we ever become one people with our distinct ethnic heritages?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:29): I also begin by acknowledging the traditional owners of the land on which we meet, the Wurundjeri people of the Kulin nation. I pay my respects to their elders past and present and to many of the community leaders that have joined us today in the Parliament. I also honour all Aboriginal communities across our state and in the Northern Metropolitan Region, where I live and work. It is a region whose cultural richness reflects not only the diversity of today's Melbourne but also the enduring presence of the world's oldest continuous culture. Today, as we consider the Statewide Treaty Bill 2025, I am reminded that for tens of thousands of years First Nations people have lived as custodians of this continent, caring for land, water and community with knowledge and philosophies honed across millennia. This is a legacy of stewardship, belonging and responsibility – a concept we all have much to learn from.

At its core, treaty is not just an agreement, it is an act of recognition – a statement that Aboriginal peoples' custodianship, culture and wisdom are not just part of Australia's past but are vital to our future. Treaty asks us to see justice not only as the absence of harm but as the presence of dignity and true partnership. This philosophy is especially meaningful for me. My family, as many of you know, are of Kurdish background. Kurds, too, have a long history marked by struggle for self-determination and the yearning to see their culture, language and identity respected. I have seen in the story of my parents and the story of my community what it means to be denied a say in one's own future. It is from this experience and from my experience as the Minister for Corrections and the Minister for Youth Justice that I recognise how fundamental treaty is to true justice. Treaty is about ensuring policies are made with communities, not for them. It is not merely philosophy, it is a practical necessity that we all need.

Let us be clear about why this bill matters so deeply to my portfolios. The facts are well known, but they bear repeating: Aboriginal people continue to be grossly over-represented in our prisons and youth justice centres and are among those most affected by the harms of gambling and substance abuse in our community. It would be remiss not to say that they are also much more likely to be victims of crime. These are not random outcomes, they are consequential to historical injustices. As I and many members of the government acknowledged at the Yoorrook Justice Commission, these were not random, they were deliberate. From young people who get caught up in the justice system to families who carry intergenerational trauma, the legacy of exclusion and paternalism is real. This reality necessitates shifting from systems that seek to only punish or contain towards systems that heal, restore and build stronger communities for all.

We have seen what is possible when we walk this path together, from the First Peoples' Assembly to our government's historic Aboriginal justice agreement and to the partnership we have with the Aboriginal Justice Forum and Aboriginal Justice Caucus. I know myself that I really value these full and frank exchanges and that they lead to better decision-making. It also leads to the better direction of investments. We have got an Aboriginal healing unit at the Dame Phyllis Frost Centre that came about through this partnership. We have cultural places. Of course we do not want to see Aboriginal people in custodial settings, but when they are there, we have a responsibility and a partnership. The growing use of culturally led diversion programs and the elevation of community voices in the design of justice reforms are just a few examples of what is achievable. These changes are essential if we are to reduce reoffending, break cycles of trauma and fulfil the promise of justice for all Victorians.

The Northern Metropolitan Region is a microcosm of what makes Victoria strong: deep Aboriginal roots, working-class character, a thriving multicultural community and a shared desire for fairness. Across my electorate, from Broadmeadows to Brunswick, from Epping to Fitzroy, people understand

that justice is not a zero-sum game. When we empower First Nations people, we strengthen the whole. Indigenous people have cared for country and for community for far longer than any modern institution. When we listen to Aboriginal leadership, all our systems benefit. Their stewardship has sustained environments, cultures and social structures with a sophistication that science only now begins to understand. Treaty at its heart asks us to return that principle of care, to see leadership as stewardship and to build systems that serve the long arc of community health, not just in the short term but for long-term outcomes for all.

As an Australian of Kurdish heritage whose people have long struggled to see their stories told and their rights respected, the importance of treaty is deeply personal. I stand here as someone who knows what it is like to want to belong fully to a place, to a community and to a system that recognises your worth. Treaty is about ensuring that Aboriginal children, families and elders in my region and across our state can belong to our systems – justice, health, education and the broader community – not as afterthoughts but as leaders, as partners and as equals. Despite the strenuous efforts of some, we will not be fooled into seeing treaty as a concession or a risk. It is a chance – a chance to draw on 60,000 years of knowledge and build a future that honours our oldest wisdom and our newest aspirations. In my portfolios I am committed to ensuring that custodianship and partnership are not just words but a way of working every day for everyone.

I urge all members to support the Statewide Treaty Bill 2025, not just as a matter of justice for First Nations people but as a statement about the kind of Victoria we want to leave our children: one where history is acknowledged, voices are heard and stewardship shapes every system. Together let us choose dignity, partnership and hope. I commend the bill to the house.

Rikkie-Lee TYRRELL (Northern Victoria) (16:37): One Nation Victoria will not be supporting this bill. This Statewide Treaty Bill 2025 is being dressed up as progress, but in truth it is deeply flawed. It risks dividing Victorians, draining public funds and undermining equality before the law. As I have stated in this place before, I am of Indigenous heritage on my father's side, but this never influenced the person I am today. Not once did I allow this to set me back. Not once did I allow my upbringing to keep me from my dreams and successes. Not once did I use this as an excuse for my behaviour. I am living proof that we do not need to divide or separate to improve the outcomes in people's lives. This bill creates an unelected body with extraordinary powers: the ability to question ministers, influence parliamentary proceedings and demand treaty compatibility statements on new laws. That is not democracy, that is special treatment for some at the expense of equality for all.

Next is the cost. Victorians are struggling with a housing crisis, hospital waiting lists and rising living expenses. Yet this bill locks in automatic funding increases of 2.5 per cent a year, with costs expected to hit \$70 million annually by 2028 to 2029. That is hundreds of millions of taxpayer dollars diverted away from frontline services into bureaucracy.

And how was this bill introduced? Quietly. It was rushed, slipped into Parliament without genuine consultation. If this government believed Victorians supported it, they would not have to hide it. This treaty was undertaken under a shroud of secrecy, with most Victorians left out of the negotiations and left in the dark on the whole process. Documentation surrounding the treaty has been hidden from public view for 30 years, as announced in the *Government Gazette* on 21 March 2024. How is this open and transparent? They are words the government loves to throw around but rarely acts upon. I have actually seen more transparency in mud.

The greatest danger is division. This bill risks creating two classes of citizens, one with special rights and influence and another without. That is not reconciliation. That is not unity. It is the opposite. The government keeps using the line that this will be good for all Victorians. How will this be good for our overcrowded, understaffed hospitals? How will treaty be good for the thousands of people who are homeless? How will it be good for the mums and dads struggling to put dinner on the table and keep the lights on? How will it be good for the great number of Victorians working two or three jobs just to keep themselves afloat? How will it be good for the people who call 000 in an emergency and

no-one comes? How will a treaty that divides us by our race be good for the already fracturing society we have here in Victoria? How can the government explain this to the people of Victoria, because from what I can see, this bill does nothing to help anyone but those in power. Victorians want fairness. They want transparency, and they want governments focused on real outcomes: schools, hospitals, jobs and safety. This bill delivers none of that. One Nation Victoria says to the government, 'Scrap it.' Reconciliation must be built on equality, respect and unity, not expensive bureaucracy and special privileges.

Ann-Marie HERMANS (South-Eastern Metropolitan) (16:41): 'Australians all let us rejoice, for we are one and free': they are the first lines of our national anthem. It should bind every Australian, no matter their heritage, their postcode or their history. It speaks of unity, of freedom and of equality under one flag and one law. But should the Statewide Treaty Bill 2025 be made law, our bonds will fracture. Communities will be pitted against one another, the authority of this Parliament questioned and the legal principles that underpin our democracy, including equal treatment before the law, broken. Treaties are instruments of foreign affairs. They end wars, they settle trade disputes and govern relations between sovereign nations, not within them. To introduce a treaty within our own borders between Australians is to reject the very notion that we are one people. It is a step away from unity and a step towards division.

A handful of countries have signed treaties with their Indigenous populations, and some of these include New Zealand, Canada and the United States. Do we want to follow in their footsteps? Well, the coalition certainly does not think so, because if we take, for instance, the case of our closest neighbour and my mother's country, New Zealand, the Treaty of Waitangi was signed in 1840, but to this very day its interpretation is hotly contested and can be seen to be contradictory. Some argue that it grants the Māori special privileges, but its third article shows that they would have the same rights and privileges as the Pākehā subjects. Despite providing reserved seats in Parliament, dedicated board roles on statutory boards, special water rights and land rights, Māoris continue to be over-represented in terms of unemployment, imprisonment and diseases. It is a tragic reminder that affirmative action does not make up for practical action.

Having recently spent time in New Zealand, I want to say that I do enjoy the fact that they have been able to embed culture into Parliament in a number of different ways in a positive way. But this is not going to bring about that positive direction. Australia is a nation built on egalitarianism. It should not matter what your station in life is. Be you politician, public servant, business leader or worker, you should be treated the same way as anyone else. Our legal system rests on the principle that every person is equal before the law, regardless of when their ancestors arrived on these golden shores. This bill turns that on its head.

I strongly believe that Indigenous Australians deserve respect, opportunity and inclusion. They deserve to be celebrated. They do not deserve separatism, categorisation or political privilege because of ancestry. I do recognise the hurt and the impact of the stolen generations. I recognise the loss of culture, the language, the land and the identity, and I hurt with my Aboriginal community. But we should be closing the gaps with practical action in education and in health, housing and employment, not with bloated bureaucracies that could end up causing division and red tape.

Before I probe the mechanics of this bill, I want to confront a myth that is held by some that Indigenous Australians are one homogenous group. They are not. Across Australia there are hundreds of communities and cultures, with more than 250 distinct language groups and 800 dialects. I have taught Indigenous students here in Melbourne, I have worked alongside Aboriginal communities in the Territory and in Arnhem Land and I proudly have Indigenous Australians as personal friends, some of whom were here in the gallery during my maiden speech. Like many of us, my Aboriginal friends all have different political views and do not speak with one voice. We saw this for ourselves when former federal Labor Party president Warren Mundine and Senator Jacinta Price led the no campaign. They were Aboriginal leaders with a different opinion to this government. Aboriginal people are capable and intelligent and have diverse opinions and political allegiances. During the referendum one

of my volunteers recounted a situation where a man wearing a union jumper came up to yes volunteers and told them that he was an Indigenous Australian who was voting no. Clearly no so-called representative body, least of all one manufactured by this divisive government, can ever claim to speak for every Indigenous Australian.

Under Labor's legislation the Gellung Warl will become Victoria's Aboriginal representative body. The very name comes from only one Aboriginal language, as if this one group represented all languages and all people. The new behemoth that this government wants will have three tentacles: the first tentacle is the First People's Assembly, which acts as the decision-making body; the second is the Nginma Ngainga Wara, or the truth-telling body; and the third is the Nyerna Yoorrook Telkuna, also known as the justice commission. With each of these bodies mirroring the Parliament, the executive and the judiciary, Gellung Warl has all the makings of a shadow government largely immune from ministerial direction. The assembly will control its own elections, enrolments and appointments and even define who qualifies as Aboriginal. It will appoint its own CEO, set remuneration, run its own infrastructure fund, compel the public service to undertake cultural competency training and embed truth-telling in the school curriculum. As the Shadow Assistant Minister for Education and a former educator, I am particularly interested in the curriculum. It is already needlessly cluttered and failing to produce strong literacy and numeracy outcomes. Now our underpaid and overworked teachers will be forced to teach self-loathing – of our constitutional monarchy, our flag and our democracy. But our focus must be on equipping all of our children to read, to write and to calculate with excellence, otherwise we will continue to fall behind countries like China, India and Singapore.

Under this treaty the assembly will have First Nations flags and treaty markers placed in state buildings and its own dedicated room within this Parliament. Through engagement and briefing meetings they will have the right to formally be briefed by ministers, bureaucrats and even the Chief Commissioner of Police. These rights are equal to, if not greater than, what the opposition and the crossbench currently have. To top it off, legislation introduced in this Parliament will require a statement of treaty compatibility. The truth-telling body, whose name means, 'You will do,' will have powers to conduct inquiries into alleged racism, discrimination and unconscious bias. I am absolutely committed to combating racism, but is spending vast sums of money on more inquiries going to solve what is an evil of an individual rather than an entire system? I strongly doubt it. I also fail to understand how this body will measure unconscious bias. Inquiries could have broad terms of reference and could be relitigated after 12 months or possibly even less if the body deems it appropriate. There is also no guarantee that reports will even be made public, and restricted information and reports will be exempted from the Freedom of Information Act 1982. This is a major concern. Ministers, agencies and individuals could find themselves under investigation for failing to toe the line. It is accountability turned upside down. The unelected are scrutinising the elected.

Then we have the justice commission. Its job is to facilitate truth-telling on historical matters and its alleged continuing impacts. Their inquiries could effectively reach as far back as humanly possible, to events long before Victoria even existed as a colony. It will collect and archive testimony but will only release what it deems appropriate, guided by its own internal rules and an act that could be changed at any time. Truth-telling could be government-funded rewriting of history with limited checks and balances, and voices could also be limited. No matter what assurances the government seeks to give, this bill lays the groundwork for more. That is the way socialism operates. It is about revolution by steady, deliberate and strategic institutional capture. Today it is a representative body; tomorrow it will be heritage approvals, land use, infrastructure projects or resource permits. And will our gap close and our First Nations people really benefit? If Victoria passes this bill, it will set the stage for a two-tiered system of governance right across the country.

The Prime Minister, while wounded by the failures of the Voice to Parliament, is encouraging his allies in New South Wales, South Australia and Victoria to set the stage. In time we will see the formation of a makarrata commission federally if this Parliament lets Labor get away with this proposal. Thankfully, some Australian jurisdictions have defied the Prime Minister. Queensland,

Tasmania and the Northern Territory have all abandoned their treaty proposals, with a mandate given to them by the voting population. Even Western Australia's Labor government has indicated that it will work through native title matters individually rather than pursuing a divisive treaty.

Just last year the nation spoke powerfully and emphatically by voting down Labor's Voice to Parliament. Right here in Victoria approximately 54 per cent of Victorians voted no, with some of the strongest results in Labor-held seats like Dunkley, Holt, Bruce, Hotham and Aston, all in my region. The Institute of Public Affairs recently commissioned polling into this proposal. A measly 37 per cent of Victorians supported a treaty between the Victorian government and the Victorian Aboriginal groups, and 61 per cent of Australians opposed the treaty when presented with the facts from the government's own documents. The list goes on and on and on, and I have no doubt that if a referendum occurred on this treaty, it would be roundly defeated.

Only a Liberal and National government will oppose this legislation and repeal it if passed this week. In our first 100 days, we will form First Nations Victoria, which will be under the direction of one minister. It will be community led, inclusive of all Aboriginal people and will get things done transparently. We will not install fringe Labor and Greens activists that might be hell-bent on rewriting history, gaining reparations or lining the pockets of corporations. We will be including everyone, listening to every voice, respecting every Aboriginal person and allowing them all to be able to have a seat at the table along with all Victorians. I call on the Parliament to vote this legislation down.

Sonja TERPSTRA (North-Eastern Metropolitan) (16:53): I rise to make a contribution on the Statewide Treaty Bill 2025. In so doing I wish to acknowledge the traditional owners and custodians of the land on which this Parliament stands and on which we meet today, the Wurundjeri Woi Wurrung people of the Kulin nation. I wish to pay my deepest respects to Indigenous elders past, present and emerging. Sovereignty has never been ceded. It always was and always will be Aboriginal land.

I want to acknowledge and pay respects to the members and co-chairs of the First Peoples' Assembly of Victoria and to all the past members and co-chairs and to their elders. I would like to acknowledge First Nations people who are here with us today in Parliament and those who also may be watching these proceedings from elsewhere and perhaps playing along at home. I want to acknowledge my colleague Sheena Watt, my northern neighbour in this place and proud Yorta Yorta woman. I am proud to call her my friend, my sister and colleague in this place. I want to acknowledge the generations of advocacy by First Nations people, which has led to this moment, and that First Nations peoples have an unbroken relationship to the lands and waters we now call Victoria. They have practised their laws, customs and cultures and language here, and they have nurtured country through their spiritual, material and economic connections to the land, water and resources.

In speaking on this bill, I want to recognise and acknowledge the past atrocities against First Nations people and that Australia was founded on the genocide and dispossession of First Nations people. It must be acknowledged that colonial structures and policies remain in place today, and we recognise the ongoing struggles of First Nations people by dismantling those structures as First Nations people walk the pathway towards reconciliation, healing and self-determination. The struggle to seek justice, to remember and address this nation's past is a necessary requirement for individual and collective healing. That is why I am proud to take part in this debate today on the Statewide Treaty Bill, not only because once it is passed Victoria will be the first and only jurisdiction in Australia to have a treaty with First Nations people but because of the significance of it to First Nations people. Treaty is a critical step towards self-determination, reconciliation and healing. This bill has been developed in partnership with the First Peoples' Assembly of Victoria, and it marks a significant milestone in the state's decade-long journey towards truth, justice and self-determination.

I want to take some time to speak about the many culturally significant landmarks and natural resources that are important to First Nations people in my region. The North-Eastern Metropolitan Region is a region that is steeped in First Nations peoples' history and culture. Before European arrival and for countless generations, the Wurundjeri Woi Wurrung people lived and cared for this country,

relying on the plentiful resources of Birrarung – what Europeans now know as the Yarra – but their deep spiritual and cultural connection to the land is reflected in their use of the natural resources for food, medicine and shelter. The Wurundjeri Woi Wurrung people knew the river as Birrarung, a place of mists and shadows. The river and its valleys are central to their cultural, spiritual and social lives, as well as a dreaming path they followed through the seasons. Birrarung runs from the city to the mountains, but just outside of Banyule, near where I live, I have been fortunate to see the dulai wurrung feeding and playing. Also nearby, on the banks of Birrarung, I have seen the many marram who graze on the grasses and the warin, who have made many burrows – some are so huge you need to be careful not to fall in one when you are out walking. I have seen gawan, wimbirr, muk muk, gurrng-gurrng and of course the walert that seem to be absolutely everywhere. And you can hear the ngarrert and the gungu and see them in the billabongs just off Birrarung.

The history of Wonga Park is deeply connected to the Wurundjeri Woi Wurrung people, the traditional owners. The suburb itself is named after Wurundjeri leader Simon Wonga, whose land ownership was actually recorded on a 19th-century grazing property map. Pound Bend and Wittons Reserve in Warrandyte are important gathering places. Wittons Reserve records the Wurundjeri history of the site, which is considered sacred women's country. Certain songlines were also forged by the great creator spirits of the Dreaming and have ancestral stories attached to them. The Wurundjeri songline at the Mount Lofty walk, which begins at Wittons Reserve, is part of a major Wurundjeri travelling route or songline into the Yarra Valley. Songlines contain information about the land and how a traveller should respectfully make their trip. This includes the types of food that were safe to eat, places to be avoided and the boundaries of each mob's country that the traveller could pass through.

In Bulleen, close to the banks of Birrarung, stands the significant Yingabeal song tree, yinga meaning 'sing' or 'song' and beal meaning 'red gum', which stands on the grounds today of Heide Museum of Modern Art. It is a very significant marker, where five different songlines converge. It is culturally important for navigation and ceremonies; the tree's scar indicates it was used to create a canoe, and it is considered a sacred gathering place. It is estimated that this tree is between 600 and 700 years old. The Bulleen flats area is a significant cultural landscape for Wurundjeri Woi Wurrung people, and it is humbling to have such significant cultural and spiritual connections to First Nations people in my region.

In Croydon and Ringwood East, Mullum Mullum Aboriginal Gathering Place provides a culturally safe and inclusive space for First Nations people to come together to feel connected and empowered. The gathering place supports and facilitates a range of cultural activities and programs and provides a safe space for storytelling where First Nations people across the eastern region can gather, connect and grow. It is one of the largest gathering places in Victoria. Their work is of immense significance, and I thank them for their engagement with me and my colleagues as well.

Now, as I turn to the bill, sadly, those of us on the government benches expected the disinformation, the scare campaigns, the blatant gaslighting and the fearmongering from those opposite. It is all so disappointing, especially given the significance of what treaty stands for and what this will do for First Nations people. But sadly, we have seen this before. The Liberals and the Nationals have chosen not to take an opportunity that would be remembered in this state's history as a time to work together on closing the gap to ensure that First Nations people are able to enjoy long and healthy lives; to ensure their children are born healthy; to ensure their children thrive in their early years and achieve their full learning potential, are engaged in employment and education and have secure, affordable housing; to improve levels of social and emotional wellbeing; and to reduce their over-representation in the criminal justice and child protection systems. But no – sadly, rather than choosing hope, kindness, to do something that is good, right and just and to walk the path of reconciliation and healing together, the Liberals and Nationals have chosen to turn their backs and stick with a failed approach that is patronising, will continue to foster hatred and division and is steeped in paternalism.

It is a serious question: what is it that our First Nations people are asking for? What would be so hard to agree on? They ask us to recognise the hurt and the harm that colonisation has caused them, the

dispossession and the intergenerational trauma. These are known facts and they are indisputable. We know that the Liberal–Nationals have pledged to continue to rob our First Nations people of the chance for healing, for moving forward – and to improve health outcomes and to improve educational outcomes and employment outcomes? No. The Liberal–Nationals will go down in history for their mean-spiritedness with their pledge to revoke treaty within the first 100 days of them being elected to govern this state, should they ever get that privilege. Significantly, it is a lost opportunity by those opposite to do something good and powerful, not only for our First Nations people, who have welcomed us to their country, but for our state and society as a whole – because the indisputable truth is, what a colonial, European government has offered to First Nations people has not worked. It has failed them, and it has failed society as a whole, because if we want to consider ourselves a successful society, any economic and social progress should be equitable, with everyone having a chance to benefit and not to simply watch on with self-serving hand-wringing while others are left behind.

The Victorian Labor government has been walking the pathway towards reconciliation and healing with our First Nations people for many years, despite what has been put in this chamber today by those opposite. The Victorian Labor government committed to discussing treaties with Aboriginal Victorians in early 2016. A treaty working group was established to consult with First Nations communities on the development of a representative body to provide advice to community and government on the next steps in the treaty-making process. In January 2018 the Victorian Treaty Advancement Commission commenced its operations and continued the work started by the working group. In March 2018 the working group handed over its final report to the Victorian Treaty Advancement Commission, delivering key recommendations on the design of the Aboriginal representative body. The Advancing the Treaty Process with Aboriginal Victorians Act 2018 was Australia's first ever treaty law. The treaty act reflected the intent to work in genuine partnership with traditional owners and Aboriginal Victorians to give meaningful and practical effect to the right to self-determination. It passed both houses of the Victorian Parliament in June 2018 and commenced on 1 August 2018. Then the First Peoples' Assembly was established in 2019, and subsequently the Victorian government and the First Peoples' Assembly of Victoria commenced negotiations on the treaty elements required under the treaty act in August 2020. The appointment of the five commissioners to the Yoorrook Justice Commission was announced in May 2021, and the Victorian government and First Peoples' Assembly of Victoria then made history with the opening of negotiations for Australia's first treaty. And now before us we have the Statewide Treaty Bill 2025. So, as you can see – as I have just laid out contrary to what those opposite have said – this has not been conducted in secret. This has been conducted in plain sight and in daylight.

Treaty will establish the First Peoples' Assembly as a permanent representative body to provide advice to government under the new statutory corporation called Gellung Warl. Gellung Warl will also include a truth-telling body to be known as Nyerna Yoorrook Telkuna and an accountability body known as Nginma Ngainga Wara. The latter will ensure the government upholds its commitments under the National Agreement on Closing the Gap. Treaty will support truth-telling by establishing a process for ongoing truth-telling and healing across Victoria, including reshaping the school curriculum to include First Peoples' perspectives from prep to year 10 and restoring traditional place names for natural landmarks like parks, waterways and waterfalls. Treaty will provide a mechanism for shared decision-making and ensure a framework for First Peoples to have a say in government decisions and policies that impact their communities. Treaty will foster reconciliation by building a deeper understanding and mutual respect between all Victorians, which will be a significant step towards self-determination and a more reconciled state. Treaty will not change the state or federal constitutions – it will not create a third chamber of Parliament, despite what has been put in this place by those opposite today – and treaty will not deliver individual reparations.

It is well beyond time that we listened to First Nations people. It is well beyond time that First Nations people had self-determination in the policies and processes that impact their everyday lives. It is well beyond time that we acknowledge what we have done so far has not worked. It is well beyond time now that we walk this pathway together and work towards a more reconciled state where everybody

prosper. It is well beyond time that we sought reconciliation and healing with First Nations people. I commend this bill to the house.

David LIMBRICK (South-Eastern Metropolitan) (17:06): Before I start my speech that I prepared earlier, I think I need to call something out. It is rather galling to be lectured to by the government and the Greens on truth, respect and misinformation whilst repeatedly insulting and erasing my colleague Ms Tyrrell. I think it is absolutely outrageous.

However, I recognise that today will be a day of celebration for those people who have the best interests of Aboriginal people at heart and believe treaty is the way forward. I hope that they will understand that all of us have the best interests of Aboriginal people at heart, but not all of us believe in the treaty. I also want to see Aboriginal people thriving in this state. It is just that we have different opinions on how to achieve this. Aboriginal people are diverse and have many different opinions, as we have seen today. They have lived independently for tens of thousands of years without interference. But many are rightly sceptical that more government and more bureaucracy and more meetings will do anything to improve their lives. Others have genuine concerns that the power being handed to traditional owner corporations will create division and elites within their own communities.

Anyone who saw my first speech in this place will be able to figure out the position of the Libertarian Party. I said then that I reject identity politics:

Pitting man against woman, black against white and Christian against Muslim is a recipe for social chaos. All Australians are valuable and should be treated equally under the law.

I have since seen several examples of the government inserting gender, religion or race into the law, and the results have ranged from bad to outright disastrous. Not only will you find a clue about my position on treaty in my first speech, you will also find my prediction – chaos. I can predict this with confidence because we have already seen what happens when you insert racial division into public decision-making.

The banning of rock climbs in Arapiles and the Grampians has caused enormous damage to the social cohesion of communities like Natimuk. In communities like this, climbing is not just the lifeblood of the community, it has been a way of life for generations. Natimuk is an area that was, at least until recently, full of Greens voters. The people there are very sympathetic to the wishes of the Indigenous people, and you will not find better custodians of the local land. But despite this, the hearts of the people in towns around the area have been broken by effective bans on many iconic rock climbs. During this process, the climbers were insulted with false claims about environmental vandalism, then ignored for a very long time and now made to feel like second-class citizens. I have said previously in this place that if you cannot make this kind of agreement work with rock climbers, then you cannot make it work anywhere.

Following treaty, I expect to see even more lockouts coming to public land. When people can no longer do things that they have enjoyed with their families for years, you create enormous resentment, not reconciliation, and some people are likely to defy lockouts. They may even get arrested for their crimes. This is what chaos looks like.

We have already seen what happens when cultural heritage plans become a requirement. I am aware of a man in my electorate of south-east Melbourne who wants to build a shed on a block of land in an existing industrial area of an industrial suburb. He expects a cultural management plan will cause delays and cost him thousands of dollars. I have also heard of cultural heritage plans being required for the replacement of something like public barbecues in a park. This is ridiculous and creates cynicism about Aboriginal culture, not respect. What is worse, I am concerned that conditions where permits are required will create an environment highly conducive to corruption.

After the impassioned speeches are over today and after the celebrations amongst the political class are over, Victorians will be left with a massive hangover from this impractical and divisive bill. Many Victorians will be shocked that it even happened because they thought they voted against this kind of

thing at the federal referendum. Libertarians have championed equality under the law for centuries, will continue to believe in it, and I will uphold it again today. The Libertarian Party opposes this bill.

Richard WELCH (North-Eastern Metropolitan) (17:10): I will start by saying in the truest moral sense I love my fellow Australians. I feel a sense of moral obligation to my fellow Australians. I feel a sense of functional obligation to the health and wellbeing and strength of my fellow Australians' families, the health of their marriages, their access to opportunity, the pride and success of their children and their ability to fulfil their potential, whether they live next door to me, in the next suburb or in the next region. I feel it, and it was always reinforced in everything I was taught. It is not only a moral imperative but an obligation and responsibility of citizenship, and I mean obligation in the most positive sense – in the sense that there is honour and value and correctness in having that responsibility. That is why it is said that seeking to shoulder that responsibility is also an incredibly fulfilling part of the human experience. Shared responsibility, care in common – love for one another is not a burden. It is a privilege that rewards both the giver and the receiver. It is not transactional. It is mutual. It carries with it a very clear notion that as fellow travellers on our roads, the word 'we' matters. There is a powerful difference between 'I' and 'we'. But even then, 'we' is not a word that dissolves the individual; 'we' is the meeting of individuals and choosing to work together. It implies freely given consent. It implies common purpose. It implies a common walk.

For my Indigenous brothers and sisters, I choose 'we'. I care for my Indigenous brothers and sisters because they are my fellow Australians. I care for them in a way that is impossible for me to care about the citizens of another land, however wonderful that other land might be. We are not foreigners to each other, we are one people. My future is tied to their success and theirs is to mine. Our children's futures are tied to each other inseparably. We are not from different countries. We do not want to be from different countries, we do not want to act as if we are from different countries and we do not want laws that make us live as if we are from separate countries. I choose 'we'.

The burdens Indigenous families have carried since the time of European settlement are beyond profound. Even 'profound' is too light a word. I suspect my school was different to others, but growing up in Leongatha, South Gippsland, in the 1970s, the history of local Aboriginal communities, their unique culture and care of habitat, their clothing and foods and spiritual life were taught and received with interest. And yes, in the 1970s we were taught about the atrocities too. They were not hidden, minimised or left out of the story of Australian history or development. It was there and it was in context. At settlement it was a time of 'them' and 'us', but we did not want to remain there. It could not possibly have been healthy or progressive or constructive to leave the story there. Our curriculum chose 'we'. I have learned since that this was not the norm in 1970s education, but there it is.

We celebrated Aboriginal life, history and modern-day achievement. In our area at that time we honestly idolised Evonne Goolagong, Lionel Rose, Bennelong and Neville Bonner – not token admiration, not qualified by anything. And when we learned about it, we celebrated the 1967 referendum that made 'we' official. I cannot tell you what pride we had that that referendum passed with a 97 per cent yes vote. Only the power of 'we' could deliver a referendum result like that – the power of equality before the law, the power of shared Australian identity and destiny, the power of walking together, the discarding of any disgusting sense that anyone should be treated differently on account of their race or the colour of their skin. That was the stuff of bigots, and it did not belong here and it would not be tolerated.

I saw in my parents – dedicated Christians, both of them – a deep-rooted shame about the attitudes to Indigenous people that abounded in their own childhoods, something they articulated very clearly in a quiet anger and self-rebuke that they did not use to describe any of their other beliefs. I saw them devote their lives to removing any practice of racism from society, from casual and crude jokes and exclusivism in manners and language to the cultural racism of low expectations, the harmful partitioning and isolation of communities from each other and to the formal harmful practices in law, education, work and regulation. My parents and so, so many others of that generation fought tooth and nail to move Australia forward together. That generation – Indigenous and native-born Australian and

New Australian alike – all chose ‘we’, they demanded ‘we’, they legislated ‘we’, they funded ‘we’ and they cared for and cultivated ‘we’. They started and shared that work and left it to us to complete it; this treaty would not be what they envisioned. I cannot support something that will institutionalise ‘them and us’, legalise ‘them and us’, culturally reinforce ‘them and us’ and drive this state to live ‘them and us’. It is anathema to every notion of reconciliation, equality and principle that I can conceive. It leads us nowhere but to being ‘them and us’. It will not work. It will not endure. It will not deliver the further change it asserts it will; it cannot.

None of this is to say that those supporting this law do so in bad faith – far from it; I just disagree. I cannot move past the cognitive dissonance of a proposal that says in order to have reconciliation we must be institutionally separated. I disagree that we achieve unity by institutionalising separateness. I believe it will lead to perverse and unintended outcomes. I believe it undermines our liberal democracy. It removes the most important principles of equality before the law, equal treatment before the law, equal rights before the law and equal accountability for our actions before the law.

There are genuinely held democratic concerns at stake here, and while this treaty comes to Parliament as a bill, it is by any meaningful measure a constitutional change. It adds bodies to Parliament. It changes the lines of accountability. It challenges the primacy of the elected Parliament to another body intentionally and yet wildly, loosely. It empowers members of that body with rights members of Parliament themselves do not have. It is a body that has guaranteed funding in perpetuity with no cap to spending. It is exempt from parliamentary and public scrutiny itself. It has unique freedom-of-information exemptions and is exempt from the public service act for hiring practices. Even IBAC will report to it, not to Parliament. It grants substantial powers over rules, procedures and oversight but can determine its own composition and electoral processes. It operates via a private electoral roll with any counting system it chooses, without limit. At any time any particular group of assembly members can alter the terms, conditions, extent and eligibility of the assembly, and there is no Victorian Electoral Commission oversight of that. It is a law unto itself, without a single check and balance essential to any successful, enduring democratic process or body. It is inserted into nearly every stage of the Victorian legislative process, with ill-defined explanations of process, rigour, timescale and extent. It has the power to negotiate further treaties that will in turn bind other Victorians without say. All democratic processes demand transparency and scrutiny – this bill does the opposite.

There is also no social licence for this constitutional change. A change of this scale and depth – and both sides have gone to lengths to agree that this is so – should have been agreed to by all Victorians. All Victorians should have had a say in this, and moreover, all Victorians should have been involved in the shaping of it visibly and had a say in the changes that will affect them. It should have been a process of ‘we’. There should have been a bipartisan process. There should have been education and information to everyone in the state. Instead the whole thing is being presented merely as a bill of Parliament pushed through on the numbers. The phrase ‘the treaty era’ has been used. Well, no-one in Victoria voted for this, and few Victorians have any idea what it implies, who it will affect and how it will affect the functioning of the state. There has been insufficient discussion with the Victorian people and insufficient information. Yet it is demanded that, regardless, we must support this unquestioningly, or else somehow we do not care for or want the best interests of Indigenous Australians. This is a cruel thing to assert, and those who assert it demean themselves. I know who I am, I know what I believe, and I know where my heart lies. The idea that it is this or nothing is a disingenuous, divisive assertion – it is not so.

This bill is the government’s admission of failure in the great Australian mission of equality, and in throwing up its hands, it has come to this. It is not the right approach. Passion is natural in anything you care deeply about, but it is not evidence and it does not grant moral authority. This process has leaned heavily on ideological notions of restorative justice, cultural safety and self-determination. What merit they may have in some contexts – and they do – has become lost here. They are far removed from their origins and weaponised to justify something that is extreme and divisive. It is not just a case of saying that previous governments have failed so we are trying something new. To suggest

this trivialises what is happening. This is extreme. It is by definition divisive. It does not address past wrongs. You cannot solve one injustice by imposing another. It is not the way to bring lasting change. There is a better way. The present government may have given up, but I do not think Victorians have. And given the choice, Victorians would prefer a process focused on outcomes, not new bureaucracies and rules paid at the price of equality and unity. It is not a price Indigenous Australians should have to pay for what is their right, because the loss of equality is a price paid by all. We should be 'we'. We want to walk together. This treaty says we cannot. This treaty divides us. I cannot in all conscience support it.

This is a day of many long speeches, some forensic, some emotional, all tones, all beats. And I thank everyone who contributed on all sides. I see no point in relitigating or repeating things. I will be far less articulate and clear than others have already been. But I want to pay significant tribute to my colleague Melina Bath, who has worked hard with all communities on this and who has had to lead on a matter where emotions are high. It is all too easy to forget the ability to disagree with respect. Ms Bath on our behalf has done so. And as Ms Bath said, it is not the challenge that is in dispute, it is the solution to those challenges we contest. We contest in good faith, and we contest with better alternatives.

Ryan BATCHELOR (Southern Metropolitan) (17:24): It is a powerful and historic opportunity to stand here on Wurundjeri country and, in doing so, pay my respects to their elders – to stand here on Wurundjeri country as a member of the Parliament of Victoria and cast my vote for treaty, our nation's first Statewide Treaty with its First People. It is a historic moment – a vote to establish Gellung Warl, an ongoing representative body for the First Peoples of Victoria elected by and for First Peoples, answerable to First People, and to give Gellung Warl powers and functions for ongoing statewide treaty making; a vote to support truth-telling through Nyerna Yoorrook Telkuna, an office of truth-telling and healing, collecting the truth of our past and supporting public education on our state's shared history; and a vote for the Nginma Ngainga Wara, an outcomes and justice commission to help keep us all accountable.

We have heard many times today, particularly from those who rise in opposition to this bill, talk about democracy in the Parliament. So I thought I would start there. I thought I would start this speech by reflecting on democracy and this Parliament and our history, and it is particularly significant for those of us sitting here as members of this Legislative Council, a body that until 1950 used property as a qualification for its voting franchise. And that was by design. If you go back and have a look at the select committee report that drafted Victoria's 1855 constitution act, the Legislative Council, and I quote that report:

... should represent the Education, Wealth, and more especially the settled Interests of the Country ...

Think about the words 'settled interests'. They were property owners, who were then described as settlers – who now we may think of as colonisers or dispossessors, who had property that was gained through the forcible dispossession of the traditional owners. The dispossession was furthered by the laws that this very body then enacted.

Starting with a first: Victoria was the first jurisdiction to pass a law here, the Aborigines Protection Act 1869, that wrought untold damage on Aboriginal people in this state. Our first-in-the-nation laws then had the effect of prescribing where any Aboriginal or tribe of Aborigines shall reside, set out restrictions on contracts, earnings and employment and the care, custody and education of children and specified that bedding and clothing was 'only on loan, and shall remain the property of Her Majesty'. That is what our predecessors in this place did, and many further acts were passed in the decades that followed. I recommend that people read the Yoorrook Justice Commission's powerful articulation of the impact that those laws that this place passed had on Aboriginal Victorians.

As the commission itself so powerfully noted, colonisation has not ended. It is a continuing process. There is a very good discussion in the Yoorrook Justice Commission's report in recognising the effects of intergenerational trauma and the effects that the laws passed then and the actions taken then have

had, passing through generations and still being felt today. A recognition of that intergenerational trauma is something that everyone here who seeks to contemplate their vote on laws today needs to consider. And so, as we stand in these gilded walls, I believe that we have a special responsibility to take action, a special responsibility to change the words that have echoed through this chamber over its history, a special responsibility as members of this Legislative Council to address the injustices enacted by our predecessors, who were granted their seats by dint of their ownership of stolen land.

We cannot undo the past, but we can recognise it and commit to a better future. That is what the Statewide Treaty Bill 2025 seeks to achieve. At the core of the treaty process is the principle of self-determination. Yoorrook's third report said:

Self-determination is critical to ending systemic injustice. Systems cannot work properly for First Peoples until they are fully self-determining. Self-determination can be achieved only by transferring decision-making power, authority, control and resources to First Peoples on nation-based, collective, regional and statewide levels. Mere transfer of functions, consultative roles or resources is insufficient.

Treaty represents an unprecedented opportunity to achieve self-determination.

That is what Yoorrook told us just a short time ago. That is what this bill delivers: self-determination, an ongoing process of choice to ensure that Aboriginal people are able to meet their social, cultural and economic needs.

Gellung Warl – ‘the tip of the spear’ in the language of the Gunaikurnai – is a body designed at its very core to advance the principles of self-determination and the cornerstones of a future built on treaty. I think the work of the First Peoples' Assembly of Victoria in getting us to this point absolutely needs to be recognised. I made some reflections in my speech just a moment ago about these gilded walls. Before I was elected to this place, I had the absolute privilege of being able to stick my head in in 2019 and have a look at the first meeting of the First Peoples' Assembly of Victoria in this very chamber, with the possum skins spread upon the table and the smells of the eucalyptus adorning the room. I had never seen this place look like that before, and I was very proud to witness it. I think it is a demonstration of what we can achieve when we work together.

But today is not just about laws and it is not just about bodies. It is about people. It is about Aboriginal Victorians and the impact that these laws will have on their lives. We know, from the considerable work that has been done over many years to better understand it, the impact that colonisation, dispossession and the suppression of language and cultural identity have had on Aboriginal people here in Victoria. We have read the reports. They are lining our shelves. The Royal Commission into Aboriginal Deaths in Custody, the *Bringing Them Home* report, the Closing the Gap reports, the volumes of the Yoorrook commission's landmark truth-telling report: the message has been consistent and clear. I spent some time recently reading just some – you cannot read it all again – of the voluminous evidence that has been provided to these bodies over the years. There are many stories contained in the pages of those reports, and I have read some of them – names of people I do not know and have never met. I have spoken to some who are close to me, friends and people who are now part of my broader family alike, and there are many stories that I could recount here today to add their voice to this debate. But I have got just one that I want to share.

I listened to this man's story recently. We spoke and talked about it, and he consented to my sharing with you here in this contribution to this important debate the story he told. Jarvis is a Yorta Yorta man whose life was shaped by the experiences of racism where he grew up. At his school children in the same classroom were treated differently because of the colour of their skin, an environment that led to him being expelled from that school. That changed his life, and not for the better. He struggled with addiction, arrest and imprisonment, and Jarvis told a story of being at war with the system and how, at his very rock bottom, he found inspiration from his family to get his life back through years of rehabilitation. He told of climbing personal mountains and of the cultural support he received. He spoke of his healing journey. During that rehabilitation, Jarvis said, he travelled regularly on a bus from where he was staying to where he was doing a training course to get his cert IV, and every day

he would go past graffiti that just said 'Treaty'. He saw that one word from the bus every day for six months and thought, 'How can I play my part?' He described that something was burning inside him, fuelling his desire to play his part to help his personal healing journey, so he started attending yarnning circles. He began to organise his own events about treaty back in Shepparton. These are Jarvis's words:

... all my life people ... didn't expect me to be a winner. They didn't expect me to succeed.

...

... when all hope was lost and all trust was gone, I was able to turn that back around ... no-one is ever too far gone.

That is what we need: more truth-telling, more awareness, empowering individuals and communities, supporting self-determination, enacting treaty.

It is an important moment we have before us today and an important vote we are about to take. It is an important moment for many, and particularly for this government. The path has been long. It has not always been easy, we know. In 1988 the Barunga Statement was presented to the prime minister. He said we would deliver a treaty. He did not. We made significant advances before 1967, starting with the freedom rides and removing the structural racism that stained the founding document of our nation. We saw Whitlam and Lingiari – after the introduction of a land rights bill, the returning of lands to the Gurindji; the Native Title Act 1993, recognising the lie of terra nullius; and the apology to the stolen generations that recognised the enduring impact of the systematic removal of Aboriginal children from their families, so powerfully noted in *Bringing Them Home*.

This Statewide Treaty should rightly be noted in that list of progress. That is how significant it is, what we are doing today. The treaty process in Victoria began a decade ago with a commitment to a shared path, through the work of the Victorian Treaty Advancement Commission, the First Peoples' Assembly of Victoria and the Yoorrook Justice Commission to this bill today, a nation-leading piece of legislation. Victoria is first in the nation with this piece of legislation, led by the Aboriginal community and this Labor government. It has taken time, but the time has been worth it. This is a moment to be seized, an opportunity for the path ahead to be built on different foundations. I am proud to lend my support to this bill, to this first piece of legislation in Australia for a treaty. May the future be brighter as we walk a path forward together.

Katherine COPSEY (Southern Metropolitan) (17:36): I rise to speak proudly in support of the Statewide Treaty Bill 2025. This bill really matters because it puts in law a simple truth that First Peoples have asked us to honour for generations: decisions about First Peoples communities should be made by First Peoples communities.

The First Peoples' Assembly has been clear that treaty is about practical self-determination. It is about communities having the power to set priorities, design services and protect country and culture and being properly resourced to do so. It is how we move from symbolic recognition to shared authority and accountability. Treaty is not a slogan; it is the framework that allows real agreements to be negotiated so that change is durable and can be measured. The First Peoples' Assembly has said again and again that closing the gap requires more than programs to be delivered to people. Rather, it needs decision-making power to be handed to First Nations communities. This bill helps create the structures to do that. It builds on the truth-telling, the important task achieved through the Yoorrook Justice Commission, and it puts us on a path to take the next step. Treaty is also a pathway to healing. The assembly's clear message is that truth and justice belong together. Treaty recognises that harm was done through dispossession and the breaking of lore and culture. By agreeing to fair rules for how we live and govern together, we set out how to repair what can be repaired and to prevent further harm. That means fair processes for land and water agreements, cultural heritage, language, education and health. It means economic participation backed by a strong self-determination fund, so that communities are not asked to negotiate with empty pockets.

I also know that many of my constituents in Southern Metro Region, Indigenous and non-Indigenous alike, truly welcome this day. They have walked on this shared road for decades. Many people in the community have been coming to me in recent weeks, excited about the step we are about to take in this place today, having supported reconciliation, attended Sorry Day services, turned up for NAIDOC exhibitions and backed community organisations that keep culture strong. There is so much appetite for the good that treaty will deliver for all of us, because it sets fair rules, it creates certainty and it will help deliver better health, education, housing and justice outcomes. To those opposite who are demanding practical action, I say: this is a road that will deliver it.

Two weeks ago we heard in the Assembly about what makes treaty a fair process, guided by free, prior and informed consent. It must be transparent, it must be accountable and it must deliver authority and resources to community-controlled organisations. It must endure beyond election cycles. This bill moves us in that direction as it creates clear governance for negotiation and a fair playing field so that communities are not forced to choose between urgent needs and long-term rights. These structures create an effective mechanism to deliver both.

Treaty will also make government better. When the people affected by decisions design the solutions, in so many fields we know that our resources go further and the outcomes actually work and last. We already see this in Aboriginal community controlled health, in early childhood programs that keep families together and in on-country conservation work that heals land while creating jobs. The assembly has asked us to back what works and to stop repeating the mistakes that have been spoken about at length in other members' contributions: top-down policy that makes decisions and does things to people rather than involving them.

Some in this place have said 'not now', but the Greens say it is high time and that First Peoples have waited long enough. The assembly has set out a careful path built on listening, evidence and community mandate. The work has been patient and practical, and the mandate is clear. And I say thank you so much for all of the hard work that has been done by the assembly and all the community members who have contributed to it. It has been such a meaningful process and builds on activism, work and dedication from generations of activists. The benefits of this work will flow to all Victorians. To elders past and present, to the First Peoples' Assembly and to all those doing the daily work of keeping culture alive, I thank you. I commend this bill. This is a historic day. As it passes, let us all keep the faith with the process. Let us resource it properly. Treaty is a proud, historic and exciting moment for all of us. Treaty is how we keep our promise to build a future that is honest and respectful and a shared path we walk together.

Gaelle BROAD (Northern Victoria) (17:42): I am pleased to have the opportunity to speak about the Statewide Treaty Bill 2025, and firstly, I would like to thank all those who have written or contacted me about the Statewide Treaty Bill. I have heard from people with very different perspectives. Some have emailed, some have written a letter or sent a postcard, and others I have spoken to directly. And today we have heard different perspectives discussed in this chamber as well. We have seen democracy in action – different members representing different perspectives and expressing those views in Parliament – and we will soon vote.

But today I am reminded of the values that members of Parliament are to demonstrate when they carry out their public duty. The members statement of values says members should demonstrate the following values in carrying out their public duties: serving the public interest; upholding democracy; integrity; accountability; respect for the diversity of views and backgrounds within the Victorian community; diligence; and leadership. And today is an especially important day as we consider what I view to be legislation that presents the biggest change to our system of government in the history of this chamber. Sometimes I dislike the battle of politics because in the fight we lose sight of what we share, and I hope that today people will see what we are standing for, not just what we are standing against. I believe there is some common ground – that all sides of this chamber want to support Indigenous people to address the challenges that do exist – but our approaches are very different. And

I know that there are a number of people that do want to see change who may not be across the details of the legislation that is before us today.

I stand opposed to this bill because of what I believe and the values that drive my commitment to this role, to this chamber and to the people of my electorate. I am reminded of the passage about the good Samaritan in the Bible: a man was robbed and left for dead, he was ignored by a couple of different people who passed by, and it was the one least likely to help that went out of his way to assist. And Jesus was asked, 'Who is my neighbour?' The one who had mercy on him. And he challenged us to do the same. The good Samaritan breaks down the barriers of race, and it focuses on need, regardless of someone's background. It is that same equality before the law that has been the foundation of our success as a democracy and as a nation, and we should protect it.

What is the end goal of this legislation? Where will it take us? As we have heard during the debate today, this is just the first treaty. There will be more to come. I have already raised concerns in this chamber about land use activity agreements, which have caused many issues in my electorate, and the lack of transparency and accountability throughout that process. In the news today St Vincent's Hospital, which has been fast-tracking care for Indigenous patients, the Premier Jacinta Allan called a good example of healthcare leadership. Patients were seen within 30 minutes and put ahead of semi-urgent cases. There were more than 17,000 patients in the year to June, and I think we should all be concerned when someone, because of their race, is given more rights or privileges than another. We have seen the damage it has done in the past, and as we have heard in the chamber, it is important to learn from history.

This bill establishes a vastly different system of law and regulations that separates Victorians based on race. We live in a multicultural society, and we should celebrate that – people of all different backgrounds bringing their unique attributes to create a stronger community. We have been down this road before with a federal referendum on the Voice to Parliament. At the time there was a lack of community support. At the referendum Australians voted against the Voice to Parliament, including in Bendigo, where 60 per cent of people voted no. Yet this legislation goes even further than the Voice, and it is important to highlight the inherent risks to Victoria's system of government, which will be undermined if this bill is passed. It sets up a new authority that sits outside of Parliament or ministerial responsibility. Through treaty the state Labor government is legislating a new statutory body with ongoing and increasing funding outside of the normal budgetary process. Neither the Premier nor the minister nor the Treasurer has any control as to how that money is spent. The proposed authority sets its own rules, is answerable to itself and is given substantial public funding without ministerial oversight. The proposed bill provides a body of power to an independent body with far-reaching powers that undermine existing parliamentary processes and practice and provides exemption from the Public Administration Act 2004, which sets employment standards in line with the public service.

I am a member of the Scrutiny of Acts and Regulations Committee, and I want to highlight some of the issues identified in the committee report. To quote:

Gellung Warl is not subject to the direction or control of the Minister in respect of the performance of its functions and the exercise of its powers.

Part 3 establishes the First Peoples' Assembly as the central decision-making arm of Gellung Warl. The First Peoples' Assembly is self-determining and deliberative, with the power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions. Its functions include, among other matters, to represent First Peoples and make decisions in relation to First Peoples and make internal rules, substantive rules, guidelines and standards. The bill limits the accountability of the proposed body to the Parliament, and key terms such as 'entity' are not defined, as noted in the committee report. I quote:

The Minister may request in writing the First Peoples' Assembly to provide information or advice. The First Peoples' Assembly may choose to respond.

...

Restricted information must not be disclosed to another arm of Gellung Warl unless the entity which gave the information to the respective arm ie: First Peoples' Assembly ...

It goes on to talk about the term 'entity' as not defined, as I said before, but used throughout the bill in many provisions. The proposed bill also establishes powers for the assembly to determine separate rules. I quote:

It requires the First Peoples' Assembly to establish standards of conduct which define and manage potential misconduct. Processes must be developed to address matters of alleged misconduct and serious misconduct. An allegation of misconduct or serious misconduct by a Gellung Warl official is to be dealt with in accordance with the internal rules.

This bill grants exemptions to paying land tax and payroll tax. The proposed body will also be granted more exemptions from freedom-of-information laws and Victorian ministers. The bill also amends the definition of 'public record' to exclude Gellung Warl records that are culturally sensitive or secret.

The Liberals and Nationals do not support this approach and remain committed to governing for all Victorians, and this is our recommendation: that the state government not proceed with this direction. I want to thank Melina Bath, my Nationals colleague and Shadow Minister for Aboriginal Affairs, who has been across the state meeting with people to find a better way forward. Our approach is for a dedicated resource that is focused on practical solutions to help close the gap. It is a practical approach that seeks to work with local communities to bring about positive change and improved services.

My son is doing year 12 exams. He had one today. He was recently interviewed by the school with the close of year 12 about what advice he would give to his younger self, and he said 'to play the long game, not the short game'. Today I think we all need to consider the long game. We have a responsibility to think long term. What is the best for the future of our state, and what will be said in the future when we look back on the decisions that we are making today? There is a better way to support reconciliation, and it is by bringing people together, not through further division.

Lee TARLAMIS (South-Eastern Metropolitan) (17:50): It is with great pleasure that I rise to add my support to this historic and profoundly important legislation, the Statewide Treaty Bill 2025. I would like to begin my contribution by acknowledging the traditional owners and custodians of the land on which we meet today, the Wurundjeri Woi Wurrung people of the Kulin nation. I would also like to acknowledge that, as a member for South-Eastern Metropolitan Region, I am fortunate to represent the lands of the Bunurong and Boonwurrung people of the Kulin nation. I pay my respects to their elders and ancestors past, present and emerging, as well as elders from across Victoria and First Nations people who join us here today or may be watching or listening online. I recognise and acknowledge their unceded and unbroken connection to country that continues to guide us today. As I said, this is important legislation which speaks to who we are and who we aspire to be as Victorians. It represents the next step in a long journey of recognition, truth-telling and partnership with the First Peoples of this state.

In the south-east and across Victoria we see every day the strength and diversity that shines bright. My region and our state are home to people from every background imaginable, all contributing to the life and vibrancy of our communities and our state, but we must acknowledge that these are the lands that have been cared for and nurtured by First Peoples for tens of thousands of years. Their cultures, languages and knowledge remain woven into the identity of this place and continue to enrich it today. At the same time, we also see the legacy of inequality and dispossession, with the stark reality that Aboriginal families still experience poorer health outcomes, barriers to education and employment, and limited control over the decisions that affect their lives. Treaty gives us an opportunity to change that story, to move from policy made for communities to policy made with communities. It allows us to build structures that recognise Indigenous leadership and embed self-determination into the way government operates. When people are empowered to make decisions about their own future, they thrive and communities thrive. That is what treaty is about – partnership, empowerment and inclusion. It is about ensuring that every part of Victoria can see itself reflected in the institutions that serve it.

This bill is more than symbolic. It lays the foundation for a new partnership between the Victorian government and First Peoples. It strengthens the work of the First Peoples' Assembly of Victoria to ensure that Aboriginal voices will continue to guide the institutions that will shape treaty negotiations. For Indigenous people this means more than consultation; it means real decision-making power over education, health, heritage, land use and community development. It means that the wisdom of elders, the creativity of young Aboriginal Victorians and the lived experiences of families will also inform how systems operate. We know that reconciliation cannot be achieved through words alone. It must be built into law, into policy and into practice. This legislation does exactly that. It ensures that the path to treaty is protected and that the work towards self-determination is lasting, not temporary.

I stand here today shaped by a family story that spans oceans and languages of Greek, English, Welsh and Irish heritage carried across continents, nurtured by parents and grandparents who migrated to Australia, sacrificed, worked hard and held fast to their culture and traditions. These experiences explain why I believe so strongly in the importance of identity, inclusion, understanding and voice. My family's path, like those of everyone else who migrated to Australia, of starting a new life and holding on to identity, culture and traditions whilst contributing to society taught me that when we respect who people are, their history and culture, we make our state stronger, and this cannot happen if we do not respect those who were here before us and if we do not acknowledge their pain, their suffering and the injustices they have experienced.

So when I listen to Aboriginal Victorians speak of country, family, language and story, I recognise something familiar: the same determination to keep culture alive, to be heard with dignity and to shape the next generation. That is why this treaty process matters, because it honours what families teach us about identity and belonging and it puts those values into practice for the First Peoples of our state. That is what treaty represents. It is not about division. It is about unity through respect. It is about recognising that every culture, every language and every tradition makes Victoria stronger and that the culture of First Peoples, the oldest continuing culture on earth, is central to who we are as a state. It is about ensuring that no matter where you come from, whether your family arrived last year or has been here for countless generations, you have a voice in shaping our shared future. It is about understanding that change comes when we listen, learn and act together. That is the kind of Victoria we should be proud to build.

Treaty asks something of all of us. It asks government to share power and to be accountable. It asks communities to listen and learn. It asks individuals to walk forward with humility and with courage. In the community I live in and represent, those values are already alive in our schools, our community groups, our sporting clubs and our places of worship. Ours is a region that thrives on diversity, where people from every background live side by side, work together and celebrate together. That same openness and mutual respect is what treaty requires of us all. The Statewide Treaty Bill formalises what many Victorians already believe in, that good governance depends on empathy, listening and shared decision-making. It makes self-determination not a policy slogan but a practical principle, a way of working that delivers better outcomes for every community. The impact of treaty will be felt in schools that teach local Aboriginal histories with pride, in health services that recognise cultural needs and in public spaces that acknowledge country and heritage. It will be seen in community programs co-designed with Indigenous leaders and in local decision-making that respects voices of traditional owners.

Truth-telling will help us better understand our shared past to face the difficult truths of dispossession and injustice but also to celebrate the extraordinary resilience and strength of First Peoples. Through truth comes trust. Through trust comes respect. Through respect comes unity. That means acknowledging that the story of our state did not begin with migration or modern development. It began with country and with our First Peoples, who have cared for it since time began. That truth must remain at the centre of everything that we do. As we consider this legislation, we must remember that treaty is a journey, not a destination. It will require patience, commitment and faith. It will test us at times, but it will also strengthen us.

I want to take this opportunity to acknowledge my colleague and dear friend Sheena Watt, who we heard from in this chamber earlier today, whose passion, determination and personal journey as an advocate for First Nations recognition, truth and treaty began long before she entered this place, which serendipitously took place five years ago today. She has never wavered in her tenacity or leadership, and the same can be said of the member for Geelong in the other place, Christine Couzens. I want to acknowledge the Minister for First Peoples, Natalie Hutchins, and the former Minister for First Peoples, Gabrielle Williams, for their stewardship of the truth-telling and treaty process. I would also like to acknowledge Gavin Jennings, a former Minister for First Peoples – and many other things – and member of this place, for the role he has played in bringing this treaty to us today, and our premiers, first Daniel Andrews and now Jacinta Allan, for their determination in making this treaty happen. Each has brought authority, grace and knowledge to this space, and I know they have formed long and everlasting friendships and relationships with our First Nations communities along this journey.

More importantly, I want to thank those without whom it would not be possible for us to be here today, including the treaty advancement commissioner, Aunty Jill Gallagher; the inaugural co-chairs of the First Peoples' Assembly, Marcus Stewart and Aunty Geraldine Atkinson; Rueben Berg and Ngarra Murray, who carried the baton for the next generation of the First Peoples leadership; Yoorrook justice commissioners, who led the truth-telling process; First Peoples' Assembly elected representatives; traditional owner groups; and everyone who has been part of this long journey.

Victoria has long led the nation in recognising the rights of First Peoples through voice, through truth-telling and now through treaty. But leadership means more than being first; it means standing firm in the face of challenge and staying true to principles of justice and equality. To First Peoples across Victoria, your culture, your wisdom and your leadership are the foundation of our shared future. To all Victorians, from the south-east to the far corners of this state, this legislation is an invitation. It invites us to walk together in truth, to listen deeply and to build a future where the oldest living culture in the world is celebrated and respected by all. When First Peoples thrive, we all thrive. When our migrant and multicultural communities stand beside them, our state thrives. Together, through treaty, we are creating a new beginning where everyone can be proud of our diversity, where the pain of the past is acknowledged, where our state is stronger, fairer and more united than ever before, and where the hope of a better tomorrow shines brightly for us all. I commend this bill to the house, and I wish it a speedy passage.

Rachel PAYNE (South-Eastern Metropolitan) (18:00): I begin today by acknowledging that we meet on the unceded lands of the Wurundjeri Woi Wurrung people of the Kulin nations. I pay my deepest respects to their elders past, present and emerging and to all First Peoples across Victoria, who carry the strength, the pain and the wisdom of their ancestors. I also acknowledge the First Peoples' Assembly of Victoria, the voices who have carried this movement from vision to reality. To the co-chairs Ngarra Murray and Rueben Berg, and to every assembly member past and present, your courage, patience and leadership have paved the way for this historic moment. I acknowledge my friend Sheena Watt for her incredible opening contribution and the Victorian government's unwavering commitment to treaty, a commitment that has brought us here on this historic day.

After the national referendum on the Voice, it felt as though the wind had been taken out of the sails. Across the country, many felt that the long road toward reconciliation had become a little bit steeper and the political courage to create real change had faded. But here in Victoria that courage held strong. While others paused, this government chose to keep walking with First Peoples. That choice matters. It tells our communities that reconciliation is not a slogan or a photo opportunity, it is a promise. And it tells every young First Nations person watching today that their voices and their futures still matter in this state. I commend the Victorian government for holding that promise, for keeping faith with the process and for proving that leadership means walking beside people even when the path is hard. Where we stand today is not by chance, it is the result of decades of tireless work, courage and truth-telling between First Peoples and the Victorian government. This moment has been carried off the

backs of elders who spoke truth long before it was safe or popular to do so. It has been shaped by communities who never gave up, even when no-one else was listening. For generations First Peoples have asked this nation to see what has always been there: their sovereignty, their law, their spirit, their country. And now, through this bill, we are beginning to honour that truth in a way that is tangible and enduring.

This is not only a milestone for First Peoples, it is a moment of reckoning and renewal for all Victorians. It asks us to move forward not as strangers divided by history but as partners joined in respect – because treaty is not a gift and it is not an act of charity; it is an act of justice. Aboriginal and Torres Strait Islander peoples have successfully managed the seas, the sky and the land for over 60,000 years. They are the oldest continuing living culture on earth. They are the keepers of the Dreaming, the custodians of country and the guardians of knowledge that spans millennia. They have been asking us for far too long to walk with them. Treaty is our chance to honour that request. Treaty is our chance to walk together side by side, with respect, with understanding and with a shared vision for a future that includes us all. At its core, self-determination recognises that First Peoples are best placed to lead on matters that affect them. This is their right. It is not a privilege granted by Parliament but an inherent right to shape their future. For too long this Parliament has failed to listen to those who are most affected by its decisions. For too long we have made laws and policies that do not reflect the lived reality of First Peoples – laws that have been harmful, ineffective and disconnected from the wisdom that could guide us to a better future. But today, with this bill, we begin to change that. We begin to hear directly from First Peoples to ensure that the laws of this state reflect their needs, their aspirations and their unbroken connection to this land.

I grew up on Awabakal and Worimi land in New South Wales during the 1990s. Back then I was never taught about First Nations culture or even whose country I was on. This was a time before Mabo, when the lie of terra nullius, the claim that Australia was uninhabited at the time of colonisation, still shaped our understanding of this land. We failed to recognise the enduring connection that First Peoples have with their country, a connection that runs through language and lore and that continues to guide the land today. Even as a child growing up alongside First Nations kids, we rarely spoke about their culture or their history. It was as if they were not free to feel pride in who they were, as if their culture had to be hidden, because that was what society told them to do. This absence of knowledge was not just an oversight, it was a denial of truth, identity and belonging. That is why today, educating every generation about First Peoples' history, culture and connection to country is so urgent, so necessary and so transformative. There is immense importance in educating the next generation about First Nations' history and culture, not only to foster understanding but to protect cultural pride, strengthen identity and build connections across communities.

I want to acknowledge the integral role of Gellung Warl in the bill, which will strengthen Victoria's curriculum and provide resources for students about our shared history, as revealed by the Yoorrook Justice Commission. Victoria's treaty comes at the culmination of the profound work of the Yoorrook Justice Commission, Australia's first formal truth-telling commission. It has laid bare the lasting and devastating impacts of colonisation on First Peoples. Even today, these impacts are visible in the persistent inequalities in life expectancy, education, health and opportunity. These are stories that must be heard, understood and never forgotten.

If we are to have any hope of true reconciliation, we cannot allow future generations to grow up ignorant of our shared history. With this in mind, the bill establishes Nyerna Yoorrook Telkuna, a body to lead ongoing truth-telling, healing and reconciliation across towns and regions of Victoria. Its work will promote understanding of local histories, gather and preserve stories, and ensure that the history of First Peoples and their resilience is never lost. While I deeply wish I had been taught these truths when I was younger, we now have the opportunity to ensure that the voices, stories and perspectives of First Peoples are enshrined in our education system so that future generations do not grow up in ignorance like I did. As an adult, I have actively sought to learn about the country where I

live and work and serve, and I encourage all Victorians to do the same. To walk on country is to walk with its history, its spirit and its people.

The South-Eastern Metropolitan Region where I live and work and have the honour of representing in this place in Parliament sits on the traditional country of the Bunurong and Wurundjeri Woi Wurrung peoples of the Kulin nations. Bunurong country is diverse, vibrant and alive, stretching across coastal plains, rivers, bushland, grassy woodlands, wetlands and sacred sites. Every part of this country holds stories, teachings and lore passed down through countless generations. It is a living, breathing landscape where plants, animals and people are inseparable. We live by Bunjil's law, guided by the eaglehawk, our creative spirit. Bunjil teaches us about responsibility, respect and care for all living things, that we are not separate from the land, but part of it, and that every action we take has meaning for country and community.

My team and I had the privilege of spending time on country with Uncle Mark Brown. We learned firsthand about the Bunurong peoples' symbiotic relationship with country, how the natural environment and culture are woven together, and how this knowledge has guided the Bunurong people for thousands of years. Uncle Mark shared the strength of Bunurong matriarchy: the vital role of women as leaders, teachers and custodians of culture, and how this guidance continues to shape the wellbeing of people and country alike. I want to share a small story from Uncle Mark that illustrates this deep connection. In Bunurong law, the wetlands, rivers, plains and bushlands are all part of one living system. When we move across country, whether gathering food, observing the seasons or simply walking, we are taught to notice everything – the birds, the animals, the plants, the water. Each has its place, its purpose and its story. When the kunuwarra – the black swans – nest, we know the seasons are shifting. When the kuyim – the kangaroos – roam the plains, it signals the land is healthy. Every living thing is a teacher, every cycle a lesson. These lessons are living knowledge. They teach us about care, connection, responsibility and respect for all life – principles that are not only central to Bunurong culture but to how we as a society can live together better, in balance with country, with each other and with our shared history. I carry these teachings with me in my work and in my life, and I honour the Bunurong people's wisdom, resilience and enduring connection to country. It is a privilege to represent this country and a responsibility to ensure its stories, lessons and laws continue to guide us into the future.

Legalise Cannabis Party is a party of compassion, evidence-based policy and human rights. Some things should be above politics, and treaty is one of them. We support treaty not just in principle but because we recognise the disproportionate impacts of criminalisation of cannabis on First Nations people. Aboriginal Victorians are eight times more likely to be arrested rather than cautioned for cannabis possession. Though they make up only 1 per cent of the Victorian population, they account for almost 10 per cent of cannabis-related arrests. As the *Uluru Statement from the Heart* reminds us:

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness*.

Treaty is the first step in addressing this torment. It is a chance to right these wrongs, to acknowledge the harm and to begin creating justice, dignity and self-determination for First People across Victoria. Treaty, yes; treaty now. Other Commonwealth countries have had treaties in place for hundreds of years. Australia has long denied its own reckoning. We had the chance 37 years ago when then Prime Minister Bob Hawke promised treaty at Barunga, yet these promises disappeared like writing in the sand. As Yothu Yindi powerfully sang:

Words are easy, words are cheap
Much cheaper than our priceless land
But promises can disappear
Just like writing in the sand

For 37 years that promise remained unfulfilled – far too long. But here today we see the brighter day so many have dreamed of for generations – a chance for healing, for justice and for better outcomes for First Peoples. We are here because of the decades of tireless advocacy by First Peoples and their courage, resilience and unwavering belief in change, even after being let down time and time again.

I am deeply proud to stand in this Parliament to offer my full support for this history-making legislation – legislation that will finally formalise a Statewide Treaty. Victoria will be the first state in Australia to pass a treaty with First Peoples, but I firmly believe we will not be the last. This is a day of justice. This is a day of hope. This is a day that honours the voices, the history and the future of First Nations people.

Evan MULHOLLAND (Northern Metropolitan) (18:13): I rise to speak on the Statewide Treaty Bill 2025, and it would be remiss of me not to acknowledge this is a very significant debate in our Parliament. I would like to acknowledge particularly Melina Bath. I would like to acknowledge all the work that she has done – and Peter Walsh before her – as our shadow minister for Indigenous affairs. I would also like to acknowledge everyone in my electorate who has written to me about this issue and who has spoken to me. I would like to acknowledge the First Peoples' Assembly for their engagement with me and our leadership team as well.

I must reiterate from the outset that the Liberals and Nationals will not be supporting this legislation, just as we did in the other place. I want to, in my contribution to this debate, make it very clear why this is the case and why we propose a different way forward on these important issues. We do not support treaty, and we certainly do not support this bill. From my own point of view, even if I supported the concept of treaty, I could not support this legislation, and there are a number of reasons for that. So I want to be very clear that the Liberals and Nationals will not be supporting this, and if we are elected next November, we will introduce legislation to repeal this legislation. I want to reiterate that while we may disagree on how we get there, we can agree on the outcomes that we are seeking. It is right that the government is working towards closing the gap and addressing disadvantages faced by Indigenous people. This is something that we support because it is providing genuine equality of opportunity for Victorians regardless of race, and we will continue to address those fundamental issues where Indigenous Victorians are disadvantaged. That will remain our focus rather than treaty – we do not believe it is the right approach. We support equal treatment, equality of opportunity and justice for all Victorians regardless of race, background or how long someone has been in the country.

Everyone deserves the same chance to live a full, healthy, productive and happy life. We believe that this can be achieved for Indigenous people, yet we recognise that on many key measures Labor are falling short. Successive Labor governments have had 20 of the last 24 years in power, and despite all of their promises and talking points, the situation has gone backwards. I acknowledge that treaty may be an attempt to change that, but after almost a decade of work, the government has not delivered. In 2023–24 Aboriginal children were placed in out-of-home care at a rate 20 times higher than non-Aboriginal children. The suicide rate amongst Aboriginal Victorians was 30 per 100,000, making them more than three times as likely to die by suicide than non-Aboriginal Victorians. There remains an eight-year gap in life expectancy, and the Aboriginal unemployment rate is much higher than for other Victorians. These are clear signs of failure to close the gap. Those opposite will claim that this is why we need treaty. Yet I have not seen any shred of evidence that treaty will change these outcomes. We simply have a different view on how progress can be achieved. I want to say to those opposite and anyone listening that differences of opinion do not deserve abuse. There is nothing respectful about attacking others for having a different view. We can share the same goal while disagreeing on the best way to achieve it.

I want to turn to the legislation itself and outline why we cannot support it. For me and I think for all of us on this side of the chamber, the principles of our Westminster system are fundamental. Ministers are accountable to Parliament and through Parliament to the people. That accountability is what keeps government honest and transparent. The establishment of Gellung Warl raises serious concerns because its governance arrangements fall outside of those norms. It is given a level of autonomy that

is unprecedented. It will operate independently of ministerial direction and will receive ongoing taxpayer funding. This is a deliberate aim of the bill and where we fundamentally disagree. The bill states that Gellung Warl is not subject to the direction or control of the minister in the performance of its functions or the exercise of its powers. That removes an essential layer of accountability.

I will note that in the other chamber Mr Farnham, the member for Narracan, quoted local Kurnai elders in his electorate who are deeply concerned by the government naming this body Gellung Warl, a phrase from their language. I repeat the quote from a letter from Aunty Pauline Mullett:

Gellung Warl is a word from the Kurnai language a language that belongs to our people, our ancestors, and our Country. It has come to light that this term was selected without the informed consent of Kurnai Elders. This is not a minor oversight. It is a serious breach of cultural protocol and a disregard for the sovereignty of our language and traditions.

The government ought to answer the question of how it came to that name. If this is all about consultation, the government has failed at the first hurdle.

Another issue is the requirement for every bill to be introduced to Parliament to have a statement of treaty compatibility. This statement must detail whether the First Peoples' Assembly was consulted, the nature of the consultation and assessment of the bill's alignment with treaty principles. That means every piece of legislation must be consulted on, if not effectively approved, by Gellung Warl. At the same time, the bill uses the phrase 'matters that affect First Peoples', yet it never defines what that actually means. So by its nature, almost any matter could be said to affect First Peoples. First Peoples drive on roads neglected by this government, use the hospitals that are underfunded by this government and are impacted by the crime crisis that has exploded under this government. The absence of a clear definition creates a legal and procedural uncertainty that allows the First Peoples' Assembly to claim relevance on almost every area of policy. That is the government's intention, and it is a step too far. We believe in equal treatment and accountability through elected representatives, not in granting unelected bodies special powers that no other group has.

The First Peoples' Assembly will also have powers to make representations to Parliament, advise government departments and question ministers and secretaries during engagement hearings. I genuinely wish them well in that, because as members of Parliament we often struggle to get answers ourselves. The assembly will also be empowered to meet regularly with departmental officials, the Chief Commissioner of Police and government departments that will have to develop consultation guidelines that must be followed by state-funded service providers. No other group or organisation in Victoria is given these powers in legislation. That is a concern and a legitimate concern.

There are also concerns about transparency. Gellung Warl will be granted significant exemptions from the Freedom of Information Act 1982. Entire categories of documents will be automatically exempt, including those deemed culturally sensitive or secret. These exemptions effectively place cultural secrecy on the same level as cabinet confidentiality but with less oversight. The assembly will have more FOI protections than ministers or statutory agencies. This is not consistent with democratic accountability.

Funding is another serious concern. Gellung Warl will receive ongoing funding through a standing appropriation bypassing normal budget process. While some independent institutions such as the Parliament and the Victorian Electoral Commission receive standing appropriations, those are based on need and Treasury assessment. This legislation locks in \$207 million over the first four years, and when future operational capital funding is factored in the cost could reach around \$2.7 billion over 10 years, depending on the discount rate. This is a significant commitment, but I also note that the initial funding is not directed towards services like health, housing or child protection but towards establishing Gellung Warl itself.

In addition, the government intends to transfer the Aboriginal community infrastructure program to the new First Peoples' Infrastructure Fund, which Gellung Warl will control directly. That hands taxpayers money to an unelected body to make spending decisions. We do not agree with that

approach. Ministers should remain accountable for the expenditure of public funds. There are also areas of uncertainty, including how the framework for water entitlements will operate. The bill gives the assembly power to issue guidelines and standards on the sharing of water, yet it is not clear what this will mean in practice.

For these reasons, we cannot support the bill. We have announced an alternative to treaty, which my colleague Melina Bath has outlined – First Nations Victoria, a standalone department dedicated to improving the lives of Aboriginal and Torres Strait Islander people. She has outlined that, so I will not go on here.

I want to turn to the fact that despite claiming that this treaty and this assembly have the support of Victorians, we actually have empirical data to know that this is not the case. Two years ago, almost to this week, the Albanese Labor government took to the Australian people a referendum for a Commonwealth version, a Voice to Parliament. By an overwhelming majority the Australian people, indeed the Victorian people, voted against this proposal. I note that Mr Batchelor spoke about democracy before. Well, I dare members opposite to put this proposal to a referendum. They will say no, because they know what the likely result of any vote of this nature would be. They know what the outcome will be. The federal Labor government at the time, just like the state Labor government now, claimed that these proposals were about fairness.

To quote the Premier's second-reading speech, this is about 'improving people's lives and giving everyone a better future'. I do not think for a moment that any Victorian is against the idea of improving people's lives or better futures, nor do I think they are against fairness. Fairness is the core of the Australian identity and a value we must consider intrinsic to our nation. But this is not fairness. In its attempt to right past wrongs and fix inequality, it elevates Indigenous Victorians above their fellow citizens in terms of access to government and their ability to influence future decisions. We have had several referendums, including a referendum that expanded the right to vote for the Australian Capital Territory and the Northern Territory and indeed the landmark referendum of the Holt government, which enfranchised Indigenous Australians, which was passed by all states and territories – over 90 per cent of voters. I note that after the Voice referendum the Palaszczuk Labor government retreated from its treaty due to the failure of bipartisan support and noted it would need bipartisan support. The Minns Labor government pushed back its commitment to treaty after the following election, noting after the Voice result a need for greater consultation. What does this government do? It just ploughs on, and it shows its disdain for all Victorians. This bill does not have a mandate. We have had a Voice referendum, and I would not be representing my community in the northern suburbs by supporting a bill which goes further than something my community voted against.

We saw on the Voice referendum day the member for Greenvale in the other place and member for Northern Metro Mr Erdogan at Greenvale Primary School handing out votes for yes – a primary school booth that voted 70 per cent no. I note that the member for Greenvale, the former member for Calwell and Labor member for Northern Metro Sheena Watt hosted a scarcely attended community forum on the Voice at Meadow Heights, and the Meadow Heights community voted 55 per cent no, largely in line with the Victorian community. We saw former Ethnic Communities' Council of Victoria CEO Mo Elrafihi launch Victorian Multicultural Voices for 'Yes' and claim strong support in multicultural communities for the Voice. We all saw the photo of the Labor MPs launching this campaign at Parliament, and it is ironic that the brains trust behind this campaign is now in the Premier's private office, because if you do a heat map of our multicultural communities in Victoria – I note Mr Tarlamis spoke about the connection – almost all of those multicultural communities that live in the outer suburbs voted no in large numbers. The facts show that almost none of them supported the Voice, just as in my own electorate we saw almost 60 per cent of the Greenvale electorate vote no and 56 per cent of the Kalkallo electorate vote no.

The anecdotal evidence I received at the time was that multicultural leaders that are tied to the Labor Party were begging communities to vote yes for a proposal they could not themselves explain. However, many in the communities were themselves not convinced. That is an indisputable fact. I saw

WhatsApp messages and Facebook posts in community groups by people asking questions about it, only to be met with ‘Just vote yes’, or no response, when legitimate questions were asked. ‘Don’t side with the racists,’ they would say. A very similar cohort of groups organised by the Asylum Seeker Resource Centre put out a statement claiming that communities now support a treaty – almost exactly the same organisations – where we know this is just not the case. Many of the communities that I engage with have come from countries where they are treated differently. They have different rights and different tax and social status based on their religion, race and ethnicity. Why would they, having fled to an egalitarian country like Australia, vote for separatism and different rights for each Australian? In August 2023 I spoke about the Voice referendum in this place and became the first member of the shadow cabinet to oppose it, saying:

... Australians cherish the value of egalitarianism – everyone being equal under the law. It is what makes Australia great. Australia is built on a foundation of everyone having equal civic rights. It is something I talk about at every citizenship ceremony ...

I choose to attend.

We believe in equal treatment, equal opportunity and justice for each and every Victorian, which is why we cannot support this bill.

Sitting suspended 6:28 pm until 7:32 pm.

Michael GALEA (South-Eastern Metropolitan) (19:32): I rise to speak on the Statewide Treaty Bill 2025. In doing so, I am cognisant of the fact that I am standing on lands here on Eastern Hill that were for a very long time the traditional ceremony grounds for the Wurundjeri people of the Kulin nation. As I offer my acknowledgement to the Wurundjeri and to the Bunurong, whose lands cover the majority of my electorate, and to elders and community members who are here in the Parliament with us today, I am further mindful of what a deeply significant opportunity we find ourselves presented with in this bill today.

Eight years ago representatives of Aboriginal and Torres Strait Islander nations from all corners of this country came together with the purpose. They gathered at Uluru, and through much extensive debate, discussion and deliberation the *Uluru Statement from the Heart* was created. It was a statement of purpose, of what our First Nations communities saw as the path forward for a country struggling to come to terms with the practicalities of reconciliation. It was a statement of objectives for how meaningful change could be achieved. But above all, it was an invitation – an invitation to the broader Australian community to listen and to walk with purpose alongside our First Nations brothers and sisters. It was a call to action for voice, for truth and for treaty. Today, in one state, we have the opportunity to make that invitation a reality.

This bill will formally recognise that sovereignty was never ceded. It will establish Gellung Warl, a statutory authority to lead treaty and incorporate within it the First Peoples’ Assembly as a permanent representative body. It will incorporate a truth-telling body, the Nyerna Yoorrook Telkuna, and an accountability and oversight body, Nginma Ngainga Wara. It will be empowered to make decisions that can address the disadvantages so many Aboriginal Victorians are faced with to this day.

We have seen through the Yoorrook Justice Commission the power and the importance of truth-telling. This bill will embed truth-telling into our public institutions, including incorporating findings from the commission into the school curriculum. I have been reflecting on Mr Ettershank’s remarks earlier today about the very limited Aboriginal history he learned whilst he was at school, as I have reflected over the past week on similar comments made by the Minister for Education in the other place. I attended primary and high school perhaps slightly more recently than some members of this chamber, though I note the youngest member is still here in the room with us, and indeed similar remarks were also made by Ms Purcell earlier today; I believe I was the same year as her. But despite this, I left my education with scantily more knowledge of our Aboriginal history than my peers in previous generations. In my adulthood I have learned much more, particularly since being elected, but

I still do not consider myself to be anywhere near as knowledgeable as I should be of our state's Aboriginal history before and during colonisation.

Ms Bath, the Shadow Minister for Aboriginal Affairs, said in this debate today that while she supports the intent of what is trying to be achieved with this bill, she believes the government's approach is not the right way forward. She has a right to her view, albeit I personally find it to be a sad departure from her remarks in 2022, when she spoke of her party's commitment to advancing treaty in a way that supports self-determination, reconciliation and the strengthening of communities and connection to country. But Ms Bath's comments today, opposing the government's approach, to me expose an underlying fault in her argument. The bill before us today is being put forward by the government, yes, and proudly so, but it is not the government acting in isolation. The whole essence of treaty – the point of it – is self-determination and recognising that governments unilaterally telling First Peoples what is best for them has been a recipe for failure, some might say a recipe for disaster. The bill before us today is the result of thorough, meaningful negotiations between the state government and Aboriginal Victorians as partners. It has been forged through that process, and members opposite do our First Peoples a disservice by brushing off this bill solely as an action of the government.

The contents of this bill are a result of those thorough and lengthy negotiations, and I wish to mark my appreciation of Premier Jacinta Allan and Minister Natalie Hutchins for their determination in driving this change – and indeed ministers previous – as well as of Ms Watt in this chamber and Ms Couzens in the other chamber for the incredible support they have provided, as well as officials, including Terry Garwood. I further wish to appreciate Ngarra Murray and Rueben Berg, co-chairs of the First Peoples' Assembly, including for their powerful contributions in the other place, and other members of the assembly, and all Aboriginal Victorians who engaged with the treaty process in one way or another.

Victoria may have the lowest proportion of First Peoples out of any state, but we now boast more Aboriginal and Torres Strait Islander people than the Northern Territory. Treaty will have a significant and positive impact on these Victorians. It puts into practice the mantra 'No decisions made for us without us'. It is the right thing to do, and it does not take anything away from anyone else. In her contribution last sitting week, the member for Cranbourne made a powerful observation when she said:

We know treaty is an opportunity not to divide Victoria but to complete it. It is significant that Victoria is the only state in the Commonwealth so far to have a treaty, but I know that the other states and jurisdictions are watching, because it is time.

It is certainly true to say that we are in Victoria leading the way with today's bill. We know that other states are watching, but whilst we are the first in Australia, we are not the first jurisdiction to embark on this journey in our broader corner of the world. We are, in fact, some 185 years behind our cousins across the ditch. In 1840 the British administration in New Zealand signed the historic Te Tiriti o Waitangi with the Māori people of Te Ika-a-Māui. It is a document of profound cultural and political importance in New Zealand, and though its status and its interpretation have not been without debate for generations since, its existence and its consequence have affirmed the self-determination of the Māori and set the groundwork for that nation's laws thereafter. As another colleague in the other place, the member for Greenvale, noted, we do not consider New Zealand to be in any way a lesser democracy because of Te Tiriti or the self-determination it has afforded Māori New Zealanders. They are a clear example of how treaty should not be something that is feared and is not something that will take rights away from others or undermine our cherished democratic institutions. To the contrary, their example shows the impact that can be made when every citizen has their voice heard and when the self-determination of First Peoples is placed at the centre of policymaking, not as an afterthought and not as a poorly conceived new government bureaucracy, as has been proposed by the opposition – a lip-service measure that speaks more to platitudes than principles.

Over recent generations there have been many landmark moments in our long journey of reconciliation. Amidst the setbacks, there have been triumphs, be it Mabo, native title or the apology to the stolen generation. Today, in this state Parliament, on the traditional ceremonial grounds of the

Wurundjeri people, we are at the precipice of another landmark moment in this nation's relationship with Aboriginal and Torres Strait Islander people. With the passage of this bill, we will be the first state in the nation to implement a treaty with our First Peoples. Let us embrace this opportunity and this moment, and let us take up the invitation that Aboriginal Victorians have given us and walk with them with purpose together. I commend the bill to the house.

Aiv PUGLIELLI (North-Eastern Metropolitan) (19:42): I would like to start by acknowledging the traditional owners of the lands we are gathering on today, the Wurundjeri people of the Kulin nation. This was a First Nations meeting place for many, many years before this building ever existed. I pay my deep respects to elders past and present as well as to First Nations people who are here with us today. I would also like to take a moment to thank member for Northern Metropolitan Ms Sheena Watt for her work and for her contribution shared with the chamber today. Thank you for sharing your story and for reminding us of the deeply personal impact that treaty has for many First Nations people in Victoria. I also wish to acknowledge the work of a former member in the other place, the former member for Northcote Senator Lidia Thorpe. I would like to thank her for her contribution to this journey for this state towards treaty. I acknowledge that during her time in this Parliament she worked hard to advocate for treaty to ensure self-determination is at the heart of our future.

Sovereignty of these lands has never been ceded, and at this historic moment, when we are progressing a treaty in Victoria, it is an important time to remember that this always was Aboriginal land – always was, always will be. We are here today because of the power and resilience of First Nations peoples to seek justice, to protect and preserve culture, to protect country and to fight for a better future. This treaty is a testament to this fight. This treaty takes Victoria forward. Where I grew up in the Nillumbik shire area, the Wurundjeri-willam clan inhabited the lands for thousands of years. The name 'Nillumbik' refers to the quality of the earth in the area, the heavy clay composition of the soil. It reflects the knowledge and custodianship that First Nations people have had of these lands for countless generations. Many locals in my community know of Garambi Baanj, the Woiwurrung name for an area otherwise referred to as Laughing Waters. This was also an important meeting place in my electorate, a place used for food production and harvesting – there are eel traps that remain to this day. Perhaps some in my community do not yet know this history. It is something that we were not taught in our schools. Its history and truths were not told to our young people. But with treaty, this history, this truth, can be told for future generations.

As part of treaty Gellung Warl will be established as the permanent representative and deliberative body for traditional owners and First Peoples in Victoria on matters relating to First Nations people, because First Peoples should always be leading the decisions made about their communities. Treaty empowers the First Peoples' Assembly of Victoria to continue its work, and I would like to thank the current and previous members of the First Peoples' Assembly who have led so much of the process to get us here today. First Nations people have faced genocide on these lands – their lands – and have survived the devastating impacts of colonisation, which continue to be felt today. With the introduction of treaty, Nyerna Yoorrook Telkuna will continue the journey of truth-telling and of healing and will support the ongoing education of our communities. For healing to occur, we must first together face the truth. To have unity in the present, we must listen to this truth. You cannot look ahead together if you have never truly looked back, and we certainly have much in our past to reckon with so that we can move forward for a better future. With this treaty, Nginma Ngainga Wara will act as an independent oversight and accountability body, ensuring that commitments made to First Nations peoples are kept and better outcomes are achieved for their communities.

I feel truly lucky to be able to stand here alongside my colleagues to support the passage of Australia's first ever treaty, and it will not be the last. The road to treaty has been long. It has spanned generations, and now I am proud to support this important milestone in justice and self-determination for First Peoples. First Nations people are the experts for their own communities, and treaty is about respecting and embracing that truth. Treaty will help us all learn and deepen our understanding and connection to the place that we call home. This is a moment to be part of a movement for change, a moment to

embrace truth, treaty and justice for First Nations people. The passage of this bill and the signing of this treaty should be a time when all members of the Parliament and members of community come together to celebrate and share in this important milestone. It should be beyond politics, beyond cynical criticism. As I have said already, this treaty has been a very long time coming, and it is a treaty we can all be proud of. I commend this bill. I commend treaty to the house.

Wendy LOVELL (Northern Victoria) (19:47): I rise to speak on the Statewide Treaty Bill 2025, a bill which has been negotiated behind closed doors in a highly secretive manner and that has only recently been released to the Victorian public even though it seeks to legislate one of the biggest changes to Victoria's system of governance and government since the formation of this Parliament. This is a bill that presents changes that are so significant that the bill really should have been presented publicly as an exposure draft to allow all Victorians the right to be fully informed about the proposed changes and to make comment on those changes. But instead, discussions and negotiations on this bill were kept secret from the vast majority of Victorians. This legislation supports a treaty that will create a separate system of government for Victoria's Indigenous people, create a separate system of laws for Victoria's Indigenous people, and formally differentiate between Indigenous Victorians and the rest of the community. In other words, this bill will create a division between Victorians based on whether your ancestry is Indigenous or non-Indigenous. The changes presented by this bill are so significant that the Liberal Party and our colleagues in the National Party cannot support it.

I am a strong supporter of closing the gap, and I believe far more needs to be done to support initiatives that will close the gap between Indigenous and non-Indigenous Victorians. I have spoken many times in this house and put on the record my passion for closing the gap. I live in Shepparton, where I share my community with the largest population of Indigenous Victorians outside of metropolitan Melbourne. Our city has a proud heritage of Indigenous culture, but unfortunately the outcomes for our Indigenous residents still fall well behind the expected outcomes for our non-Indigenous residents. I find this inequity offensive. As classmates who grew up in the same community and attended the same school, we should have similar expected outcomes in life, but unfortunately, we do not, and that is why I am passionate about closing the gap. My single greatest disappointment with this bill is that it does not contain any binding obligation to meet Closing the Gap targets, nor does it contain any performance benchmarks for outcomes. There is no evidence that after all this money, almost \$3 billion over 10 years, has been spent, it will actually improve the lives of Indigenous Victorians.

I was fortunate as a young person to know Aunty Mary Atkinson. Aunty Mary was passionate about improving the educational outcomes of Indigenous Victorians because she recognised that education was a pathway to improving the lives of her children and their peers. I am convinced that Aunty Mary had some sort of psychic powers that enabled her to know that one day I may be in a position where I could assist her people. I was only about 15 and working in the family newsagency on Friday nights, Saturdays and school holidays when Aunty Mary first started to talk to me about the importance of education to improving the lives of young Indigenous people. Aunty Mary knew that education was the key to improving outcomes in employment opportunities, economic opportunity and health and life span and to reducing the over-representation of Indigenous people in the justice system.

In the first briefing I was given as Minister for Children and Early Childhood Development, I was horrified to learn that while more than 95 per cent of non-Indigenous students attended four-year-old kindergarten, that figure was only 57 per cent for Indigenous children. The figure was even worse – in fact it was so low it was almost non-existent – for three-year-old kindergarten. I remember saying to the secretary and other departmental representatives that this was not good enough and we needed to make sure we closed that gap. Four-year-old kindergarten was already free for Indigenous children, but families were not taking up the offer. We worked extremely hard to engage communities and families to ensure those children were given the opportunity of a four-year-old kindergarten year, and we introduced free kindergarten for three-year-old Indigenous children because we knew that two years of early education would produce even better outcomes. I am delighted to say that I closed that gap, and during my time as minister the percentage of Indigenous children attending kindergarten

became equal to non-Indigenous children. I thank Aunty Mary for instilling that passion in me, and I hope that my efforts honoured her memory.

It is only with hard work and goodwill between both Indigenous and non-Indigenous Victorians that we will close the remaining gaps and build a better future for Indigenous Victorians and a shared future for all Victorians. Whilst the Liberals and Nationals do not believe treaty is the best way to close the gap and deliver better outcomes for Indigenous communities, we do believe in equality for all and in closing the gap for Indigenous Victorians. So while we have pledged to introduce legislation repealing treaty within the first 100 days of government, we have also committed to stand beside our Indigenous people and work with them to achieve better outcomes and close the gap. To those across the chamber I say: it is possible to agree on wanting better outcomes for Indigenous Victorians while disagreeing about how to get there. The Liberals and Nationals have already set out a plan for achieving this. Instead of agreeing to a divided Victoria under the proposal put forward in this legislation, we will establish a standalone government department called First Nations Victoria. This department will be overseen by a single minister tasked with improving the lives of Indigenous Victorians and responsible to Parliament for delivering better outcomes. The minister will be supported by a ministerial advisory council, and they will work alongside Indigenous Victorians to implement a community-led, coordinated approach to policy funding and service delivery. I want to see a Victoria that is united rather than divided, and I want to deliver real outcomes to improve the lives of Indigenous Victorians, not just the expensive window-dressing that this bill puts in place and that has no commitment to delivering outcomes for Indigenous people.

The Liberals and Nationals have many concerns with this bill, and they have been quite adequately outlined by Ms Bath as the lead speaker and also by Mr Davis. I will not go over those again other than to say I share my colleagues' concerns about the sovereignty of Parliament and the restraints and burden that this legislation would put in place on government departments and operations. I have to say that I was surprised to see the Allan Labor government proceed with this treaty bill following the 2023 federal referendum on the Voice. The people of Victoria spoke loudly and clearly when given the opportunity to have a say on a separate voice or assembly for Indigenous Victorians. I considered conducting a survey of my electorate on this treaty bill, but I decided against it because I felt that we had already had the ultimate survey results from the 2023 referendum, where every Victorian had to vote: 54.1 per cent of all Victorians voted no in that referendum. But in my electorate the number was much higher. In the electorate of Mallee, 78.3 per cent voted no. In Nicholls, 75.2 per cent voted no. These are two of the electorates that have the highest numbers of Indigenous Victorians in Victoria. In Indi, 66.9 per cent voted no; in McEwen, 60.1 per cent voted no; and in Bendigo, 59.6 per cent voted no. There are small areas of Ballarat and the electorate of Casey that are also in Northern Victoria Region. In Ballarat it was 57.9 per cent no and in Casey 57.6 per cent no. Across the electorate, the no vote averaged 70 per cent, and this is similar to the results that I saw coming through in the way of emails on treaty – a huge number of people lobbied me not to vote for treaty, while a smaller number lobbied for treaty. So I not only believe that this bill is the wrong vehicle to deliver outcomes for Indigenous Victorians, but I am also mindful of the views of the majority of my constituents, who oppose this legislation. The people of Victoria have already spoken. They do not want extra parliamentary bodies that will be able to interrupt and interfere with normal government processes without any accountability, but they do want better support where it is needed to close the gap for Indigenous Victorians.

This bill is a lost opportunity, because there is a lot of goodwill towards our Indigenous Victorians from every member of this Parliament and from the general community. We could achieve so much if only this government stopped trying to divide Victorians and started to look for the issues that unite us rather than divide us.

John BERGER (Southern Metropolitan) (19:57): I am proud to stand here in support of this historic bill today. The Statewide Treaty Bill 2025 establishes the Gellung Warl, an ongoing representative body for the First Peoples in Victoria, forming our first Statewide Treaty after a decade-

long journey, providing ongoing treaty making and negotiation functions for this representative body, advancing First Peoples' rights and self-determination in Victoria and pledging the equal experience of human rights and fundamental freedoms for First Peoples.

Towards our government's commitment to truth-telling, treaty and self-determination, it is our duty as parliamentarians and as people living on the lands that Indigenous people have been the custodians of for millennia to work towards healing the damages of historic and systemic injustice. And while we cannot undo the pain and suffering that First Nations people have experienced, I am proud to be part of a Labor government that is resolute in achieving this.

The First Peoples' Assembly of Victoria has been integral in leading us through this journey. They have represented and advocated for the hopes, dreams and knowledges of First Nations Victorians. I would like to sincerely thank everyone involved in the assembly across its life span, including the current co-chairs elected this year Ngarra Murray and Rueben Berg and former co-chairs my friend Marcus Stewart and Dr Geraldine Atkinson. From the assembly's first election, held in 2019, to its official establishment in 2023 to today, we are thankful that they walk this journey with us.

I would also like to thank other key organisations that forged this path with us and acknowledge their work and their guidance. The Treaty Authority, an independent body created by the First Peoples' Assembly of Victoria and our state government to facilitate negotiations, was integral in this process of formalising treaty legislation for the Parliament's consideration. Thank you to the members of this authority for your tireless work in facilitating these negotiations. And of course I would like to acknowledge and thank those involved in the work of the Yoorrook Justice Commission, which was, both statewide and nationally, our first formal truth-telling inquiry into historic and ongoing systemic injustices against First Nations people. Led by First Nations people over four years, this commission allowed thousands of Victorians to share their stories and engage with truth-telling on the impacts of the colonisation of Indigenous peoples, and both its interim report and the final report tabled in Parliament on 1 July 2025 were indispensable towards drafting this bill with a comprehensive, fair and truthful understanding of the impacts of colonisation, informing us on how we as a state can begin the work of healing. Thank you to everyone who contributed to the work of the Yoorrook Justice Commission, Professor Eleanor Bourke as chair, all the appointed commissioners and everyone who submitted their stories to the inquiry and supported the commission's work.

A key function of this bill is to ensure that as a Parliament we are held accountable to First Nations people in our state. Gellung Warl, similar to the current assembly, will form an arm of democratically elected representatives which will continue to be known as the First Peoples' Assembly of Victoria, holding the powers of decision-making and operative decisions of Gellung Warl. Through this bill we will consult with the assembly and consider their evaluations and contributions in policymaking and legislation. Provisions will be established for the assembly to engage with senior members of government and cabinet to provide information. It will explicitly empower it to question ministers and state-funded entities to ensure comprehensive understanding of services and policies, along with their effectiveness, and will present a yearly address to the joint sitting of Parliament on issues and matters that impact First Peoples in Victoria. The assembly will be given notice of any newly introduced legislation to Parliament, and members presenting new and relevant legislation will be obliged to table statements informing whether consultation has been engaged with the assembly as well as compatibility with the aspects of Statewide Treaty, self-determination, human rights and addressing historical injustices. Victorian government departments and the Victoria Police under this bill will be obliged to establish guidelines on how they will consult with the assembly on law and policy impacting First Nations people. Through this bill the ministers must consult with the assembly before appointing a special administrator to a trust through powers granted by the Aboriginal Lands Act 1970.

As a continuous Labor government from 2014 through the leadership of Premier Allan and former Premier Andrews we have made concerted efforts in engaging and consulting with First Nations people on policy and legislation. But it is undeniable that throughout Victoria's history, governments have often failed to listen to First Nations people. This landmark bill establishes a crucial and formal

structure in legislation for our governments to engage with Indigenous Victorians. Positioning this engagement and consultation is an expectation of our government, its departments and its relevant organisations. It ensures that our legislation and policymaking are effective and culturally appropriate and that they do not cause further harm to our First Nation communities. The establishment of this treaty body allows for the process of consultation and engagement to be efficient, comprehensive and impactful.

These advisory powers, legislated through this bill, respond directly to recommendations of the Yoorrook Justice Commission, but they align and respond to key recommendations from the Productivity Commission in its review of the National Agreement on Closing the Gap released in January last year, both of whom called on our government to share powers on decision-making in policy and legislation impacting First Nations people and to support principles of self-determination in the creation of this bill. This bill empowers the assembly to establish rules and guidelines on processes granting certification from First Nations community organisations in Victoria that an individual is accepted as an Aboriginal or Torres Strait Islander person by their community. The assembly will be able to create non-binding guidelines on trade and sharing of water entitlements between traditional owner groups and organisations, and they will be able to inform best practice cultural safety guidelines. The assembly through this bill will be empowered to appoint individuals of First Nations heritage to reserved roles within the Victorian Aboriginal Heritage Council and the Heritage Council of Victoria. Both organisations are vital to the conservation of the cultural heritage, history and knowledge of Victoria, empowering the assembly to preserve truth-telling in our journey towards healing.

This bill also establishes another critical principle of healing systemic injustices and bridging gaps in outcomes for First Nations peoples that will describe the accountability measures through this legislation as a dedicated body. This body will be led by members appointed by Gellung Warl and will be empowered to conduct inquiries on the Victorian government's effort in closing the gaps in the outcomes of Indigenous Victorians. Through the findings of these inquiries, this body will be able to provide solutions and recommendations to these outcomes.

I would like to speak to treaty and what treaty means to Lauren, one of my staffers in my office. Lauren is an Arabana and Lower Southern Arnernte person who grew up on the Boonwurrung country. Lauren says while treaty is just one step in a journey towards healing, the significance of the moment is not lost on them: it represents accountability, commitment and truth, values Indigenous people have been fighting for across Australia for over a century, including their own family. These values were instilled in them by their grandfather Keith Clarke Jr and their mother Andrea Clarke. Their grandfather, a mixed Arabana and Lower Southern Arnernte Irish and Cantonese man, and their grandmother, an Irish Australian, brought their three children down from Alice Springs to Victoria where their mother was. Since then their family has found immeasurable belonging and solidarity in the Koori community here in Victoria. With their advocacy and support, Lauren's family have come a long way from settlements along the Oodnadatta Track and the railways of the Ghan to their mother receiving her doctorate at Melbourne University just last year. Keith, their grandfather, was one of 14 children born to a single mother in Alice Springs and was a passionate advocate for Indigenous rights over his life. His life and that of his mother, brothers and sisters was not an easy one, but they worked tirelessly to build a better future for his family and their community. Keith worked with Aboriginal Hostels Limited for almost 25 years, 13 of those as the general manager, and he proudly belonged to boards and organisations fighting for equality and self-determination, including the Aborigines Advancement League of Victoria. He was awarded a medal in the Order of Australia in 2009 for his work to improve the outcomes of Indigenous people in housing, education and employment.

Lauren's passion for advocacy and political engagement can be directly attributed to the influences of their mother and grandfather. Lauren remembers when they first got involved in the political space a few years ago through university and they phoned their grandfather to tell him. Keith responded in no uncertain terms to avoid politics like the plague; that politics, the implicit white man's politics, was

not designed for people like them. Lauren could not blame him for that perspective – Keith was born at a time when people like him were not recognised as people at all. He was 18 years old when he, as an Aboriginal man, was recognised in the Constitution, and the statistics in Lauren’s family and the community remain grim: they still face disproportionate rates of cancer, diabetes, heart conditions and mental health struggles, including suicide. Lauren considers it fortunate when their aunts and uncles live past the age of 60, a sentiment they do not often find shared when speaking to their non-Indigenous peers. And like many in their community, Lauren’s family has seen death in custody.

It is in moments like these, the culmination of decades, even centuries of advocacy, that Lauren is glad to be here, this moment when there will be a permanent place for Indigenous people to shape Victoria’s future in governance, education, language and across all aspects of Victorian life. It fills Lauren’s heart with joy to see the Koori communities and culture be recognised and valued through this act and statewide treaties, something that will undoubtedly support all Indigenous people in Victoria. Lauren believes that their grandfather would have been proud to have seen this moment today. This outcome carries not only his legacy but that of all the people that have fought for Indigenous self-determination.

I am proud of the work our government has done, with the vital contributions of the First Nations leaders, communities and organisations, to arrive at this momentous outcome in Parliament. We could not have gotten here without the tireless advocacy of First Nations people, of reconciliation, truth and treaty over the generations, from William Barak to Margaret Tucker to William Cooper and all the countless Indigenous people who have fought for equality and justice over the last two centuries of Victoria’s existence. I would not be standing here to speak on this bill today without the strength and resilience of First Nations peoples, communities and families of years before. This is not the end of the journey towards truth-telling and justice, but the bill sets out the framework for the time to come and will ensure that our government and those who come after will be held to the new strength and standards of accountability and success. Thank you to everybody who has worked to bring this bill to the Parliament today. And with that, I commend the bill to the house.

Renee HEATH (Eastern Victoria) (20:10): Firstly, I want to acknowledge the Indigenous leaders and community members in the gallery today. I have noticed that a lot of you have sat in here for the whole day, and for that I thank you. I want to say from the outset – through you, Acting President – that regardless of the method, I want you to know that my heart is for reconciliation 100 per cent. There is a long way to go in this nation; I want to say that from the outset. Secondly, I want to say and acknowledge that modern Australia has an Indigenous heritage, a British foundation and an immigrant character, and every one of those parts should, I believe, have its own special honour. I wish I could talk about all of those different aspects, but time does not permit today.

What I am going to do, however, is read you a letter that absolutely changed my life. When I decided to run for Parliament, I asked an Indigenous uncle of ours what he thought about it, and he wrote me this letter. He is part of a stolen generation. He is an Indigenous community leader and was the chairman of the Aboriginal land council. I want to read you this difficult but, I believe, extremely important letter today.

Having been taken from my family at seven years of age and put in police cells and then institutions, I had no trust for non-aboriginal people. A man was kicked to death in that same cell a week before they locked me in there. There was blood still on the doors. I was scared, crying all the time. Frightened, I couldn’t understand why I was put in the cell. From there I was sent to a boys home. I can still picture my mum weeping her heart out at the train station while I was taken. I couldn’t escape the carriage of the train I was put on. I didn’t see my mum for 3 to 4 years. This happened to me and my eight brothers. My older brothers stories are more horrific than mine.

I was placed in institutions, Yasmar and Minda. I was put there to get the aboriginal out of me. I was made a ward of the state even though I had parents. There are fifteen of us children. All the same mum and dad.

That was my first experience of non-aboriginal people. We had a strict welfare officer. He ruled with a rod of iron. I felt the brunt of a lot of that. The aboriginal people feared this man, he was a law unto himself. He never held back. Once he broke a branch off a tree and gave me a good hiding.

I was then sent to foster care where I was sexually abused, that was horrific.

When I came back to my family, I had no respect for anyone. I was out of control. Even as an adult, I still saw some police officers that did some wrong things to us. When we played up, they would take us in the police van, out past the cemetery and take our shoes off, flog us with them and throw them away into the bindies so we would have to run and find them in the middle of the night. The relationship between aboriginal people and non-aboriginal police was very bad.

When Kevin Rudd gave the apology, I cried right through it. It really touched me, but some Aboriginal leader had to stand up and respond to that apology. For me having someone apologize needed a response from an aboriginal leader to have reconciliation. Like it says, forgive us our trespasses as we forgive those that have trespassed against us. True reconciliation can eventuate if someone is allowed to stand up and respond to that apology. Something was started, but it has not finished ...

I have experienced such restoration, I even became a police liaison officer.

In 1997 my friend Ray had the knack of bringing people together. I will never forget him for what he did for us. Full of laughter, it was infectious. That rubbed off on me. When love comes into your life, the racism you have experienced, you just do not care about it anymore.

Relationships have been built over time with non-aboriginal people, I have ... felt the hatred and bitterness leave my life. The connection with Renee and her family is that. I have known her since she was a little girl and I vouch for her.

In 1997 when we met her family, there was an instant connection ... but I couldn't trust. But now, over 23 years, I know them. This family has my heart and I know they have ours. I see Renee as family ... and I know I am theirs.

My family is aboriginal, Renee's family is non-aboriginal. We have been reconciled. Our communities have come together. It's a small part, but if we can experience reconciliation, this nation can too.

When I read and heard that, I felt like I had been punched in the stomach. Here was a man who I had loved and known and walked alongside for 20 years – two decades – an absolute champion of the community, a community leader, somebody that seemed so rock solid, and I had no idea what he had been through. When we read this together, I cried and he cried, but all of a sudden I understood why there had been this incredible distance, and then looking back and seeing that distance dissolve just meant so much more. That was a realisation that would change my life and how I saw policy forever. This nation needs healing. There is a brokenness in this nation because people were treated differently based on the colour of their skin and based on race. That is a brokenness that I believe can only be healed by truly coming together and walking the path of reconciliation together, not divided but as one.

On the road to this treaty bill I did a lot of research. I read so many books. I wanted to understand all sides of the debate. I wanted to understand the very basis of the different ideologies. I read some things that made me rage, and I read some things that made me so broken-hearted. One of the things that was extremely eye-opening for me was a book by an academic – I am sure some of you are aware of it – whose name is Ibram X Kendi. The book is called *How to Be an Antiracist*. This ideology has formed the basis of many radical policies, including the Voice to Parliament that failed in a recent referendum. At its core its reasoning is this:

The only remedy to racist discrimination is antiracist discrimination. The only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination.

When I read that it disturbed me so much, so I began to go online and get books on the book. I just began to read different commentaries on Kendi's book and to think, 'Is this really what this is based off? How can we perpetuate the ill-treatment of people based on race?' Some people, I believe, were really writing from a place that was just so hard for restoration. Even though I do not agree necessarily with the message, you could see what they were saying, that in order to have the same outcomes in health and education, there had to be what they called positive discrimination, which meant in order to bring those numbers to the same level you had to positively discriminate against, for instance, a non-Indigenous child. In some health areas you need to have positive discrimination.

In these books they began to describe two types of discrimination. One is positive, if it begins to bring the levels up, and the other one is negative discrimination, if it widens the gap. I can understand the

thinking, but it also made me realise that if this continues, there is always going to be a nation that is not healed, that is not one, that is chasing its tail. I believe that what this does is lead to dehumanisation. If somebody is judged not on the content of their skin but on these other factors of difference, I believe that leads to dehumanisation, which in turn can lead to some of the most horrific atrocities. We have seen this dehumanisation take over our streets of late, and I think that we need to be very aware of our own thinking. I was reminded of the words of the great Dr Martin Luther King:

Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.

Surely discrimination on the accident of birth is wrong. I believe that we must break that cycle and not perpetuate it. This bill, I have no doubt, comes with the heart to redress historical injustices, but if we go about this the wrong way, I believe we could be creating a fresh cycle of injustice.

I think that there is some serious trauma that cannot be healed by what Kendi prescribes here. This is the reason that I will never vote for any policy that divides people along racial lines, because I believe that this is an inversion of the civil rights movement, the opposite – exactly direct opposite – of the equality that Dr Martin Luther King died for. It goes against the earth-shaking words he spoke from the steps of the Lincoln Memorial in 1963. I believe we need to come back to the heart of reconciliation that was articulated by early reformers, including William Wilberforce and the great William Cooper, who here walked for equality against the Nazis. This incredible Indigenous hero of our nation led a walk to the German embassy in protest against people being discriminated against and against a genocide that was happening on the basis of people's race. That is the true heart of reconciliation. I believe that we have to be careful never to abandon that heart.

In spite of the mistakes of our past, many have stood in this place with a dream of a shared nationhood where every man, every woman and every child stands as equals not only before God, who made us all equals, but before the law – each individual born a blank canvas, who through their own efforts can make something of their life. They can help a person; they can pull someone up. They can start a business. They can begin to reshape and change the world into a better place.

I want to finish with this. In the year 2000 Bill Clinton delivered what I believe was a world-changing speech. He stood in I think it was the East Room in Washington DC with Tony Blair. He said after years of research, he was announcing the completion of the survey of the entire genome. I am sure you remember the speech. He said:

Without a doubt this is the most important, most wondrous map ever produced ...

And I agree. Scientists all over the world had compiled millions and millions of pieces of data and had discovered that humans, regardless of race, wherever we got picked up from in the world, were 99.99 per cent the same. Clinton's speech is quite amazing. He said:

The most important fact of life ... is our common humanity.

That common humanity was proved by science – by scientists across six different continents – and millions and millions of pieces of data. It is our common humanity – that breakthrough of the human genome, of the commonality of DNA – that has allowed vaccinations to work universally and the code for breast cancer to begin to be cracked. He said:

It will revolutionise the diagnosis, prevention and treatment of most, if not all, human diseases ... Alzheimer's, Parkinson's, diabetes and cancer by attacking their genetic roots.

The only reason that we can actually do that, the only reason that scientific breakthroughs apply to us all, is because every human, regardless of where you are from, is 99.9 per cent genetically the same. To me, that is just incredible. You know, what is race? What is it that has caused us to divide people along these lines, to not value people, to weigh some people as more important, that has caused the most horrific divisions and atrocities in humanity?

I believe that as we stand here today we have to realise that reconciliation will not come from the Allan Labor Government or any political party. It will not come from the Liberal Party, it will not come from

the National Party, it will not come from the crossbench, it will not come from the Labor Party. It will not come from any bureaucracy. It will happen in hearts and homes, through stories and friendships, through connections, through bridging gaps, through love and forgiveness. I really believe that, regardless of the different methods that we come to this place to bring, reconciliation and nationhood are more spiritual than they are legal, so that is why I will be voting against this bill today.

Jacinta ERMACORA (Western Victoria) (20:24): I am very, very honoured to speak today on the Statewide Treaty Bill 2025. I want to first acknowledge my colleague in this chamber Sheena Watt, a proud Yorta Yorta woman, her wonderful contribution this morning and the work, the emotion and the investment that she must feel today translated into a beautiful speech on the treaty bill. I also want to acknowledge First Nations people in the gallery today, which I am not supposed to do. I know it is against convention to acknowledge the gallery, but today of all days this is as much your chamber as ours. And I also want to acknowledge that this hill that we are on right now, we call it Eastern Hill or Spring Street. I am not even from here – I am from the south; I am from Gunditjmara land – so I do not know the names exactly, but really it was used by the Wurundjeri Woi Wurrung people of the Kulin nation for gatherings and decision-making before this building was built here, before this chamber – as my colleague Mr Batchelor called it, this gilded chamber – was built on top of that piece of land that was already being used. So it might have been fine that perhaps our predecessors came along and wanted to take this land, but had they respected the nation who had custody of this land and negotiated an agreement to use the land, that then would have been a different thing; that would have acknowledged the legitimacy of First Nations people in this land, and it would have given an equal basis to agree on things. That did not happen. I will speak on that a little bit more in a minute.

I also want to acknowledge where I come from and the Gunditjmara people and the Eastern Maar people of south-western Victoria, where I have grown up. Despite going to uni here, I still live there. There are many people I know now, many people I have known for 20 years or more and some I have met more recently; a couple have passed on, so I do want to mention some names of people who have passed on. I am sorry, I am just going to give you a list, and it is not everybody. I am sure I am going to miss a few people, but I just feel like these people need to be in my list of people that have been important in bringing this state to this day: Robbie Lowe Sr, who spends so much of his personal energy telling stories – it must be exhausting, but he is very, very generous in telling those stories, because it has brought us along as a local community; Marcus Clarke; Joey Chatfield; Louise Chatfield; Rueben; Uncle Mookeye; Damein Bell; John Bell; Chris Saunders; Auntie Maude Alberts – first tour of Budj Bim, and what an awesome story that was; Joey Saunders; Erin Rose; Denis Rose – maybe I should have said Denis first as Denis is handing over; Jason Kanoa; Kevin Clarke; Auntie Hilary Saunders – what a great job they are doing at the Dhauwurd-Wurrung elderly health service in Portland; Tamika Amos; and Travis, who is here – a proud Kerrupmara/Gunditjmara man and Yoorrook justice commissioner.

There are three people that I would like to mention that have passed on. Alby Clarke passed away very recently, and he said to me a couple of months ago, ‘I’ve got nothing; we’ve not got our land back,’ and I think that the messages we get from elderly people, very elderly people – I do not need to say this, really, but they are so wise, and they cut it back to the core of what we all should listen to. I would also like to mention John Collyer and Banjo Clarke. I met Banjo at the first Sorry Day.

The challenge that Travis gave us was to join him, and more broadly all Victorians, to take that journey of truth and treaty. He asked us to listen with open hearts and minds and learn about what happened in the past and to reflect on the official public record that is now enshrined in the Yoorrook Justice Commission report. I had the great honour of joining the Walk for Truth at what is now known as Mount Noorat, but today is all about what happens in this white man’s chamber. Today really is the beginnings of rectifying what has happened over the last 200 years and has continued through to today. That wrong was not that our predecessors arrived but that there was no treaty, no agreement and no acknowledgement that this land was occupied by nations who had cared for these landscapes, their people, their culture and their spirits for thousands of years. In fact, more than that, Aboriginal people

were wiped from our history – massacres hidden and almost no mention at school. They were excluded from existence until 1967, unable to get work and obviously confined to poverty as a result. Then of course it is no surprise that diseases of despair set in, and then our community judged.

Moving on to what actually happened on this walk for justice from my perspective, it was quite random with my diary that it ended up being at Mount Noorat that I joined Travis and lots of other people on that walk, but it turned out to be very close to my own family's heritage and land as well. I just want to acknowledge that it is called Mount Noorat now, but the areas to the north, the south and east of Mount Noorat really belonged to the Keerray Woorroong people. One of the stories we heard that day was of a massacre near Glenormiston, where an entire family group was killed. Only two people survived – a young woman with a baby strapped to her back is my understanding. So from the top of Mount Noorat, we were looking out towards where Glenormiston is and where the massacre might have happened, from a distance. It was a pretty clear day actually. And then we looked across at other landscapes, and you start to see landscape through First Nations' eyes when you are standing there and looking. The same happened to me at Budj Bim actually: I thought it was very poor sheep country until I saw a city, an industry, a manufacturing system and ecological knowledge and scientific knowledge at Budj Bim. So I was very honoured to be standing up there at Mount Noorat.

From the top of Mount Noorat we looked west at the key features, looking through the eyes of Travis and other First Nations people. Then just for a moment I looked south, because I thought, 'Where's the ocean from here?' – because that would be a way that I could plot where my grandparents' farm was. I realised when I looked south that directly south between the ocean and Mount Noorat was my grandparents' farm at Nullawarre North, and I was pretty sure they got it off the government. So that night I asked Mum where her parents got their land from, and she said they bought it off the government. So I think we know who occupied that land before the government took it. That became, thanks to Travis, my Yoorrook moment.

I would say that maybe 20 years ago I thought we were a very civilised nation and that we were not formed with any wars and there was no violence and it was all very nice, thank you very much, and we are not like America and we are not like some of the other nations. I have taken that journey to feeling uncomfortable about the fact that my grandparents probably thrived or survived – they survived; they were ordinary working-class farmers, Labor-voting farmers, actually, and shearers – there are not many of them around, yes, but nonetheless – made a living and thrived off land that was taken from Keerray Woorroong people, and so that is not comfortable for me. I feel a certain shame in that, and I think in a sense that is partly what today is about and what this treaty is about. So I feel very, very honoured that I can be here in this chamber as a woman and as a country person to have my vote in support of a treaty, through which I know we are all going to be better off. My family will be better off and local Keerray Woorroong people will be better off if we are all strong and healthy and sharing the future together, and I believe that the treaty will provide that structure absolutely. There is no business with this equality business of treating everybody the same. We absolutely must give people who have been left behind a step up; there is no shame in that. We cannot just hide behind doing for everybody the same kind of thing.

Just briefly I will close with Niel Black and his contribution to this chamber. He was the owner of a lot of land around Noorat and Glenormiston, and that gave him the right to stand in this chamber from 1859 to 1880, and he was present for many of the decisions that my colleague Mr Batchelor referred to, which resulted in the discrimination and the pain and the devastation experienced by First Nations people. So it seems like full circle and a beautiful thing not only that I get to be here today and to say sorry and congratulations to everybody that has been involved but also that in a sense the First Peoples' Assembly is meeting in this room right where Niel Black was. By the way, it ended up that his descendent Niel Black more recently willed Mount Noorat to the community, and there is a positive story, a positive journey that has begun on that part of the story.

There are a lot of synergies about this building, both sad and opportunistic and positive and constructive, and I am deeply honoured to be here, standing on the shoulders of not only the First

Nations people whose work has brought us to this point but also my predecessors in this chamber and the other place who have worked so hard to build this contract that we have, finally, with our First Nations people. I am very, very proud to say that I will be in support, and I hope that there is no changing of minds. One minute you are in support, the next minute you are against it. You support it in 2022; you are against it in 2024. How can we trust you opposite when it comes to your position? Congratulations to everybody else involved.

Trung LUU (Western Metropolitan) (20:39): I too rise today to add my contribution to the Statewide Treaty Bill 2025. On such an important subject I too receive numerous calls, emails and correspondence from my constituents with various view on the matter, and I appreciate having frank discussions with a range of people about these topics. I thank all of them for their willingness to engage constructively and respectfully. But firstly, I want to acknowledge the Victorian Indigenous people and elders who are here today in this chamber and their connection to our nation's lands and waters and do so respectfully. I do understand that this debate may raise some concerns for them. There are challenging elements in this debate, which I acknowledge may cause some anxieties in the Indigenous community, and we must be mindful of that. But fundamentally this conversation or debate about implementing treaty in Victoria is about reorientating our future – the state's future and our Indigenous community's future – and how we can best respond collectively to the goal of closing the gap.

The Liberals and Nationals will not be supporting this bill because we do not believe this bill will make compelling steps to closing the gap for our Indigenous community. I understand many have advocated for and voiced the challenges our Indigenous brothers and sisters face and the magnitude of what our Indigenous Australians are experiencing. Working closely with some of our Indigenous communities over the decades in a personal capacity, I have seen and can appreciate the complexities and challenges that our Indigenous Australians face – things like discrimination, prejudice, bigotry, patronising behaviour and implementing legislation as if this group of people is less equal and less capable to fend for themselves or to think for themselves, to name a few that I have seen and witnessed. Due to unconscious biases, I understand how a lot of these laws are made, even with good intentions. At times these intentions disproportionately impact our Indigenous communities and, unfortunately, some do more harm than good. We can and must do better to address the impacts that these laws and advocacies have on Indigenous Australians. To advance a treaty I just do not believe is the answer, especially if the end goal is to improve the outcomes for every Indigenous Australian and secure a better future for, as it says in the bill, all Victorians, not one particular group.

This bill establishes Gellung Warl, comprising the First Peoples' Assembly of Victoria, to participate in government. In doing so, we are confirming that the system we have right now, elected by all Victorians, is failing us. Secondly, having two separate systems of government based on race and heritage will not be the answer to improving Indigenous Australians' lives. It will only divide our society, driving relationships between Indigenous communities further apart from the rest of our Victorian community. Why do I say this? Because in my short life on this planet I have seen, experienced and witnessed discrimination, prejudice and bigotry – those entities I outlined earlier. We have also seen our society advance, change and progress over the years to overcome such challenges – we have. You can call it intuition, foresight or wherever you like, but this bill we are debating today will set our society back to yesteryears, to what I have seen in my life, pitching one community against another, with one group more privileged than another, instead of declaring that we are all equal under the eyes of the law.

I deeply respect democracy. Having come to this country as a refugee at a young age, I have seen what some countries' democracies look like, and I am thankful for being an Australian in this country. Our democracy is a precious one, and it must be respected, nurtured and strengthened. This bill does not do that. Besides being very divisive, it weakens our democracy and, more than that, it is saying to Victorians, 'Your vote does not matter. The Victorian state will steer ahead, regardless of what you say.' This is probably just a number, but 54.1 per cent of Victorians voted no to a Voice to federal Parliament at the referendum in 2023. In my electorate, the Western Metropolitan Region, we saw in

Gorton that 60.9 per cent said no, in Hawke 64.3 per cent said no and in Lalor 53.1 per cent said no. I acknowledge that, whilst in the minority, many people did vote for the Voice. I hear that, and I respect all views – and we must respect all views.

We want equality of opportunity and to make the lives of all Australians better. I was elected to this place to champion for all residents living in the west of Melbourne – the wonderful west I represent and where I have vowed to be the voice of the minority and the disadvantaged. I want better schools, better infrastructure, more reliable public transport, equal access to health services and a cleaner environment, like many other people, and I want to advocate on behalf of all my constituents regardless of race, colour, heritage or religion.

I will keep this short. In closing I just want to say that while the Liberals and Nationals are opposing this bill – for good reason, may I add – it does not mean that we oppose better services for our Indigenous community or that we fail to recognise the generational disadvantage that our Indigenous brothers and sisters have endured. We recognise it and we acknowledge it, but we must do better. What it says is that we recognise that we as a society need to do better. We need to work together within the parameters of what is available to us and is at our disposal – systems that have withstood the test of time.

I am concerned that this bill is divisive. It is judging on the colour of your skin, and that is something we have been fighting for years and decades and centuries past, and in the long term it does more harm than good. It might not be what you want to hear, but it is a fact. It is what it is going to be. Furthermore, this bill for Victoria locks in standing funding starting at \$3 million next year and rising to \$70 million annually in 2028 – funding that is indexed automatically every year thereafter, outside the budgetary process and with the normal FOI processes withheld, pushing on the principle of transparency in government, which is something we have been fighting for. Over the next decade the funding for this bill will be close to \$2.7 billion, with the ability to request even more.

What I want to see from this government is clear KPIs on closing the gap for Indigenous communities, which the government is failing to do on a range of issues impacting Indigenous communities, including life expectancy, employment, incarceration, health, education and other vital services they are entitled to. This treaty does not set a binding target; there is no accountability provision whatsoever. With this in mind, I cannot in good conscience vote in support of this bill. It would not be in line with my principles as someone who values democracy, transparency, accountability, economic prudence and helping other people. We need to do better in closing the gap. We have got to find a way to find better outcomes for our Indigenous community.

Tom McINTOSH (Eastern Victoria) (20:50): I want to start by acknowledging all the traditional owners of the lands we are privileged to represent right across Victoria. I am proud that we have had truth-telling in our state, I am proud that for five years the elected First Peoples' Assembly has operated in Victoria and I am proud to be supporting this Statewide Treaty Bill 2025 here in Victoria. I am proud that we have implemented these steps and that we have listened to, worked with and walked with our First Peoples. I am proud that we have done the hard yards over the time, over that decade, in having our ministers go through truth-telling, which from listening to them has not been an easy process but has been one that has strengthened our government's resolve. The journey we have been on with the bill that this week we will vote to pass has been to get better outcomes. We have heard those opposite saying 'You, do better' to the government. We are saying we need to try something different. It does not matter whether it is us or whether it is you. We are here putting our hands up and saying, 'Let's try something different.'

Yet today we have not heard something different from the conservative politicians opposite, who want to stick with the status quo, who are seemingly incapable of progress and who think that progress will see the sky fall in. Not to trivialise what we are talking about here today, but whether we are talking about moving from plastic bags to paper bags, smoking in bars or seatbelts in cars, it is always too difficult. Treaty was an opportunity for those opposite to strive for better. Momentarily they were for

treaty. Only a few years ago they supported it, until they sensed a political opportunity to go against it – and they did. That is why I am proud to be in a party that has stuck to policies based on values, not opportunism, for a decade. We have heard today what I consider to be flimsy dog whistles as to why Victorians should not have a treaty with its First Peoples. The treaty would establish layers of chairs, committees, meetings and lawyers. Gee, that sounds a hell of a lot like what we have and what we do in here – and we all get paid pretty well to do it.

The assembly, which has existed for five years, will set its own rules, do things like have internal dispute resolution and have autonomy on decision-making. Now, read ominously into *Hansard*, that does sound pretty concerning. That does sound pretty risky, doesn't it? Until you have a think, 'How does a local footy club operate? Yeah, they probably resolve their own disputes and differences.' How does a not-for-profit work? How do sports clubs work? I think some of the language that we have heard today has taken pretty simple principles and made them sound incredibly ominous. Of course now the new idea that has blown in on the wind is a standalone department, a new bureaucracy – the same bureaucracies that those opposite are supposed to be against. But that is their eleventh-hour solution, a paternalistic bureaucracy to come in and carry on effectively the status quo. Why do the Liberals want more bureaucracy when we already have a democratically elected, representative body that represents all regions?

We have heard today from those opposite that not all Aboriginals agree on everything. I was blown away; I was stunned by that. But it is a good thing that we have 33 delegates, elected representatives, holding a whole variety of views of our First Peoples across our great state. I think this sort of idea that a multitude of views are not going to be heard is absolute rubbish, as is the notion that this body is going to just frolic off and do whatever it wants. It is a democratic body, first of all accountable to the First Peoples of Victoria, to be elected in or out, as we all are. It will be accountable to the Parliament, it will be accountable to IBAC, it will be accountable to the Ombudsman and it will be accountable to the Victorian Auditor-General.

On the matter of division, I am of Irish descent, so I feel a little for the idea that our First Peoples want a say in housing, health and education – matters that affect them. On the idea of having more say, I represent a region that has metropolitan, regional and rural areas, and particularly when I am out with rural communities, they want to have more say on matters that impact them. They do not want what feels like foreign bureaucracies telling them how their towns and their districts should be run, and to me, it is exactly the same principle.

We have heard today from those opposite that Aboriginal people and Victorians do not understand this. I was talking to a student in the last 24 hours, a grade 1 student, and I was trying to talk about what I would be doing today, so I wanted to simplify it. I actually thought, 'How do I simplify it?', and I thought of Adam Goodes's book. I grabbed it this morning, and I am glad I did, because apparently those opposite are not able to comprehend, or Victorians are not able to comprehend, why we are here. This is a beautiful book by Adam Goodes. I will just read a few pages:

For thousands and thousands of years,
Aboriginal people lived in the land we now call Australia.
The land was where people
built their homes,
played in the sun,
and sat together to tell stories.
When the white people came,
they called the land
Terra Nullius.
They said it was nobody's land.
But it was somebody's land.

I am glad it has been put in a kid's book. I think it simplifies it so that we can all understand it. Because I remember, growing up as a kid in regional Victoria, going up from our school to King Billy's seat and thinking, 'Wow, this thing is from thousands of years ago. What a distant, past, past thing that doesn't impact or affect any of us now.' As I have gotten a bit older and as we hear stories today, from Mr Berger about Lauren or from my colleague Sheena about connecting with her family – someone of our generation still connecting with their family now – and when we think back to the fact that treaties have been going on all around the world and 200 years ago the English were looking into this, I ask the opposition: what would they have done if they had been on the banks of the Yarra 200 years ago? And if they would have said no then, are they going to say no now? And if it is no now, when will they say yes?

Bev McARTHUR (Western Victoria) (20:58): I rise to speak on the Statewide Treaty Bill 2025, and at the outset I would like to thank my shadow ministerial colleague Ms Bath for the mountain of work she has done on this momentous piece of legislation. I would also like to recognise Ms Tyrrell from One Nation, who was not recognised by those on the other side for her contribution as an Indigenous member of this Parliament. I oppose this bill, and it is difficult to oppose it in so many ways. Every facet of this bill I oppose strongly. I oppose it in principle. I oppose it theoretically and politically. I oppose the language in the bill. I oppose its intent, the processes it creates, the bureaucracy, the expense. I disagree with the starting point of its advocates, and I do not believe for one minute it will deliver the outcomes they universally proclaim.

My opposition to this bill has only strengthened since 2022, when I spoke against its predecessor in this place. I do not doubt the sincerity of those who believe this bill represents progress. But sincerity is not the same as wisdom, and passion is not a substitute for principle. This state has already suffered enough from a Parliament, a media and a political class that too often give blank cheques to unexamined feel-good ideas. Too many failed measures began as legislated virtue signalling by the self-appointed moral elite, the activist class, the inner-city educated set who mistake emotion for evidence and outrage for argument. I have made that point at the start of many debates in this place, but this bill is the most serious example yet. Patronising, smug and sanctimonious people are utterly convinced of their own virtue and see dissent not as disagreement but as moral failure. They demand conformity, not scrutiny. I am sorry to say we have heard some of that this afternoon – perhaps we should have it up on a banner on the wall – we are not here to be popular, we are here to do the right thing. It is disgraceful that in this debate some have suggested that to oppose this bill is to oppose Indigenous people themselves. That is offensive, dishonest and beneath the dignity of this Parliament. If you do not support their policy, they say you hate the cause. If you question their proposal, they question your morality. It is a false choice. It is shameful politics.

Almost two years ago, Australia voted on what was described as a modest change to our constitution – the Indigenous Voice to Parliament. The result was decisive: every state rejected it. Even here in Victoria, a substantial majority said no. Across Western Victoria Region, every federal electorate – that is Wannon, Corangamite, Corio, Ballarat, Mallee and Hawke – voted no. They said no to enshrining racial division in our democracy. They said no to creating a separate class of citizens. They said yes to equality. They said yes to unity. Despite that, this Labor government has now introduced the Statewide Treaty Bill 2025. I have heard the claim that their electoral mandate in previous elections justifies it. That is quite simply laughable. As if those people voting in 2018 and 2022 had the first idea of what treaty meant. It is still impossible to know now, even as professional politicians with the benefit of the bill itself. To pretend the voting public gave Labor a mandate for this three years ago is either deliberately dishonest or disingenuous to Victorian citizens.

Under this bill, Gellung Warl will receive automatic escalating payments starting at \$24 million a year and rising beyond \$70 million by the end of the decade. Parliament will have no control over this funding, and the minister will have no authority to direct or oversee it. Hundreds of millions of dollars will be handed to an unelected, race-based body that is accountable to no-one. The First Peoples' Assembly can create its own electoral system, issue binding standards and demand that ministers,

departments and even the Chief Commissioner of Police develop policies in consultation with it. Every bill introduced to Parliament must include a statement of treaty compatibility, compelling MPs to adopt the government's ideological interpretation of history. This control of history should terrify us; the echoes of totalitarianism are unnerving. This framework gives Gellung Warl sweeping powers to intervene in almost any matter – planning, education, health, justice – since matters affecting First Peoples is undefined. It can direct inquiries, demand responses from ministers and even involve integrity bodies meant to oversee it. In short, it is a blank cheque for interference across government. It is a fourth level of government created for one group of citizens, funded by all and accountable to none.

This bill also creates an untested legal risk, locking us into the principles of the United Nations Declaration on the Rights of Indigenous Peoples, which include restitution of land, compensation and tax relief. It imparts an international agenda into Victorian law without public consent. The minister must tell Victorians what they will be asked to fund or forfeit. It is surely beyond reckless to legislate in a way that invites perpetual grievance and litigation. In 2022, when this process began, I warned that we were creating a bureaucracy of division, empowering the few at the expense of the many, and entrenching rather than eliminating disadvantage. I quoted Jacinta Price's maiden speech to the Senate stating her goal:

... to halt the pointless virtue signalling and focus on the solutions that bring real change ... that give them real lives, not the enduring nightmare of violence and terror they currently live.

Those words are as true now as they were then. She also said that those who have benefited from the Aboriginal industry have done so without effecting change for the most vulnerable. That is exactly what is happening here. Hundreds of millions of dollars are being poured into structures and committees that employ bureaucrats but deliver little for the people they claim to represent. Poverty, poor health and violence will not be solved by new officers of the First Nations people.

Even the consultation that underpins this bill is deeply flawed. As I have spoken about previously, only a small fraction of Indigenous Victorians voted for the assembly that negotiated it. It is certainly no mandate for entirely reshaping our state's governance. And now we have the extraordinary situation revealed by my colleague the member for Narracan, who read into the record a letter from Kurnai elder Aunty Pauline Mullett:

I write to express deep concern regarding the use of the term *Gellung Warl* in the Treaty Bill recently introduced to the Victorian Parliament.

Gellung Warl is a word from the Kurnai language, a language that belongs to our people, our ancestors, and our Country.

She continued:

To use our language to name a political body that the Kurnai people do not support is not only inappropriate it is harmful. It misrepresents our stance and risks turning our sacred words into symbols of a process we have not endorsed.

That letter should give every member pause. If the government cannot even consult properly on the name of the body, what confidence can Victorians have in its wider claims of respect and consent? On the topic of language, the Minister for Treaty and First Peoples Natalie Hutchins said in her speech in the second-reading debate:

... treaty ... is a commitment ... it is an affirmation of First Peoples' sovereignty and their rightful place in this place ...

'First Peoples' sovereignty', 'their rightful place in this place' – we need to think about those words seriously. What does it mean in a democratic state founded on equality before the law? Do First Peoples hold a different form of sovereignty derived from a different source? How does this coexist with parliamentary sovereignty and one person, one vote? And what of their rightful place in this place? We should stop for a minute. How does that fit with a bill that does not even alter the

constitution of Victoria? Either this is mere symbolism dressed up or it is the language of legal separation without the honesty to declare it.

At the state level alone we have extraordinary expenditure on the Indigenous problems, and on a conservative estimate we can suggest that approximately \$4 billion has been spent by Labor since 2014 on so-called targeted programs and services. Why has the gap not been closed then? On this side we do not oppose progress. We support initiatives that deliver real, practical solutions to close the gap. We believe in empowerment, not entitlement; partnership, not paternalism. We should measure outcomes, not intentions, to determine whether programs actually work and at what cost. Yet where in this bill is there any requirement for an accountable organisation or results? There is none – no accountability, no transparency.

In 2022 I quoted the story of Neville Bonner, and it is just as relevant today. The first Aboriginal Australian elected to the federal Parliament, he rejected the patronising and paternalistic attitudes that this bill revives. He once told of an encounter with former Labor leader Bill Hayden, who confronted him for handing out how-to-vote cards for a Liberal friend. ‘What are you doing handing out those cards?’ Hayden said. ‘We do more for you bloody Aborigines than those bastards do,’ said Bill Hayden. It was not the language that offended Senator Bonner but the assumption behind it that his race should dictate his politics and that he should be grateful for the handouts of others. His belief in liberty was like mine. It is fundamentally illiberal to treat any group within society differently to another.

I acknowledge the wrongs of the past and the continuing disadvantage faced by many Aboriginal Australians. But I am proud of a country that strives to help and offers opportunity to all. If there is disadvantage, we should treat disadvantage at that point of disadvantage no matter the colour of your skin, your ethnicity or your background. Liberal democracy rests on equality before the law and accountability to the people as a whole. This bill undermines that foundation. It takes us back to tribal division and competing identities. Australians want fairness, not division, unity, not hierarchy. The answer is ‘we, the people’ not ‘we, some of the people’. The truth is that this bill is a mess. Labor promised a place in this place but cannot explain what that means. They claim truth-telling but cannot even consult with those whose language they appropriate. They proclaim reconciliation but pursue power. It is like a bold, badly cooked soufflé. It looks grand on the outside, but the moment you touch it, it collapses on itself.

I believe passionately in reconciliation: real reconciliation, grounded in honesty, equality and shared purpose. But this bill is not reconciliation, it is separation. It is a monument to division. As I said three years ago, I cannot support something which I fundamentally do not believe in. It is wrong in principle, and it will not work in practice. Victoria does not need two governments. It needs one government that governs for all. We do not need two sets of laws. We need one law that protects everyone equally.

We are one, but we are many
And from all the lands on earth we come
We'll share a dream and sing with one voice
I am, you are, we are Australian

For that reason and for the unity of this state, I oppose this bill.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (21:13): Of course it would surprise no-one that I am speaking in favour of the historic Statewide Treaty Bill 2025, and I do it with immense pride. Today and this week will go down in history as something that many of us in the chamber will be incredibly proud of, and it reflects such continued effort and patience. We are going to get there, and I am just so grateful for those that have put their heart and soul into what is a monumental piece of legislation and a monumental change for Victoria.

Before I begin, I too would of course like to acknowledge the Wurundjeri people of the Kulin nations as the traditional owners of the land which I am speaking on this evening. I pay my respects to traditional owners, their culture and their elders past and present. I acknowledge their strength, resilience and continued connection to their country. I also want to acknowledge the traditional owners of the lands particularly where I live, the Taungurung people, and those that also span my large electorate.

I am, as I said, incredibly proud to be on this side of the chamber this evening, a side that is so profoundly committed to their belief in the transformative power that comes with being legislators. For too long, we know, our Aboriginal community have suffered and continue to suffer as a result of the devastating and ongoing effects of colonisation, as well as the entrenched systemic and structural racism embedded within our institutions. This is a fact. We see this disparity reflected in health outcomes, in justice outcomes and in schooling outcomes for Aboriginal Victorians, and we should not stand by and consider that this is satisfactory. I do not want to live in a world where your life expectancy is significantly shorter if you are Aboriginal, where you are significantly more likely to be placed in out-of-home care or you have trouble finding and holding employment simply because you are Aboriginal.

Governments across every jurisdiction have already spent huge sums of money trying to close the gap, but it is abundantly clear that the way things have been done in the past simply does not work, and to continue does not make a lot of sense. It has taken us far too long to acknowledge one very basic premise: we get better outcomes by listening directly to the people affected by government policies. I had a conversation 5 minutes ago with my 13-year-old son, and he said, 'What are you doing?' I said, 'I'm still at Parliament. We're passing treaty.' And he said, 'Oh, that's about Aboriginal Victorians, isn't it? What does it do, Mum?', and I simply repeated that. I said, 'It's about listening directly to the people and giving them a say on things that impact them.' He thought that was just common sense, and he said, 'Oh, I hope you win tonight.' We are going to win, man. We are going to win.

Self-determination is a fundamental right of First Peoples, and I have always accepted the evidence that the best outcomes are achieved when policies and programs are led and guided by Aboriginal peoples' knowledge and expertise, and we know in this regard this spans generations – centuries. As Treasurer I have spoken at length about the need for responsible fiscal discipline. Treaty is a direct example of effective spending. By directing government spending towards issues identified specifically by First Peoples, we are able to maximise the benefits and get the outcomes of that investment. As a former attorney-general I have acknowledged the criminalisation of social and economic disadvantage and the role of systemic racism as a contributor to the over-representation of First People in the criminal justice system. Treaty will address this. I want all Aboriginal children to have the same opportunities and outcomes as non-Aboriginal children currently have. I truly believe that treaty will achieve this change. It is practical to make sure First Peoples get a say over their health care, their family's housing, their kids' education and the practice of their culture now and into the future.

This is a historic moment for all Victorians. Treaty has been almost a decade in the making, and it would be impossible to name everyone that has contributed to this. It does build on a simple fact of looking at international experience, but it really takes a look at and accommodates Victoria's unique legal and political circumstances and history of colonisation. Of course many people have recounted the numerous people who have spent decades getting us into the position we are in now. I speak of the invaluable contributions from Uncle William Cooper and Uncle Alf Bamblett; from Auntie Jill Gallagher; and from Jim Berg, whose son Rueben is now proudly continuing the charge as part of the First Peoples' Assembly. The resilience and strength of previous generations of Aboriginal elders and communities have never been more apparent than they are today with this bill in this chamber. I would specifically like to call out Rueben Berg and Ngarra Murray, co-chairs of the First Peoples' Assembly, for the mountain of work they have done. I have had the opportunity to meet so many advocates, stakeholders and champions from the Aboriginal community, and I am sure I will miss some people,

but I just did want to list some names because these are people that have had an influence on me since I have been involved in politics and since I have had the honour and the obligation to use my position to better the lives of Victorians.

The people that I have met from the Aboriginal community that have educated me, have sat down and talked me through issues and have helped me identify solutions have provided a lot of motivation for one of the reasons that I am in this place. It is the reason that I want to help them make a difference, because they have contributed so much to society, and what they are asking for now is really evident in this bill. But of those that I have had the pleasure of working with, I do want to acknowledge current and past members of the Aboriginal Justice Caucus, especially Chris Harrison, Marion Hansen, Uncle Bobby, Nerita Waight, Antoinette Braybrook, Allan Murray, Pamela Pedersen, Paul Briggs, Marcus Stewart, Matt Burns, Prue Stewart and Mick Harding. These are people that have come into my life since I have been a member of Parliament from the justice portfolio, from my local community portfolios, from the art communities that, as I said, have just taught me so much about their culture and have given me a reason to want to walk alongside them in so many areas of public policy but particularly culminating in treaty. I want to shout out to those who have participated in the Yoorrook Justice Commission and members of the treaty assembly.

It goes without saying that Aboriginal leaders are the reason that we have got here, and they have been able to achieve this by working closely with some really strong non-Indigenous champions. I would reflect on the past work of Rob Hulls, Gavin Jennings, Gabrielle Williams, Chris Couzens and the mighty Nat Hutchins, somebody who was so committed to treaty. She started it and she is bringing it home. To her and her team, thank you so much, and thank you to the public servants that have worked on policies that better the lives of Aboriginal people and those that have worked on this treaty bill. Immense work went into that. It is a really difficult role for many public servants that work in the Aboriginal policy space, particularly those that are First Nations themselves. They are often torn a little bit between community and government and trying to get the best outcomes. It is a challenging role, and today there are many, many people that can feel a sense of achievement and pride for what has been delivered. To Sheena Watt – I am so proud of her. She reflects regularly on the people that brought her here, the people that carried her here, the stories of her culture and the people that have helped champion her to be here. She often reflects, and she uses language like, ‘I stand on their shoulders.’ She is now one of those people that are going to be talked about like that going forward. You should be incredibly, incredibly proud, Sheena.

I do not want to reflect too much on those that are opposing the bill. I have been a bit disappointed in some of the comments today, but actually I am pretty sure people will reflect on those and regret some of those comments down the track. I think that choosing to turn your back on First Peoples today is something that you might regret at some stage. When you choose not to listen and when you choose not to use the opportunity of your position to do what is right, I think that is immensely disappointing. I will end by saying that I strongly believe that the only way we stay on the path to closing the gap and righting the wrongs of history is when we listen and when we act. That is, frankly, what this bill does. Treaty is about a better future for all Victorians, and to that end, I commend the bill to the house.

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (21:24): Can I firstly acknowledge the traditional custodians of the country on which this Parliament stands, the Wurundjeri Woi Wurrung people of the Kulin nations. I also acknowledge the traditional custodians of country across all lands and waters now known as the state of Victoria. I pay my respects to their elders past and present. I acknowledge the First Peoples who are here with us today and who are watching this online. I acknowledge the profound impact of colonisation and the role that governments have played in historical injustice towards First People in Victoria, including the disconnection from country and culture. I acknowledge the strength and resilience of First Peoples in Victoria who have faced historical and ongoing injustices and the courage and resilience it has taken to advocate for and negotiate this treaty. I want to acknowledge all of the Aboriginal stakeholders in my portfolio, those that I work with on a daily basis. I acknowledge the work that they do and the

gracious way in which they share their knowledge and their culture with me. Just last week I had the privilege of attending the Aboriginal Children's Forum, a key policy forum in my children portfolio, and we have achieved so much together. By listening and acting we are achieving real outcomes. The Community Protecting Boorais program and expanding the Aboriginal Children in Aboriginal Care program are key examples. They are the real outcomes that only occur when you listen to and work alongside First Peoples and then act when they tell you what is in their and their children's best interests.

This week we are introducing legislation that removes time limits that prevent children in child protection from reuniting with their families, delivering on recommendation 25 of the *Yoorrook for Justice* report by the Yoorrook Justice Commission. The commission found in their report that strict time limits for reunification have led to consequences that are unfair and harshly felt in First Peoples communities. We needed to fix this legislation, and that is exactly what we are proposing to do. In the last budget, I was delighted that we were able to deliver almost \$25 million to further enhance Aboriginal-led service delivery, including expanding the Community Protecting Boorais program. The funding also strengthened the Aboriginal Children's Forum and the Victorian Aboriginal Children and Young People's Alliance. The funding was a direct result of listening to First Peoples on their priorities in the budget process. It also delivered \$5.3 million to give Aboriginal community controlled organisations more kindergarten funding and more flexibility in how they use it. This increased funding will better enable ACCOs to deliver the tailored kindergarten programs they think are important that respond to the needs of their local communities, improving outcomes for First Nations children and advancing self-determination. ACCOs will also benefit from reduced administration and reporting requirements, again reflecting feedback I received from those discussions with ACCOs.

When Aboriginal people determine what is in their and their children's best interests, we get better outcomes. This legislation that is before us today is a historic piece of legislation. It is indeed a historic moment for our state and for our country. The bill is the culmination of the work of more than 7500 Aboriginal community members from across our state who have been engaged in the work to further the treaty process in Victoria. I thank and commend each and every person who has been part of the process. Over many years there has been an incredible amount of effort put into the process to get to today. It has involved consultation, listening, discussion and negotiation. It required patience, determination and resilience. Every voice and every contribution has been important.

And whilst I say that, I want to pay particular tribute to Minister Hutchins. In 2015, as Minister for Aboriginal Affairs, she first heard the calls for treaty as she travelled around Victoria listening to the voices of First Peoples. From Robinvale to Lakes Entrance, she was there to understand communities' priorities. As part of every discussion, she heard a call for systems to be changed and a new relationship between First Peoples and the state. Not only did Minister Hutchins hear strongly the voices of the First Peoples of Victoria, she acted on them, and she brought a proposal for discussion on treaty to the government. With the government's blessing, in 2016 Minister Hutchins set up the Aboriginal Treaty Working Group. Consultations were held across Victoria and guidance sought on how an Aboriginal representative body could operate. Then in 2018 she led the establishment of the Victorian Treaty Advancement Commission with Dr Jill Gallagher – again I acknowledge Ms Watt's contribution today and her remarks about Dr Jill Gallagher – and Dr Jill Gallagher was then appointed as the commissioner. Following the work of the Aboriginal Treaty Working Group, the commission led the delivery of recommendations on the design of the Aboriginal body. As Minister Hutchins said at that time, the appointment of the commissioner was a landmark next step towards establishing the Victorian Aboriginal community and the Victorian government as equal partners in the treaty process.

Also in that same year, the government introduced Australia's first ever treaty law, Advancing the Treaty Process with Aboriginal Victorians Act 2018 – the treaty act – into the Victorian Parliament. In March 2018 Minister Hutchins joined members of the Aboriginal Treaty Working Group and the Victorian treaty advancement commissioner on the floor of Parliament to speak to that bill. The treaty act set out a road map towards treaty negotiations. It reflected the intent to work in genuine partnership

with traditional owners and Aboriginal Victorians to give meaningful and practical effect to the right to self-determination. Under the leadership of this government Australia's first ever treaty legislation was made law, with the Advancing the Treaty Process with Aboriginal Victorians Bill 2018 passing on 21 June 2018. In her time as Minister for Aboriginal Affairs from 2014 to 2018, and then again in the last two years as Minister for Treaty and First Peoples, Minister Hutchins has worked sincerely and decisively alongside First Peoples. She has backed First Peoples every step of the way. She has added to strengthening Aboriginal cultural heritage protections, handed back significant sites to Aboriginal communities and removed first mortgages, alongside this significant work of treaty making. First Peoples' Assembly members have spoken of their admiration for Minister Hutchins, including Ngarra Murray as assembly co-chair, who recently thanked Minister Hutchins on behalf of the assembly for her incredible contribution to treaty over the last decade. I want to pay tribute to my colleague and friend and thank her for her leadership, strength and determination to fight for what is right. Minister Hutchins has made an incredible contribution in her time in Parliament, and this legislation – what it means for Victoria, our nation and particularly our First Peoples of Victoria – is a significant part of that.

We know treaty works. While this legislation is nation leading, we know that we are far from the first to walk this path. In fact Australia is the only comparable Commonwealth nation without a treaty with its first people. Victoria is joining New Zealand, Canada and the United States, which have acknowledged first peoples in the establishment of treaties. All three countries have both historical and modern treaties. The experience overseas demonstrates that lasting improvements can be achieved through treaties which establish first peoples institutions such as Gellung Warl with decision-making powers to make sure their communities can design and deliver practical solutions for their communities. In New Zealand since the 1970s the creation of the Waitangi Tribunal and a series of treaties have brought progress. A number of individual treaties with Māori tribes have brought cultural recognition, land and financial compensation. These treaties have supported Māori self-governance, economic development and language and cultural revival. The treaty process has also helped to promote reconciliation and create more equal partnerships between the Māori and the New Zealand government.

There are modern success stories of treaties in Canada too. Modern treaties in Canada have shown that, when fairly negotiated and properly implemented, they can help First Peoples communities achieve greater self-determination and economic stability. Agreements such as the James Bay and Northern Quebec Agreement in 1975 and the Nisga'a Treaty of 2000 in British Columbia provide evidence of this progress. Through these treaties self-governing institutions have been established, and there is improved access to education, health care and infrastructure. As an example, through the Nisga'a Treaty, First Peoples now manage their own schools, health services and local governments – practical changes towards real autonomy that the historic treaties never achieved. In Canada evidence shows that modern treaties have been able to build on earlier ones in supporting indigenous rights, preserving culture and building more equal partnerships between First People and government.

In the United States, treaties between first peoples and the federal government have also led to lasting success. The Fort Laramie treaty with the Sioux became a key legal basis for land rights, leading to a major Supreme Court ruling in favour of the Sioux nation. In the Pacific Northwest the 1850s treaties guaranteeing fishing rights are upheld by the Boldt decision of 1974, giving tribes co-management of salmon fisheries and boosting their economies. Although many earlier treaties had failed in the US, these examples have proven that treaty is a successful mechanism to support indigenous sovereignty, resource rights and cultural survival.

The experiences of New Zealand, Canada and the United States demonstrate that when you ensure first peoples can make decisions about the things that impact them, practical improvements to socio-economic outcomes can be achieved. The Statewide Treaty here in Victoria was built on the learnings from effective treaty models overseas. The development of Gellung Warl drew on the experience of

comparable international treaty jurisdictions while also allowing local innovation designed for Victoria's unique history and legal circumstances.

In summing up, sadly I want to correct the record on comments Ms Crozier has made on the bill in relation to St Vincent's Hospital today. At the outset, this policy has been reported to have been introduced in April last year. They did not require the legislation before us today. The only link between the bill before us today and this policy is that this bill will require consultation with Gellung Warl on appointments to health boards. The purpose of this is to strengthen Aboriginal leadership on government boards. If you oppose this purpose, then you should say so.

On some other elements, I want to also clarify for the record that clause 7 sets out that Parliament is sovereign. This is a bill of the Parliament. It is still sovereign. Clause 8 says that there are no coercive powers. Information requests by Gellung Warl and the need to table treaty compatibility statements are not binding. The Parliament will continue to debate and pass legislation as it wishes. There are no legal consequences. This is instead about a new relationship with First Peoples. The minister will administer the act and ministerial oversight of the act will remain. The bill sets out that she cannot direct the Gellung Warl in their operation of the act or what Aboriginal community controlled organisation should receive funding under the infrastructure fund, for example.

Gellung Warl is subject to all oversight bodies: IBAC, the Victorian Auditor-General's Office and the Ombudsman. The opposition have said that Aboriginal people are not homogenous. That is why we will have a 33-person elected body to represent those diverse views. This does not change the Victorian constitution. The name of Gellung Warl has been approved by the Gunaikurnai Land and Waters Aboriginal Corporation after consultation. The community members mentioned by those opposite are not native title holders for Gunaikurnai.

In conclusion, it really is an absolute honour and a privilege to represent Minister Hutchins in this place and to have a small role in moving this bill forward for the more than 7500 Aboriginal community members from across our state who have been engaged in the work to further the treaty process in Victoria. If passed, the Statewide Treaty Bill 2025 will evolve the successful First Peoples' Assembly as a body that can represent First Peoples and make decisions within our existing parliamentary and democratic structures. It will be an important next step for all Victorians on the path to reconciliation and improved outcomes for First Peoples in Victoria. I believe in treaty. I will be very proud to tell my daughter that I voted for it, and I urge those opposite to think how they would like history and their children to think of them.

Council divided on motion:

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

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

Motion agreed to.

Read second time.

Lee TARLAMIS (South-Eastern Metropolitan) (21:43): I move:

That the bill be committed to a committee of the whole on the next day of meeting.

Motion agreed to.

Building Legislation Amendment (Fairer Payments on Jobsites and Other Matters) Bill 2025*Second reading***Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (21:44): I rise to make a contribution to this particular bill, the Building Legislation Amendment (Fairer Payments on Jobsites and Other Matters) Bill 2025. I make the point that the opposition will not oppose this bill. It is a bill that does some worthy things, but we have some reservations about it. It amends the Building and Construction Industry Security of Payment Act 2002 as part of the government's response to the parliamentary inquiry into employers and contractors. It amends the Building Act 1993 to improve the effectiveness of the Victorian Building Authority as a regulator. God knows the VBA needs it. It has struggled over so many years.

Harriet Shing: It doesn't exist anymore, mate.

David DAVIS: Well, whatever you want to call it. You can call it whatever you like, but the building regulation in this state has been a shambles, as you well know. It has been trading as the Building and Plumbing Commission, more correctly, but it is the VBA by another name. The bill improves the regulator's effectiveness by delivering building surveyor and building inspector registration reforms, by enabling the commission to create a code of conduct for licensed and registered plumbers and by making minor changes to a number of the information statement requirements for building surveyors.

It also delivers a number of changes to the Planning and Environment Act 1987, widening the scope of enforcement orders by VCAT to require native vegetation offsets, amongst other remedies. It will be interesting to see how that is applied, as the government applies its high-rise, high-density matters in the city and as it rolls over vast areas of vegetation, some of it native vegetation and some of it not. But it will be interesting to see whether any native vegetation is protected in the city as they push to have high towers and dense developments – I suspect not.

Mr Welch and I have both been very concerned about the intense development that is proposed along a number of creeks in the middle of metropolitan Melbourne, where there is significant native vegetation that needs to be protected. I will bet my boots that not much of that is protected by this bill and that the government will roll over that, as it intends to do with its forced high-rise, high-density development. Good luck to those who want to protect native vegetation, because that is not what this government is about. It is about rolling over native vegetation and damaging it as much as it can to cause as much devastation across our suburbs as it can possibly achieve.

The security of payment act was enacted in 2002 and has been amended a number of times since. The need to make sure that there are fair arrangements there is legitimate, and there are some matters which are legitimate. This aims to improve the fairness and security of payments for subcontractors and contractors in the building and construction industry. The 2023 parliamentary inquiry had nine recommendations and 28 findings. Its protections for subcontractors were put into two tranches: hierarchical structure of the industry and late, non-payment or underpayment. There is also an additional aspect about unfair contractual provisions. A number of these are important steps that the bill does address in part.

The bill has a high level of contractor and subcontractor focus, but it also creates a number of concerns for builders. The legislation focuses on a number of these areas, as I say, aimed at enhancing protection for contractors against non-payment for partial or completed work. This is the first, we are told, of several potential bills dealing with the financial arrangements in the building and construction industry that are expected to come to the Parliament over the next period. A number of the reforms in this bill remove the excluded amount regime. Contractors can now claim for scope variations, delay costs, latent conditions and legislative changes that were previously excluded. It removes reference dates.

Instead of relying on reference dates, claimants can make one claim per calendar month. The summer blackout period is from the end of December to 10 January. Enforcement and adjudication timeframes are suspended. On time limits, payments must be made within six months of performing the work. In terms of faster payments, respondents must pay progress payments within 20 business days of a claim being issued, so this does speed some aspects up. On the adjudication changes, respondents can only rely on reasons set out in the payment schedule. No new reasons can be added later. Unfair contract terms and notice-based time bars can be declared unfair and unenforceable. And on performance security, there are new statutory rights for the release of and restrictions on recourse to performance security – for example, bank guarantees.

As I said, there are changes in respect of surveyors and inspectors and reforms to the registration system. There is a plumbing code of conduct, which authorises the development and enforcement of such a code by the Building and Plumbing Commission, as outlined by Ms Shing a moment ago correctly with the new name. Other legislation amended is the Environment Effects Act 1978, the Planning and Environment Act 1987 and the Heritage Act 2017.

There is retrospective application. We are always cautious about retrospective application, and that makes us cautious on a number of these points. On the industry impacts, the reforms are expected to increase the number and value of payment claims and adjudications, requiring businesses to update contract and administration practices and improve payment transparency and fairness with respect to contractors. In effect, unpaid and delayed invoices have been a significant concern in the construction sector, with subcontractors often feeling the biggest pressure. In theory, this should make dispute resolution faster and more effective, but we will see as it comes forward if it actually operates in that way. The bill is part of a broader framework of reforms designed to protect consumers and workers by reinforcing confidence in the building industry, and to that extent we see some positive side to this.

The opposition, however, has a number of concerns. We do think there will be increased disputes and adjudications, and this will add to legal costs, as principals and head contractors may dispute more claims, so this will be something of a lawyers' picnic. Cash flow for principals is an issue. They will be required to pay out larger progress claims, even for disputed or unproven amounts, until the dispute is finally resolved. There is a risk of overpayment if a claimant is later found to be not entitled to the amounts. The principal may face some significant challenge in recovering paid funds. And I know the President understands these sectors of the economy very well.

A greater administrative burden is a significant aspect of this too. Respondents must carefully review and respond to a wider range of claims, increasing the administration workload for contract managers and legal teams with tighter timeframes and likely more complex documentation compliance. There is a risk of overlapping claims due to the removal of reference dates, whereby claimants can submit one payment claim per calendar month, which may lead to disputes or overlapping claims for the same work. We think these are legitimate points to raise. Respondents may be barred from raising new reasons for adjudication. Respondents will only be able to rely on defences and reasons set out in the payment schedule.

In terms of retrospective application, as I said, there are some issues here. Parties who negotiated contracts under the old regime may find themselves noncompliant and needing to renegotiate terms. That does seem to be patently unfair. It may well have been better if this had been written in such a way that this was a prospective approach. There is a question of flexibility for principals. As I said, there is a requirement to give five business days notice before calling on retention money, and this may delay urgent action in cases of genuine contractor default.

We should have a system that is fair, we should have a system that works smoothly, and we should have a system with the minimum legal input and legal costs. In that sense it is not clear that that has quite been achieved. Very much we look at this bill and we say that on balance this is not a bill that we want to oppose because there are some legitimate aspects that are being addressed, but there are also potentially other new and unfair aspects that may result. Certainly there has been significant

consultation on this. While many in the building and construction industry acknowledge there are issues around payments to subcontractors, this legislation attempts to reconcile delays. But there is no great clarity that it has actually struck the right point. Overall it is a bill that we do not want to oppose, but we do have those legitimate reservations. Let us also be clear: the Victorian Building Authority – or the building commission, or whatever you want to call it these days – has had a tawdry history. It is being slowly cleaned up. That is a positive set of steps. I know the work that is being done there is significant. We do need a construction sector that has proper oversight on a number of levels.

We have seen in recent weeks and recent months very significant stories come forward about the corruption and problems with the CFMEU. This is the other part of the construction sector that the government refuses to properly grapple with. I know the government tries to say that this is a federal matter. Well, it is not quite true. They actually can do a lot on government sites here in Victoria, and they choose not to do much on those government sites. They choose to turn a blind eye, by and large, to the corruption, to the bikie gangs, to the frank misuse of public money. It is no wonder that there are huge surges in cost for these projects when you have got frank and outright corruption running rife through government projects across the state. There is a huge amount of cost overrun in the major projects, more than \$50 billion, that is \$50,000 million. This is not the cost of the projects, this is the overruns.

People are talking today on the TV about the West Gate Tunnel. Well, the West Gate Tunnel is a case in point. It is at least twice its original estimates, and it is three years late. It is massively, massively mismanaged by this government. It was a Transurban market-led proposal, almost certainly corrupt the way the then Treasurer Tim Pallas was led along by Transurban and later had staff of his over there at Transurban very quickly, within months.

Ryan Batchelor: Go outside this chamber and say that.

David DAVIS: Well, you cannot tell me that what I am saying is wrong. You cannot; it is actually right. Everyone knows it was crooked. Everyone knows it was corrupt. The market-led proposal: they saw them coming, and God knows what money changed hands on this to grease the wheels on this. The involvement of those staff who quickly hopped over to Transurban – I mean, it was just shocking.

Ryan Batchelor: On a point of order, President, on relevance, I am not sure this part of Mr Davis's contribution is relevant to the bill before the chamber.

David DAVIS: On the point of order, President, I am talking about the construction industry. I am talking about fairness. I am talking about payments and the regulation of the construction industry, and I have brought one aspect of that regulation, amongst others, to the chamber's attention. One of those relates directly to the regulation of the industry, the role of the CFMEU and corruption within that sector.

The PRESIDENT: Thank you for that point of order. I was going to call Mr Davis back to the bill, but given that it is 10 o'clock, pursuant to standing orders, I need to call the minister.

Business interrupted pursuant to standing orders.

Ingrid STITT: Pursuant to standing order 4.08, I declare the sitting be extended by up to 1 hour.

David DAVIS: As I said, my concerns on these matters are that massive government spending is occurring. Of course the construction sector is much more than government spending – there is the whole private sector – but the government is a significant purchaser of construction in this state. The government has not always been a good payer. One of the things I would say about security of payments is that the government has not always been a good payer – but it is a good payer if you have got one of those construction arrangements where the CFMEU is involved. Then it pays, and it pays very, very well. You can get onto the gravy train and you can get the payments – the massive surges in payments. In many of these parts of the construction sector we have got the alliance model operating, which is a very generous model for the head contractors and many of the contractors who

are lower down the chain. The decisions are made – it is almost like a cost-plus contract. President, you will understand what I am saying here. In the olden days, you would sign up for your house and you would do a fixed price, but you could also do a cost-plus arrangement. They were always much harder to keep on track and keep costs under control for if you were the purchaser. It is very much like the way the alliance contracts are now working in this state. We see these contracts surging absolutely out of control because of the cost control weaknesses inside this government.

On top of that, as I say, there is the corruption that is associated with the bikie gangs and the CFMEU. We strongly support fair regulation of this industry, but we do not think subcontractors should be targeted because they are not CFMEU-linked. We do not think the CFMEU should act as the gatekeeper on sites. We do not think the CFMEU should be in a position where they can bring in a bikie gang member to enforce their view on a site or on a major project. We think that is wrong, and we think that one of the things in the construction sector that has got to be more directly and more fully addressed by this government is this problem that has developed.

Let me be clear. In 2015, after the government had changed – within a month of the government changing in January 2015 – one of the first things Daniel Andrews and his brand new government did was get rid of the code unit in the Department of Treasury and Finance. The code unit required those who were employed on major public sites to sign up to a construction code. It required compliance with legislative arrangements, federal and state, but it also laid out a code of practice for how you could behave on these sites. It was a requirement that you signed up to these details if you were undertaking work on a major government project. You did not win the contract unless you agreed to sign up to the code unit requirements and the construction code in Victoria. That did clamp down on a number of the rorts and the corruption on those sites. It was actually bitterly fought by certain parts of the union movement, but it did actually help constrain the blowouts that had been part of costs under the Brumby government. But Daniel Andrews abolished that code in January 2015, and we have seen the surge in costs on projects and we have seen the inability of government to constrain the corruption on sites ever since. So in this bill the security of payments is absolutely important, but the wider context in the construction industry is that we also need to make sure that the behaviour in the industry is fair, that those who are not union members are not targeted and that those contractors who wish to offer prices that are competitive but who are not liked by the CFMEU are able to make those bids and are not in fear of their life or in fear of their business and their future in the sector.

I am a person who keeps significant scrutiny on the government through freedom of information. At the moment, we are waiting for a decision on a freedom-of-information case that relates to two documents. These are briefings to Jacinta Allan, the then Minister for Transport and Infrastructure. She is obviously now the Premier. Those two documents, 25 pages in total between the documents, are documents that were emailed to Jacinta Allan in her capacity as minister for transport infrastructure. So it is a job email. It is not a personal email. The government, the agency, the Department of Transport and Planning, has refused to release those particular documents.

VCAT is obviously going to have its say. But you know what? What was extraordinary in the public hearing that occurred is that just about 15 minutes before the end of the hearing time, the government introduced a new ground for retaining the documents: section 33(2A) of the Freedom of Information Act 1982, that the security or the safety of individuals may be compromised. Now, my point in open court was to say, 'Well, you are introducing this now, well over 12 months after this matter started. You are introducing it 15 minutes before the end of the hearing. You have not produced one scintilla of evidence,' but the actual assertion essentially was that somebody would be harmed by the release of this information.

It is a dangerous business in this construction industry. President, you understand, having worked in the sector, there is danger on work sites on a number of levels. There is a need for good occupational health and safety. But that was not the danger that was being referred to here. This was a danger that somebody might hurt or threaten somebody because information had been released. I must say, claiming section 33 in this way is quite a new twist, quite a new weave, from this government. It does

point to the serious risks that exist in our community with the CFMEU rampant, with the very significant threats. We have seen Indigenous workers – we have just seen the Statewide Treaty Bill 2025 pass through its second reading vote – but we know that on some of these work sites, if you are not in the right group that the CFMEU has ticked off, you are in the wrong group. An Indigenous group that is not ticked off by the powers, the motorcycle gangs on the sites, will be drummed out. That is what has happened. Certainly I had representations and other government ministers had representations. There is no doubt that Jacinta Allan had representations as well, but she chose not to act on these matters.

We are dealing with some issues of fairness and unfairness in the construction industry, but other issues are too hot for this government to handle. They do not want to touch anything that touches the CFMEU, anything that touches the motorcycle gangs, anything that touches this frank corruption on our business sites. It is no wonder the costs are out of control. I say we have got to properly regulate our building and construction sector, the public sector, but the private sector side of it as well. This bill is a small contribution, but there are large licks of territory that have not been addressed.

Ryan BATCHELOR (Southern Metropolitan) (22:10): I am pleased to rise to speak on the Building Legislation Amendment (Fairer Payments on Jobsites and Other Matters) Bill 2025, a bill which is the latest in a series of pieces of legislation the government has brought to the Parliament to improve the building and construction sector. It is part of a series of reforms that this government is making to make sure that there are more homes being built in Victoria, because we want to give all Victorians the opportunity to own a home in the communities that they love. That is at the core of what has been driving the housing agenda, the building agenda and the planning agenda, that are being pursued by the Allan Labor government.

What we are doing in this state as a result of the policy directions of this government is we are approving more homes to be built than in any other state. We are starting construction on more homes than any other state, and we are completing construction on more homes than any other state in the country. There are more approvals, more commencements, more completions of homes in Victoria than in any other jurisdiction – more than New South Wales, which is a larger jurisdiction than Victoria. There are more people in New South Wales than there are in Victoria, but we are building more homes right here in Victoria than anywhere else in the country. That is as a result of a government that is determined to see Victorians have the opportunity to buy a home in the communities that they love – that is what is driving our policy agenda. That is what we want to see: more homes being built so that more Victorians have the opportunity to have a place of their own that they call home in their communities. That is exactly what we are doing.

And unlike the Liberal Party, unlike those who want to block and say no to people having homes, we want to make sure that Victorians can have a home in the communities that they love. That is why our reforms, whether they are in planning, whether they are in building, are demonstrating that we can approve more homes, we can commence more homes and we can complete the construction of more homes than any other jurisdiction in this country. This legislation –

David Davis interjected.

Ryan BATCHELOR: In fact we are miles ahead, Mr Davis, of any other jurisdiction. What these reforms today are doing is putting another reform piece in the reform agenda. Over the last six months we have introduced and passed the Building Legislation Amendment (Buyer Protections) Bill 2025, which creates the new Building and Plumbing Commission, replacing the old Victorian Building Authority and creating a one-stop shop for building complaints and concerns. We have also recently introduced and passed the Domestic Building Contracts Amendment Act 2025, which significantly reforms the regulatory system for domestic building contracts, giving officers more power to order rectification and defective building works when disputes arise.

Victorians deserve a building regulatory system which gives them the confidence they need to build, buy and rent homes in this state. This bill, the fairer payments on job sites bill, delivers again on our commitments to do just that. It also delivers on the commitments made in the government's response to the parliamentary inquiry in 2023 into employers and contractors who refuse to pay their subcontractors for completed works. This bill makes amendments to the Building and Construction Industry Security of Payment Act 2002, implementing 15 reforms recommended by the inquiry, reforms that will improve a subcontractor's ability to recover payments for completed construction work and goods and services supplied to a construction project. All these reforms will improve outcomes for all participants in the building industry, including practitioners, including subbies, including consumers, industry associations and others. It is part of a broader package of reforms that the Allan Labor government is making to Victoria's building regulatory framework. It continues our strong track record of nation-leading reforms to lead the nation in construction, to lead the nation in commencements and to lead the nation in completions of new homes.

The main change in this bill is to the Building and Construction Industry Security of Payment Act 2002, which has not been substantially updated since 2006, nearly 20 years ago. The policy intent of the principal act has always been to ensure that subbies are paid in a fair and timely manner for their work. However, the 2023 inquiry to which I have referred found that the act has not been keeping up with industry expectations, and to improve payment practices for subcontracted tradies the inquiry made 28 recommendations. In the government's response to the inquiry we accepted 16 of the recommendations in full; the remaining 12 were accepted in part or in principle. One of the recommendations which we accepted in full did not require legislative changes and has already been actioned. Sixteen recommendations required legislative change. This bill amends the Building and Construction Industry Security of Payment Act to implement these recommendations. We will continue to consult with consumer groups, unions and industry as we plan how to implement the remaining 12 recommendations.

The 15 recommendations which were supported in full by the government and are delivered by this bill are designed to keep job sites fairer and keep the construction industry in Victoria growing to meet the growing need for housing in our state. It is important to remember that these changes are not only needed to protect subbies from bad faith payment disputes – most Victorian builders and contractors work in good faith and want to see their tradies paid as efficiently as possible – but head contractors will benefit from the changes, which will weed out dodgy operators and those who are undercutting the business. The bill implements a series of recommendations to enable contractors to claim a progress payment calculated in accordance with the contract; removes the concept of reference dates and inserts a statutory entitlement to claim payment; amends the definition of a business day to also exclude the period between 22 December and 10 January; and amends provisions stating that notice-based time bar clauses can be declared unfair by an adjudicator if compliance with the clause is not reasonably possible or would be unreasonably onerous.

It further inserts a head power into the building and construction regulations to prohibit unfair construction contractual clauses; extends the time limit on claiming payment from three to six months; imposes maximum time limits on payments of terms 25 business days after the payment claim has been made; expressly provides for an entitlement to claim retention money and empowering an adjudicator to decide whether, how much and when retained monies are to be returned; tasks the Building and Plumbing Commission with ongoing responsibility for promoting and educating the construction sector in relation to security of payment law; prohibits respondents from including new reasons in their response to an adjudicator that were not previously included in the payment schedule; provides respondents with five business days to provide a payment schedule in response to an adjudication notice; provides that an adjudication determination must be made within 10 business days of receipt of a respondent's adjudication response, permitting parties to extend the determination deadline for up to 20 business days by agreement; removes the scheme for new adjudication for review of adjudication determinations; enables electronic service of notice and papers; and provides that any

adjudication certificate may be filed as a judgement for debt in a court of competent jurisdiction and be enforceable accordingly.

This is another step in our plan to improve the building and construction sector in this state – an important component in this government’s ongoing determination to ensure that more homes are built in Victoria. It is a determination that is delivering more approvals of new homes in Victoria than in any other state, it is delivering more commencements of constructions of new homes in Victoria than in any other state and it is delivering the completion of more homes in Victoria than in any other state. This Allan Labor government is on the side of Victorians who want to own their home.

John BERGER (Southern Metropolitan) (22:19): Today I rise to speak on the Building Legislation Amendment (Fairer Payments on Jobsites and Other Matters) Bill 2025. The bill makes critical amendments to the Building and Construction Industry Security of Payment Act 2002, amongst others, to ensure Victorian workers in the construction industry are paid fairly for the work that they do.

Construction workers are crucial to the state of Victoria. Construction is the fourth-largest employer in our state, and it is projected that 68,600 new workers will enter the industry by 2027, and from now to 2034 this number will increase to 162,900. We will most certainly be needing this growth in the construction and building industry, with our state population projected to increase by 10.3 million by 2051, and we will need to build 2.24 million new homes in that timeframe. The Allan Labor government has a plan to do just that, with targets to build 800,000 new homes by 2034 in accordance with *Victoria’s Housing Statement: The Decade Ahead 2024–2034*. As of June this year over 52,000 homes have been approved for construction, including 10,000 new social and affordable homes through the Big Housing Build. Through the development facilitation program over 6900 homes have been fast-tracked for approval in two years, and overall, over 10,000 new homes have been fast-tracked for approval through various processes.

But none of these homes can be built without construction workers, and they deserve to be paid fairly for this work. This bill establishes provisions in legislation to ensure just that, with the purposes set out as follows: firstly, to amend the Building and Construction Industry Security Payment Act 2002 in relation to claims for progress payments, claims for the release of performance securities, the process and adjudication of disputes relating to progress payments and the release of performance securities, adjudication determinations, unfair construction contract provisions and the service of documents; secondly, to amend the Building Act 1993 in relation to the registration of building surveyors and building inspectors, certainty of the information statements given by relevant building surveyors, code of conduct for plumbers and minor matters; thirdly, to amend the Environment Effects Act 1978 in relation to the fees to be paid for certain assessments, advice, assistance and determinations under the act and the regulation-making powers; fourthly, to make amendments to the Heritage Act 2017 as required following the enactment of the Climate Change and Energy Legislation Amendment (Renewable Energy and Storage Targets) Act 2024; and finally, to make amendments to the Planning and Environment Act 1987 in relation to enforcement orders.

These changes to legislation are in response to many of the recommendations provided by the parliamentary inquiry into employers and contractors who refuse to pay their subcontractors for completed works, and I would like to thank the members of the Legislative Assembly Environment and Planning Committee for their preparation of this report and their 28 recommendations, of which we have supported 16 recommendations in full, 12 in principle and one in part. I would also like to thank everyone who contributed their submissions to the inquiry – individuals and organisations – to form and shape this bill here today.

This report addresses significant issues in how construction workers are to be paid and compensated for their work in Victoria, including the existence of hierarchical structures in contracting and subcontracting, the widespread use of protracted and late payment schemes and the shifting of risks through the contractual chain of a construction project. In this report referencing the findings of the parliamentary inquiry, representatives from the National Electrical and Communications Association

contributed understandings about how financial pressures from protracted payment plans often go beyond the material impacts and affect the wellbeing of business owners, their employees and their families. In 2023 they reported that 74 per cent of workers surveyed found that non-payment impacted subcontractors' personal lives. These case studies detail where workers, particularly young apprentices, are left for months without wages, receive infrequent payslips, have missed payments and experience contractors leaving the state after going bankrupt. It is clear that the current legislation needs to be strengthened to prevent workers, especially young people and apprentices, from being exploited. This bill will amend the processes that calculate when the payment can be made, replacing the term of 'reference date' where the current provisions of the Building and Construction Industry Security of Payment Act 2002 are overly complex and unclear, to achieve further clarity by instead defining this as the last day of each named month in which the services or goods were provided or supplied. This will ensure that workers have clearly interpretable guidelines under which they know they must be paid. I commend the bill to the house.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (22:24): I move:

That consideration of this matter be adjourned until the next day of meeting.

Motion agreed to and debate adjourned until next day of meeting.

Adjournment

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (22:25): I move:

That the house do now adjourn.

Camberwell Central Bowls Club

John BERGER (Southern Metropolitan) (22:25): (2029) My adjournment is for the Minister for Community Sport in the other place. The action that I seek is for Minister Spence to join me in visiting Camberwell Central Bowls Club to see how the community sports organisations are benefiting our communities in Southern Metropolitan Region. The Allan Labor government supports local community sports and active recreation organisations across the state to address barriers to access and participation. I am pleased that in round 2 of our 2024–25 sporting clubs grants program one of the successful recipients sits in my electorate of Southern Metro in Camberwell Central Bowls Club. They received a grant of \$1000 to purchase DHB hacksaw bowling arms and replacement defibrillator pads, ensuring that avid bowlers in the electorate of Hawthorn can continue to play safely with the club, whose history spans almost a century. In fact Camberwell Central Bowls Club will be celebrating their 100th anniversary just next year. With two quality grass greens and facilities, events and functions, Camberwell Central Bowls Club is an excellent community sports organisation for competitive and social players alike.

This grants program complements the Allan Labor government's \$40.3 million investment into community sports and active recreation through the Victorian state budget 2025–26, including \$20 million put into the development of high-quality, accessible community sports infrastructure across Victoria with programs such as the 2025–26 Local Sports Infrastructure Fund. Over 3.8 million Victorians aged 15 or over were engaged in some form of physical activity once per week in 2023–24. Community sports infrastructure contributed over \$7 billion to the state's economy, including 71,000 jobs supported by the sports and recreation sector. Community sport and active recreation organisations matter to Victorians. I was incredibly pleased to see Camberwell Central Bowls will be benefiting from our government's investment into community sports and active recreation.

Treaty

Melina BATH (Eastern Victoria) (22:27): I rise in my adjournment this evening, and it is to the Minister for Treaty and First Peoples. It is a matter of deep cultural significance raised by Kurnai elders

of the Kurnai Aboriginal Corporation. We know that the Statewide Treaty Bill 2025 is currently in the house and includes the term ‘Gellung Warl’. This is a Kurnai word for ‘spear’, a sacred symbol of strength and protection in their culture. This term is used without consultation or consent.

The PRESIDENT: I am just a bit concerned about anticipation seeing as we go into the committee stage the day after next.

Melina BATH: On a point of order, President, this is a letter that has gone to the minister, and I am asking the minister to address this letter. It has nothing to do –

The PRESIDENT: Actually, you just mentioned that we are in the middle of debating the treaty bill in your contribution, which concerns me about the anticipation rule.

David Davis: President, further to the point of order, there is a long-established practice that a bill may be in the chamber, but questions could be asked about it when it is not imminently to be debated. We have adjourned the bill to the next day of meeting, which will be either tomorrow night – I suspect not – or will likely be Thursday. It is entirely reasonable that with such a time period it is not to be imminently debated. If it was on the same day, it would be a different matter. The same day usually has been.

The PRESIDENT: I do not think that is correct.

Michael Galea: Further to the point of order, President, I do not think Mr Davis understands that the anticipation rule is in effect, however he tries to spin it.

David Davis: President, further to the point of order, if the anticipation order were interpreted so broadly – if we all have a look at the notice paper there, the thickness of it and the matters in that notice paper – it would cover almost every aspect of government administration. It is not to be imminently debated. That is actually the key point.

The PRESIDENT: That is not the point, and that has never been applied. My concern around anticipation is I think there will be questions in the committee stage, if it starts tomorrow night or the day after.

Melina BATH: This is not a question, it is an action.

The PRESIDENT: It does not matter if it is a question or an action. I think that could be asked during the committee stage. Ms Bath, if you have got a different adjournment that is not in line with the bill that we are debating in the next couple of days, then I can invite you to do that. On Thursday you can come back to this one because the bill will, I assume, be acquitted. I think that might be the best course of action.

Melina BATH: President, I take your advice, but this is a separate matter that includes a separate letter to the minister. I have a separate action that is outside the relevance of the debating of the bill.

The PRESIDENT: Thanks for taking my offer up, and if you have got a different adjournment, I can come to you later.

Sonja Terpstra: Further to the point of order, President, standing order 12.17 states:

A member may not anticipate the discussion of a subject listed on the Notice Paper and expected to be debated on the same or next sitting day. In determining whether a discussion is out of order the President should not prevent incidental reference to a subject.

However, Ms Bath referred to the treaty bill, and that is a matter that is on the notice paper and is being debated today and on the next day of meeting.

The PRESIDENT: The point I was making is this particular issue may not be an action, but there may be questions around this particular issue that Ms Bath flagged. I will call Ms Bath later if she has got a different adjournment, and then on Thursday she will do this one if she is around.

David Davis interjected.

The PRESIDENT: Mr Davis, I am not entertaining anything more, because we will be talking about this forever. There is an hour of government business on Wednesday, and it was adjourned off until the next day of meeting when it was adjourned off, so let us move on.

Fire services

Melina BATH (Eastern Victoria) (22:32): (2030) My adjournment is for the Minister for Environment, and the action I seek is for the minister to fully explain to the people in regional Victoria how he is going to provide safety during a bushfire season when there are 290 G-Wagons that have been removed from service and approximately 50 Unimogs that are used in bushfire mitigation and that are used to protect life and property that are no longer in service. When are these fleets going to be returned? If they are not going to be returned, explain to the people, particularly in my electorate, what is going to be done to protect their safety in this bushfire season.

Disability services

David ETTERSHANK (Western Metropolitan) (22:33): (2031) The clock is ticking for people with disabilities living in supported independent living homes in Victoria. They face an uncertain future, as group homes are being forced to close due to the imminent lapse of state government subsidies. Responsibility for supported independent living residences, SILs, used to fall to the states, but in 2014, prior to the rollout of the NDIS, the then opposition leader Daniel Andrews promised that under his government supported independent living residences would not be privatised, much to the relief of residents and disability workers. That was clearly a non-core promise, as within two years these very residences were indeed privatised, and the affected workers previously employed by the government were transferred to the private sector and to private awards. They were, however, able to retain the same staffing ratios and conditions embedded in their EBAs thanks to state government subsidies, which covered the gap in funding left by NDIS funding.

This funding is due to lapse in December, less than eight weeks away. This leaves staff working in SILs worse off to the tune of several hundred dollars a week in some cases, adding to the crisis in the disability sector as it struggles to attract and retain workers, with insufficient funding for decent wages and conditions. The impact it will have on residents of SILs is disastrous. What is to become of the residents in these homes? Paul Healey, the secretary of the Health and Community Services Union, recently spoke of a group of five men who have been living together for 35 years, the majority of their lives. But now, because their NDIS funding does not match and neither the state nor federal government is prepared to cover the shortfall in funding, they will be forced to leave their home of 35 years. Where will they go? They have no choice but to live independently with no friends and no housemates, isolated and lonely. Over 50 group homes across the state have already closed, with hundreds more facing closure, destabilising the lives of nearly 5000 residents and risking the jobs of 7500 disability support workers. This will inevitably lead to greater demand on our already stretched health services. Despite the urgency of this issue, there has been no commitment to extend these critical subsidies. So my request is that the Minister for Disability meet with HACSU representatives to discuss the government extending subsidies for disability workers.

Suburban Rail Loop

Sonja TERPSTRA (North-Eastern Metropolitan) (22:36): (2032) My adjournment matter is for the Minister for the Suburban Rail Loop, and the action I seek is for the minister to provide an update on how works are progressing on SRL East. Last week I visited the SRL Burwood site, where I could see the preparation works were well underway. As Melbourne's population is expected to reach 9 million residents by 2050, it is vital that our infrastructure grows alongside it. The Suburban Rail Loop is a state-changing project and a vital one where we create future communities in the east. The first stage of the project will include six new stations, generating 230,000 jobs and 70,000 new houses. These are houses which young people and young families will be able to call home. They will be

energy-efficient places for those who want to downsize or for people who wish to have a more affordable place to live, closer to their work, and closer to jobs and world-class public transport as well. The project will create new links for pedestrians and cyclists through Box Hill; more open space through Gardiners Creek corridor in Burwood; greater housing choice and affordability in Glen Waverley; a new town centre and night hub in Monash; more student, social and affordable housing in Clayton; and greater open space and upgrades to Sir William Fry Reserve in Cheltenham. These upgrades are based on extensive feedback from locals and are tailored for the community's needs. The community and I are beyond excited about SRL East, and I look forward to hearing the minister's response.

School violence

Renee HEATH (Eastern Victoria) (22:37): (2033) Today I received reports from my constituents that a year 8 student attempted to violently attack his brother at a junior campus at a local high school in South Gippsland. The brother fled and was able to lock himself in a classroom. The teacher who let the victim in got punched in the face by the perpetrator. She is a veteran female teacher. There were multiple male teachers, the principal and vice principal all trying to apprehend the student, but they were unable to. The student then noticed another female teacher on the school grounds on the phone. She was alerting police. He ran to her, and he punched her in the head. She fell against a brick wall. Another male teacher stood between her and the student to protect her. This student is thought to have then produced a machete, and the school went into lockdown. The police came and arrested the student and seized the weapon. This is unacceptable, and this is becoming a culture in the state of Victoria. Teachers have no powers to search lockers. They have no powers to check if children have knives. My adjournment is for the Minister for Education, and the action that I seek is for the minister to inform us what they will do immediately to make schools safe for students and teachers again, and to deal with the knife and machete crime that is absolutely rife in schools in the state of Victoria.

Youth justice system

Katherine COPSEY (Southern Metropolitan) (22:39): (2034) Last week a Victorian coroner delivered the findings on the death of 15-year-old Solomone Taufe'ulungaki, who was fatally stabbed in a Melbourne car park in 2020. In delivering her findings, the coroner wrote:

Solomone's mother described him as happy, kind, helpful, and cheerful. He loved his family and was loved by them in return.

Her report outlines that of the 245 victims of knife homicides in Victoria over the past decade, 18 were children. Six of these victims died in family violence related homicides and 11 victims in gang-related homicides, and nine of the 11 victims in gang-related homicides were members of a migrant community. The coroner's investigation took evidence from Victoria Police, the youth justice commissioner and the western community legal centre, Westjustice, and the coroner found that the evidence:

... demonstrates that effectively addressing the incidence of youth knife crime requires not only appropriate responses from police and youth justice, but also community-based measures to address its root causes.

Her report makes for sober reading, especially in the context of the current febrile and unproductive debate on law and order. Fulfilling statutory responsibilities under the Coroners Act 2008, the coroner made findings that will help to prevent deaths and promote public health and safety. She wrote:

... police and justice responses should not be pursued in isolation.

And she concluded:

I urge the Victorian Government and relevant government agencies, including Victoria Police and Youth Justice, to continue to collaborate with community groups to ensure that any criminal justice responses to youth knife crime are coordinated and aligned with, and not counter-productive, to evidence-based community initiatives. In particular, the evidence I have received in these proceedings demonstrates that, while appropriate police and justice responses are critical, sole reliance on "law and order" responses to youth

offending can risk further criminalising already marginalised groups of young people, and in doing so, produce further harm in both the short and the long-term.

By recognising the importance of a whole-of-community approach now, I am hopeful that Victoria may see a future reduction in youth offending and in doing so, prevent future deaths in similar circumstances.

We know that evidence-based community approaches are woefully underfunded or ignored. My adjournment matter is to the Premier, and the action I seek, as the coroner has requested, is that the government collaborate with community groups to ensure that any criminal justice responses to youth knife crime are coordinated and aligned with, and not counterproductive to, evidence-based community initiatives.

Waste and recycling management

Jacinta ERMACORA (Western Victoria) (22:42): (2035) My adjournment matter is for the Minister for Environment Steve Dimopoulos. The Allan Labor government is investing \$129 million to standardise household recycling with a four-bin system, including a separate glass service, by 2027. I ask that the minister provide an update on how this will simplify recycling, create jobs and divert waste from landfill.

Residential efficiency scorecard

David DAVIS (Southern Metropolitan) (22:42): (2036) My matter is for the attention of the Minister for Energy and Resources, and it relates to correspondence I have received from a number of practitioners of the residential efficiency scorecard system, a program that the government has decided to close on 30 June 2026. The program is run by a small team in the Victorian Department of Energy, Environment and Climate Action and has been managed by that team on behalf of all Australian governments for the last three years. Scorecard assessments are available Australia-wide through assessors trained and accredited by the program. It is clear that funding will be withdrawn from 1 July 2026 as the Nationwide House Energy Rating Scheme, NatHERS, for existing home software is scheduled to be implemented by this date. This is a national system, but it is not yet proven, and we are in danger of repeating earlier scenarios where there were less than satisfactory assessment systems in place. The risk is that the scorecard program is closed, seeing 160 assessor jobs gone and a lack of availability for a whole series of people across the community who want assessments that are independent.

I note that this is a bipartisan point I am trying to make here. I would have thought that this is a program that we could agree on across the aisle here in Victoria. It is the best program in Australia. The new national approach is not yet proven, and there is every reason to believe that it is actually not up to scratch, so we risk seeing a significant disaster.

This particular program first came to fruition under the minister for environment at the time, Ryan Smith, in the Napthine government, and I am very aware of its history. The Commonwealth government has been working on a new tool – two separate pieces of software – to develop NatHERS for existing homes. However, those who have been trained on the new material know that it is not equivalent or even close to equivalent to the current scorecard system. So that is the problem: people will not be able to have that independent advice. The energy savings and cost savings and the more comfortable living environment created after a home has been properly assessed and advice has been implemented will not be as easily available and not as easily delivered.

As I understand it, \$1 million annually is what is being talked about as a cut to this particular program, the scorecard program. We are concerned that this is a misplaced cut. If you want to reduce emissions, you have highly trained professionals out there who have got a great system, an internationally recognised system and a system that is better than the one the government is wanting to replace it with. And the system they are replacing it with is more costly. They have spent, I am told, \$63 million in the last year on the new system.

Neighbourhood houses

Anasina GRAY-BARBERIO (Northern Metropolitan) (22:45): (2037) My adjournment matter this evening is for the Minister for Carers and Volunteers, and the action I seek is to increase the funding to the neighbourhood house coordination program by 25 per cent to restore the original 80–20 wage to operating cost split. Neighbourhood houses across Victoria are struggling because of years of government underfunding and underinvestment. Funding from the neighbourhood house coordination program has fallen so far behind that every dollar now goes straight to paying staff wages, leaving nothing for essential operations like electricity, internet and phone bills.

For some neighbourhood houses the neighbourhood house coordination program does not even meet the cost of employing a manager. Almost half of all neighbourhood houses have been running at a loss for the past two years, and four have already closed their doors because of insolvency. Many others are cutting back their opening hours to save costs, meaning fewer opportunities for people to connect, learn and get support. This is not because communities do not care, it is because this Labor government has stopped investing in them. Across the state 401 neighbourhood houses and 16 neighbourhood house networks generate \$921 million in measurable community value every year. That is approximately \$21.92 of benefit for every dollar of government funding. Each week neighbourhood houses welcome 185,000 visitors, employ 5900 Victorians and support 12,000 volunteers. They run 426,000 activity sessions, provide 2900 tonnes of food relief and help thousands of people access vital government services.

Before arriving to this place, I used to volunteer at the Dallas Neighbourhood House in their popular food relief program, and it was very clear to me that the need of the community is increasing, but the funding support is not keeping up. Neighbourhood houses are an essential part of the local infrastructure, Minister, and they deserve to be resourced, supported and funded adequately and fairly to meet rising local needs.

St Vincent's Hospital, Melbourne

Bev McARTHUR (Western Victoria) (22:48): (2038) My adjournment matter tonight is for the Minister for Health. I refer to an article today in the *Herald Sun* which reports that St Vincent's Hospital, Melbourne, has been treating Indigenous patients ahead of all others in a fast-tracked care program. The action I seek from the minister is for her to reject this discriminatory approach to health care in Victoria and order that all patients are treated on the basis of need, not on the basis of ethnicity. I want to quote the article. It says:

Indigenous patients are receiving fast-tracked care over other Victorians at a major Melbourne emergency department, sparking allegations of discrimination.

In an Australian first, staff at St Vincent's Hospital have been ordered to treat all Indigenous patients within 30 minutes of arrival, putting them ahead of other patients in some cases.

The move has prompted warnings that prioritising care based on race risked undermining confidence in a public system already under intense strain.

It means that these Indigenous patients must be seen within 30 minutes and puts them ahead of semi-urgent category 4 patients and non-urgent category patients, and there were more than 17,000 of those patients in the year to June. Of those, just 65 per cent of category 4 patients and 89 per cent of category 5 patients were seen within recommended times according to the Victorian Agency for Health Information. The hospital has now been nominated for a Victorian Public Healthcare Award, with a citation noting First Nations patients are now seen more promptly than non-Indigenous patients. I ask the minister: is that fair? Shouldn't all patients be treated on the basis of sickness and need? I want to congratulate Ms Crozier, who raised this matter and who said exactly that – that the triaging of patients should be done on medical need, not based on the colour of your skin. So I ask the minister to ensure that all patients are treated equally.

Cost of living

Tom McINTOSH (Eastern Victoria) (22:51): (2039) The Labor government is getting on with supporting Victorians with the cost of living and indeed is taking action on housing, education, public transport, health – all manner of items. It was great to have the Premier in the electorate this week. We know that those opposite are waiting for their \$10 billion of cuts to services and to infrastructure and all manner of things Victorians need and depend on to make their lives easier. So my adjournment matter is for the Treasurer: could the minister please update the house on the cost-of-living measures being implemented to support my constituents in Eastern Victoria?

Dairy industry

Georgie PURCELL (Northern Victoria) (22:51): (2040) My adjournment matter is for the Minister for Environment, and the action that I seek is for the public release of the most recent EPA Victoria reports regarding environmental compliance within Victoria's dairy industry. In May 2025, EPA Victoria announced that only eight dairy farms passed the Environment Protection Authority's test for the appropriate management of dairy effluent out of the 43 dairy farms inspected across three eastern Gippsland municipalities – that is less than one in five dairy facilities meeting basic health and environmental standards. EPA-authorized officers inspected properties for leaks, poorly managed effluent ponds, faulty pumps and pipes and contamination of nearby waterways and neighbouring farms. Dairy effluent is a significant pollutant and a serious risk to human, animal and environmental health if it escapes into waterways or onto neighbouring properties. This pattern of repeated noncompliance within the dairy sector shows a disturbing disregard for environmental law and points to systemic environmental management failures. It reflects an industry already deeply marked by entrenched environmental disregard, one that urgently needs reform, transparency and enforcement strong enough to match the scale of the environmental harm it continues to cause.

In February 2025 a major dairy-processing company was ordered to pay EPA Victoria \$650,000 plus \$30,000 in costs over three industrial spills that threatened a creek and wetland in Rowville. The spills risked sending harmful substances directly into the surrounding environment, including the wetland ecosystem. Then in August 2025 a dairy manufacturer at Tullamarine was fined almost \$6000 after a member of the public reported hundreds of litres of a milky-white discharge flowing across parklands towards Steele Creek from the company's premises. The liquid dairy waste was found pooled around trees, soil and vegetation, with EPA officers detecting a strong smell of rancid milk. The company was fined for unlawfully discharging waste into the environment. These incidents reflect a broader trend of inadequate regulation and enforcement within Victoria's dairy industry. Communities living near these farms and facilities deserve to know the level of environmental harm occurring in their waterways and what actions are being taken to address it. Could the minister please provide the most recent compliance audit reports for dairy effluent systems on dairy farms in Victoria, including the number of farms inspected, the number meeting compliance, the number of improvement or enforcement notices issued and any follow-up actions or penalties implemented to ensure accountability and protect the environment?

Myki ticketing system

Nick McGOWAN (North-Eastern Metropolitan) (22:54): (2041) We teach our children resilience, and I am afraid I am having to exhibit some resilience of late. Minister Erdogan, you would be very upset to hear this, but this is true. Sometime this year I sent off for a competition. It is a competition open to all young Victorians, and I still consider myself young, so I thought, 'Why not? I'll send off for this competition as well.' The competition was of course to create a new Myki youth card. I think I am qualified for that; I was a youth once, maybe some time ago now. Mrs McArthur, I hear you chuckle over there, but I am still in touch with my youthful thoughts at least.

Enver Erdogan interjected.

Nick McGOWAN: Yes, it is all relative, Minister. That is exactly what I thought. So I sent off my entry to this wonderful competition, and of course it had to include a toilet, because it is a transport card after all, and that toilet had to pertain of course to Ringwood East train station. Off I sent my beautiful creation, and I really thought that both the Premier and the Minister for Public and Active Transport or active and public transport – whatever it is called these days – would be just besotted, I have got to be honest, by my creation.

You would learn to your horror and mine alike that I received a letter from the Premier herself, and it is only appropriate that I read it in this chamber at this time. This is why I had to brace myself, because we teach our kids resilience but I had to learn this the tough way, and I am still learning it now at my ripe old age. It says:

Dear Nick,

We –

I am not sure who ‘we’ are. I think it is the government, but maybe it is the two ministers –

just wanted to write to say a very big thank you –

on this point, I agree with the Premier – she knows what she is talking about –

for entering the competition to design the new Youth myki card.

We received more than 6,600 entries –

which, to be fair, is quite a few, but I still thought mine was a standout one –

making it an incredibly tough job to consider a winner.

Well, I do not think it is really that tough, but I will sympathise with the Premier on this one. And here is the crux of the line. It has only taken two sentences, and she has gone straight for the jugular unfortunately. Premier, I will write this next time.

Unfortunately your artwork wasn’t chosen for the new Youth myki, but we hope it has pride of place on the fridge at home.

So it will be on the fridge at home, it will be in the bathroom at home, in the lavatory – it might even be next to the toilet – as a constant reminder of the dream that never was. Premier, I adore your letter. I will cherish this. I will put it right next to my competition entry that never quite was, which you and the minister for active and public transport decided not to cover in glory.

Of course I do take the opportunity to congratulate the young 11-year-old Charlie, who clearly was much more talented than I was when it came to design. But I would nonetheless ask and implore the Premier if we do this again next year that she not only remember me, that she cherish the one that I gave her the first time around, but that may be the second time around she can find it within herself, within her heart, within her consciousness, to perhaps give me that little nod of approval and put that little design of a toilet at Ringwood East train station on the new Myki card.

Crime

Ann-Marie HERMANS (South-Eastern Metropolitan) (22:57): (2042) My adjournment matter is for the Minister for Police, Minister for Community Safety and Minister for Victims, and the action I seek is for the minister to join me in meeting with retail stores drowning under Labor’s crime wave. Gangs loitering, brawls ensuing, staff fearing, customers fleeing – these are the stories we read every single day. Recently stores in Narre Warren North, Berwick, Chelsea Heights and Carrum Downs were attacked by a gang of youths. They prowled around in a black jeep wearing dark clothing, faces covered. One brandished an axe. Others wielded machetes as they held up staff and stole goods. Clearly Labor’s multimillion-dollar machete bin program has not perturbed these thugs.

On Facebook, Marcos IGA in Narre Warren North confirmed that they were victims of this attack. Their two posts received nearly 2000 reactions and 200 comments from the community who, in

Marco's words, have had enough. Just a few months before this attack Liberal leader Brad Battin and I visited Marcos IGA ourselves. We listened and we committed to standing with Marco in the face of Labor's stone-cold silence. Behind the statistics and the headlines are real people in real communities being let down by a system that no longer protects them. When a parent cannot ensure their teenager will return from McDonald's unscathed or an IGA worker is accosted while stacking shelves, something clearly stinks in the state of Victoria. So, Minister, when will you act? What is the plan?

Clearly police patrols should be increased and made more visible in high-risk commercial precincts. People should have the right to defend themselves, and victims should be at the heart of the justice system. This government cannot continue to ignore what is happening on our streets and in our stores and homes. If the minister will not act, Victorians will rightly ask: whose side is Labor on, the offenders' or the victims'? Along with the Liberals and Nationals, I know where I stand.

Bendigo law courts

Gaelle BROAD (Northern Victoria) (23:00): (2043) My adjournment is to the Attorney-General. The new Bendigo law courts opened in February 2023, and since that time the beautiful historic building, the old Bendigo law courts, has been left vacant. I commend the National Trust central Victoria branch, who gained access to the building to run public tours during the Bendigo heritage festival from 12 April to 12 May this year. I first asked the Attorney-General about the future use of the old Bendigo law courts in November 2023. In response, the former Attorney-General said:

Courts Services Victoria ... is responsible for the management of the historic Bendigo Magistrates' Court and will continue to manage and maintain the historic building through a staged transition process. The transition process will include the necessary acquittal of heritage requirements to ensure conservation and preservation works are identified, and to inform a consultation process on the future use of the building.

The government and CSV are committed to open, collaborative and meaningful engagement with the community to ensure the future use of the historic building is respectful of its contribution to the City of Bendigo and provides value back to the community it served.

That was two years ago, and the building still sits empty and no community consultation has taken place. Thankfully, the National Trust of Bendigo have not given up and are working with Court Services Victoria to access the building to conduct tours of the site. There has been some confusion over the management of the courts – whether it is Court Services Victoria, the Department of Transport and Planning or the Department of Energy, Environment and Climate Action.

This building is a stunning piece of heritage architecture right in the centre of Bendigo. In raising this matter today I acknowledge the tireless advocacy of Peter Cox OAM, a former mayor and councillor who was president of the Bendigo branch of the National Trust and was committed to heritage preservation and championed the protection of the region's rich history. He passed away in July this year following a short battle with cancer, and I wish to extend my condolences to his family. Peter's work and commitment to saving the old Bendigo law courts from falling into further disrepair continues. His work also continues through the work of the National Trust Bendigo branch, and the action I seek is for the Attorney-General to visit Bendigo and tour the old Bendigo law courts with the National Trust central Victoria branch to see firsthand the unique architecture and to commit to working with the City of Greater Bendigo and the local community to deliver the open, collaborative and meaningful engagement that was promised and open the door for this grand building to be utilised once again. And the minister's response ahead of the annual general meeting of the local branch on 25 November would be most welcome.

Beveridge train station

Evan MULHOLLAND (Northern Metropolitan) (23:03): (2044) My adjournment is also to the Minister for Public and Active Transport, and it concerns the desperate need to fund the reopening of a train station for the good but neglected people of Beveridge in my electorate. For those that do not know, Beveridge has had a strong history of rail infrastructure dating back to 1872, before it was cruelly closed by the Cain Labor government, with the station demolished by the Kirner Labor

government in 1991, demonstrating perhaps that Labor's neglect of the north is nothing new but has been a way of life for a long time. I join my friend and fellow representative Cr Bob Cornish of Mitchell shire, who described funding this project as 'a no-brainer'. I note that councillors in Mitchell shire have recently endorsed this reopening of the train station as their number one priority for the state government in the lead-up to next year's election.

Last year the state government announced that Mitchell shire would be expected to more than triple its housing stock – by a massive 312 per cent. A few months ago the state government approved between Beveridge and Wallan 15,000 homes. That is 50,000 people. And typical of this government, they provided no plans for how these residents are going to commute or get around the local area by funding new infrastructure – not one cent for new infrastructure. In fact all the projects they briefed out to the media were federally funded and off into the 2030s, as is the Camerons Lane interchange.

We know with public transport that you need good and reliable public transport when people move in, to avoid the increased number of cars. It is about 2.4 cars per household at this stage in the growth areas. Because the government has consistently neglected Beveridge, they wait 45 minutes in the morning to get off Lithgow Street. I call it – and many residents call it – Kalkallo mark II, where the government has not learned its lessons in delivering growth suburbs. It has completely botched the delivery of growth suburbs. The population of Beveridge has increased by nearly 20 times since the Cain and Kirner governments closed the railway station. It is absolutely vital that the Allan Labor government undo this historic Labor wrong by reopening the Beveridge railway station. So I repeat my action, which is for the Allan Labor government to undo the injustice of the Cain and Kirner Labor governments and build a train station for the good people of Beveridge, who are struggling under the burden of the government's housing growth and of it not helping the community.

Youth mental health

Wendy LOVELL (Northern Victoria) (23:06): (2045) My adjournment matter is for the Minister for Mental Health. The action that I seek is for the minister to urgently fund and establish at least eight dedicated acute adolescent inpatient mental health beds in the Hume region. Albury–Wodonga's health redevelopment includes a new 32-bed mental health unit, but those beds will only serve adults. The same can be said for the redevelopment of the mental health unit in Shepparton, as it will not include any acute inpatient beds for adolescent patients, meaning there are zero beds for adolescents in north-east Victoria who need inpatient mental health care.

I recently met with some wonderful young people who are struggling with mental health issues and calling for real support from the government. Katie Kendall of Wodonga – a teenager – told me how hard it was to find the care she needed at the age of 16. The closest mental health bed was in Box Hill, more than 3½ hours away, and demand meant she was never guaranteed a place. Katie's story is not uncommon. Right now 15- to 24-year-olds in crisis are still being sent hundreds of kilometres away to Box Hill for care, strapped into ambulances or divvy vans, frightened and alone. They are cut off from family, friends and even familiar support. The trauma is obvious, the cost is crushing and the ethics of leaving a young person in an emergency ward for hours before the journey even starts is indefensible. That is why Katie is leading a campaign called Beyond Beds. The campaign is a group of young people, mainly in Albury–Wodonga and Shepparton communities, who want better access to inpatient facilities for adolescents requiring mental health treatment. They do not have an organisation, they do not have a head office, but they have a passion driven by personal experience of pain and suffering from the system as it stands. The member for Benambra raised this issue in 2023, highlighting the story of a young man with homicidal ideations. That boy bounced in and out of Box Hill and spent hours waiting for treatment in the Albury hospital ED on numerous occasions. The toll on him and his family broke them.

There are 58 acute adolescent mental health inpatient beds across Victoria but only four in regional Victoria. These four beds are split between two in Mildura and two in Traralgon, both a long way from Wodonga and Shepparton. Young people in the north and north-east deserve better. The 2019 Royal

Commission into Victoria's Mental Health System recommended 170 new youth and mental health beds in Victoria. In 2022 the Victorian government claimed it had responded and delivered on that recommendation by including 10 youth Hospital in the Home beds.

Responses

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (23:09): There were 17 matters today: Mr Berger to the Minister for Community Sport, Ms Bath to the Minister for Environment, Mr Ettershank to the Minister for Disability, Ms Terpstra to the Minister for the Suburban Rail Loop, Dr Heath to the Minister for Education, Ms Copsey to the Premier, Ms Ermacora to the Minister for Environment, Mr Davis to the Minister for Energy and Resources, Ms Gray-Barberio to the Minister for Carers and Volunteers, Mrs McArthur to the Minister for Health, Mr McIntosh to the Treasurer, Ms Purcell to the Minister for Agriculture, Mr McGowan to the Premier, Mrs Hermans to the Minister for Police, Mrs Broad to the Attorney-General, Mr Mulholland to the Minister for Public and Active Transport and Ms Lovell to the Minister for Mental Health. I will make sure those are passed on for an appropriate response.

The PRESIDENT: The house stands adjourned.

House adjourned 11:10 pm.