



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Wednesday 21 June 2023

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Georgie Crozier

Deputy Leader of the Opposition in the Legislative Council

Matthew Bach

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

¹ Lib until 27 March 2023

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;
 Greens – Australian Greens; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;
 LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; Nat – National Party of Australia;
 PHON – Pauline Hanson’s One Nation; SFFP – Shooters, Fishers and Farmers Party

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Wednesday 21 June 2023

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

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

Auditor-General –

Collecting State-based Tax Revenue, June 2023 (*Ordered to be published*).

Supporting Students with Disability, June 2023 (*Ordered to be published*).

Ombudsman – WorkSafe 3: Investigation into Victorian self-insurers' claims management and WorkSafe oversight, June 2023 (*Ordered to be published*).

Office of the Special Investigator – Special Report to Parliament, 20 June 2023, under section 100 of the Special Investigator Act 2021.

Statutory Rules under the following Acts –

Conservation, Forests and Lands Act 1987 – No. 50.

Forests Act 1958 – No. 49.

Public Health and Wellbeing Act 2008 – No. 52.

Road Safety Act 1986 – Nos. 53 and 54.

Subordinate Legislation Act 1994 – No. 51.

Subordinate Legislation Act 1994 – Documents under section 15 in respect of Statutory Rule No. 46.

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 –

Determination No. 1/2023 setting the value of salaries and allowances for Members of Parliament (Victoria), effective 1 July 2023, under section 26 of the Act.

Guidelines No. 1/2023 for or with respect to the use of certain allowances and the Electorate Office and Communications Budget, effective 1 July 2023, under section 36 of the Act.

Business of the house**Notices**

Notices of motion given.

Members statements**King's Birthday honours**

Gayle TIERNEY (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (09:37): I rise today to congratulate the 28 residents of Western Victoria who received King's Birthday honours – six AMs, 20 OAMs and two Public Service Medals. As ever I am struck by recipients' extraordinary level of volunteering in so many different activities and organisations as well as their outstanding leadership and achievement in professional fields.

Rose Hodge is an immensely positive influence in local government and the Surf Coast community. As a councillor for the last 19 years and a four-time mayor, Rose has encouraged and mentored others, but above all she has advocated for her community. Rose's OAM reflects her extensive community roles, especially in schools and disability services and in local sport.

Portarlington Cricket Club stalwart Ian Caldwell has also provided decades-long strong, effective leadership in regional cricket. He has been a multiple office bearer on the Barwon region's board in the Victorian Country Cricket League and in the Bellarine Peninsula Cricket Association, and of

course after 500-plus games he is a life member of the Portarlington Cricket Club. Ian continues to umpire and plays for the Geelong Seniors. His OAM reflects a lifetime of volunteering.

Rieny Nieuwenhof's OAM is for longstanding service to veterans and their families and to the wider community. A Vietnam veteran, Rieny gave leadership to the restoration of the Vietnam veterans avenue of honour and the memorial park in Geelong. He continues to work in veterans welfare, and on top of that he is the inaugural chair of the Eastern Beach community Anzac Day dawn service committee. I congratulate all who have received honours and thank them for their invaluable contributions.

Premier

David DAVIS (Southern Metropolitan) (09:39): Today I want to draw the chamber's attention to the extraordinary events in the Assembly yesterday. I think most people would believe that the pre-emptory rejection by the Assembly, by Daniel Andrews, of the lobbyist bill was the wrong thing to do. This is a serious bill coming directly from the work of the IBAC and directly picking up many of the corrupt practices, frankly, that are occurring across the planning area and the corrupt practices that are occurring with respect to lobbyists who are sitting on government boards. This bill was, following IBAC's suggestions, seeking to correct these problems in a simple, straightforward bill. For the Premier to reject it without the opportunity for debate – people can have their view, they can modify it, all those sorts of things – and without it actually going anywhere is wrong.

Then there was the extraordinary behaviour of the Premier Daniel Andrews when he attacked Cindy McLeish, calling her a halfwit. What an extraordinary –

A member: Shocking: 'Halfwit grub'. What is wrong with him?

David DAVIS: 'Grub'. But what sort of extraordinary, misogynistic, bullying activity is going on there? This is quite wrong. It should not have occurred in this way. But he has history with this. My friend Donna Bauer had bowel cancer, and he lent across the chamber and said, 'She will be shitting in a bag'. What an extraordinary thing to say –

The PRESIDENT: Order! Mr Davis, you know that making accusations against a sitting member has to be done by way of substantive motion. Your time is up anyway.

Transport Workers Union

John BERGER (Southern Metropolitan) (09:41): Last week I had the honour of joining my former colleagues from the Transport Workers Union at the South Melbourne Aldi to demand Aldi Australia stop the race to the bottom. The reality is supermarkets like Coles and Woolies have been good-faith partners with the TWU, but so far Aldi has refused to sign a charter with the TWU. They have even unsuccessfully tried to take drivers to court and have failed twice. When big multinational companies squeeze transport contracts, corners are cut. That means workers are put in danger. Transport operators and drivers are struggling while wealthy companies are reaping record profits. The pressures drivers face every day are building, and companies like Aldi need to step up and take ownership of their behaviour. Aldi Australia made a massive \$900 million in taxable income in the 2020–21 fiscal year. That is from \$10 billion in revenue, and the majority of that goes offshore with no benefit to the hardworking taxpayers of Victoria. Aldi needs to come to the table.

The TWU also took their fight for workers to the Victorian state Labor conference, and over the weekend I was proud to be a member of the delegation to the state conference fighting for transport workers. I commend the branch assistant secretary Mem Suleyman for successfully sponsoring a motion calling for a level playing field. I look forward to working with them and to getting safe rates for safe roads.

Hemp industry

Rachel PAYNE (South-Eastern Metropolitan) (09:42): Last week I had the pleasure of attending the Australian Hemp Council's inaugural fibre forum held at Deakin University's Waurun Ponds campus in Geelong. The fibre forum brought together an international line-up of dynamic and diverse industry professionals, experts and enthusiasts in the field of hemp fibre. Held over two days, the forum provided an opportunity for collaboration and networking as ideas were shared on how to get the best out of crop production and manufacturing. The message of the forum was that hemp is the future. It is a low-input crop well-suited for modern farming systems. As a sustainable plant-based building material it can achieve zero carbon production outlay. It uses little water, with positive soil health, and it absorbs carbon, so it is a natural tool for rapid growth in decarbonisation.

Those in the industry are incredibly supportive of the inquiry into industrial hemp that is soon to commence in the Economy and Infrastructure Committee and are keen to provide their expertise. I want to thank the Australian Hemp Council for the opportunity to attend.

Imbros and Gallipoli exhibition

Lee TARLAMIS (South-Eastern Metropolitan) (09:44): Recently it was my pleasure to represent the Minister for Veterans to launch the Imbros and Gallipoli exhibition at the Parkdale Greek Orthodox church hall. The launch was well attended, with many Imvrians Society members joining with consular, government and community representatives. In particular I note the presence of Ms Anne Holland, whose grandfather Brunswick-born Alec Holland served as an Anzac on Imbros. The exhibition, curated by historian Jim Claven, vividly depicts the role of the northern Aegean island of Imbros in the Gallipoli campaign. Its waters saw the Anzacs prepare for the landings; its bays were home to hundreds of naval vessels. The shore of Kehpalos Bay and its hinterland were transformed by piers and navigational aids, medical facilities, supply stores, bakeries and camps. It was also the location of the campaign headquarters.

The story of Imbros and Gallipoli is also one of interaction with the local people, who were overwhelmingly Greek. Many travelled to the island and visited its towns, as South Yarra's Lieutenant William Ross depicted in his photograph of children playing with soldiers. Other Victorian connections to Imbros revealed in the exhibition include Melbourne's Colonel John Monash, Hawthorn journalist Phillip Schuler, West Melbourne-born Private Harold Wilkinson and Yarraville's Private Claude Coleman of the 14th Battalion, who all came to Imbros.

Extending and enriching the narrative of Australia's Anzac story, as this exhibition does, provides more evidence of Anzac's multicultural aspect and enshrines the diversity of our own community in giving it its rightful place in that narrative. Congratulations to the Imvrians Society of Melbourne for this important project, in particular president Arthur Piniou, vice-president Gina Asimoglou, secretary Kaye Lafyati and project coordinator George Xinos. Finally, to the society of volunteers for providing such wonderful delicacies – *(Time expired)*

Wathaurong Way

Sarah MANSFIELD (Western Victoria) (09:45): Nothing about us without us, respect goes both ways, what we do matters – these are three powerful messages that have been resonating with me since I attended Wathaurong cooperative's campaign launch last week of the Wathaurong Way. Wathaurong Way is a celebration of culture and community. It acknowledges the spaces the corporation has held for First Nations people since 1978 as the largest organisation of its kind in Victoria. Wathaurong has been operating across greater Geelong, the Bellarine and Colac for 45 years. They provide fundamental healthcare services to the community, create spaces for kids to grow up proud in culture at the Milla Milla Playgroup, build connections to country for young people in out-of-home care and provide a vital place for social and cultural connection for First Nations people.

The Wathaurong Way campaign originated as an answer from staff on how to address racism. Instead, staff and community sought to flip the narrative: what is it that makes us so strong? The answer came

in four words: courage, accountability, respect, engagement. Their powerful campaign brings together the values and messages that will advance their ongoing work to build strong communities, strong culture and strong country and proudly share that with the wider community. Nyatne – thank you – for inviting us to be part of the campaign launch, and globata – take care.

Knox shopping centre parking

Michael GALEA (South-Eastern Metropolitan) (09:47): I recently reported to this house on Westfield's shameful plans to bring in paid parking for customers and staff at the Knox shopping centre. Despite strong opposition from the community, they have now implemented the charges, charging shoppers who have stayed more than 3 hours up to \$35 a day and retail workers \$5 a day. I am proud to have joined with member for Bayswater Jackson Taylor, member for Monbulk Daniela De Martino and the Shop, Distributive and Allied Employees Association in leading the campaign against these changes. More than 2900 people have now signed our petition, and I encourage all to add their voice.

At a rally held outside the centre two weekends ago we had a strong turnout of Knox workers, who told us of the hardships that these new changes bring. We heard from Amanda, a single mother who will struggle to make ends meet because of these new charges. Supporting her family is now harder. She is even denied a concession, despite qualifying for public transport concessions. Like others, Amanda has also been wrongly charged the full \$35 on occasion, even though she is a staff member. Even at the \$5 cap, this is an added impost of well over \$1100 a year.

Designated staff car parking spaces often fill up quickly and are located in remote parts of the complex with limited lighting. Despite assurances to staff that security escorts would be available, this has seldom eventuated. We are also struck by the incredible response from shoppers and passers-by to our campaign. Never have so many horns been heard on the Burwood Highway, and along with Mr Taylor and Ms De Martino, I am looking forward to meeting with Westfield to take up the case on behalf of Knox retail workers.

Westside Community Desexing

Georgie PURCELL (Northern Victoria) (09:48): Last week I was pleased to meet Ella, who was waiting in line to be desexed at Westside Community Desexing clinic. She is a rescue kitten and just one of a whopping 3500 cats and kittens that Westside have desexed since their opening 18 months ago. Across Australia each and every year many thousands of cats lose their lives due to an overbreeding crisis. Kittens are cute, but we certainly do not need any more of them in this state. One undesexed female cat and her offspring can produce up to 2000 kittens in just four years. But the main reason people do not desex their companion animals is not because they do not want to or do not understand the importance of it, it is because they cannot afford it. The cost-of-living crisis and decreasing access to affordable vet care is only worsening this problem. Westside is filling this gap, providing low-cost desexing and vouchers for eligible Victorians and working with a range of councils on programs to encourage Victorians to do the right thing and ensure their cats are not breeding. I want to thank Westside for having me visit and, most importantly, for providing such a vital program that I hope others in this place and the other place can support too.

Victorian Labor Party

Tom McINTOSH (Eastern Victoria) (09:50): On the weekend the Victorian Labor Party held its state conference. The conference allows 600 democratically elected delegates from unions and members to all put forward ideas that included worker wages and conditions, innovation, jobs and manufacturing and further action on climate change. The Premier and the Prime Minister both made a point of highlighting that our party represents the community, especially when it comes to women – that it is not an accident; it is a policy choice for us. The point was made that it is not only right in terms of equality but it is good because it makes us better. Because of this, lots of conference motions

were related to women's rights, women's health and reform in industries which have a majority female workforce.

We also heard from Labor members with disability and Labor members from multicultural backgrounds. I want to highlight the work of our colleague in this place member for Northern Metropolitan Region Sheena Watt, a proud Yorta Yorta woman. Ms Watt was one of the first people to address the conference and put forward a motion further supporting the Voice to Parliament. The floor erupted in support and the motion was backed by both the Premier and the Prime Minister. Only a couple of weekends ago I joined hundreds of people to walk side by side with the Aboriginal community in Hastings, with the Willum Warrain Aboriginal Association, in support of reconciliation and the Voice. On both weekends I felt strongly that the Labor movement is representative of community attitudes, is inclusive, lifts people up, supports self-determination and is working to make our state and our country better. I am proud to be part of such a movement.

Bills

Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023

Second reading

Debate resumed on motion of Sarah Mansfield:

That the bill be now read a second time.

Tom McINTOSH (Eastern Victoria) (09:51): I am energised to stand here and speak to this today. I am energised, much like the electricity grid of Victoria is. Whether you look at northern Victoria, western Victoria or eastern Victoria, we are generating clean energy – renewable energy. I am going to relate to the metro seats here as well for our metro colleagues: when you look across our metropolitan regions, we have rooftop solar contributing renewable energy into our grid – the highest concentration in the world of solar rooftops contributing to our renewable energy. There is no doubt that the previous target we had set – which was not a ceiling; none of our targets are ceilings, they are floors – smashed our renewable 2022 target, which was 25 per cent. Last year we generated 36 per cent renewable energy. I am absolutely proud we have achieved this, and I am proud this government has led the way.

It is still a massive task – what we are trying to do. None of this will happen by accident. It is going to take planning, it is going to take delivery and it is going to take things like what this government has led with, renewable energy auctions. We had our second renewable energy auction last year, which delivered another 600 megawatts into the system, and six major projects which are going to ensure that government infrastructure such as our schools, our hospitals, our trains and our police stations are all powered by renewable electricity. I am proud that this government has over the years kickstarted and continued to grow our renewable generation capacity.

I want to highlight – and I will come back to this later – that nothing happens without workers. There is a huge amount of work to make all this happen. It does not just pop up out of nowhere. There are workers that are, particularly in our remote areas, working 8-, 10- and 12-hour days. They are away on long shifts, long swings away from family and friends. The time it takes to not just identify these projects and plan for them but get the workers in place, get the materials in place and build these projects – it does take considerable time. I will come back to workers and skills, but I want to take this opportunity to acknowledge the incredible work in difficult conditions. Quite often they are up at the crack of dawn – at this time of year it is dark in the morning and night – exposed to all sorts of elements. We thank them for what they deliver for us.

It has not been an easy two decades in this space. Climate – and particularly energy, which we are here to talk about today – has been used as a political football. I for one think this issue is too important to be used as a political football. It is crucial for our species, it is crucial for animals, it is crucial for plants and it is crucial for our oceans that we address climate change. That is why I am so proud of the

Victorian government, despite what has been happening around the nation and in various nations around the world, where we have seen delays in action and we have seen various political characters or political parties, for one reason or another – whether targets were too much and could not be done or too little and were not quick enough – delay our political process in taking action on renewable energy generation and reducing our energy emissions.

It is absolutely incumbent on us all to deliver the renewable energy we need, the electricity we need, for our grid. It is probably a bit ironic I stand here saying this now, but the time for speeches is over. The community understands where we need to get to. Now is the time for action, for delivering, for getting us from where we were last year – 36 per cent – to 100 per cent renewable energy. That is what we want to achieve, and that is what we will achieve: net zero emissions by 2045.

We are leading the world with these targets. We are definitely leading the nation. I come back to the word ‘proud’ – the fact that against all the headwinds, all the opposition, all the challenges, this government here in Victoria has led the nation. We have put the policies in place. We have put the targets in place. We have planned how to achieve those objectives. We have brought industry with us, we have brought community with us, we have brought everybody with us to put us in the position where we are smashing our targets, and we will continue to do so.

I want to talk about energy generation. Energy generation in Victoria for 100 years has come from coal. We need to acknowledge the workers who have done that work and delivered Victoria much of its prosperity. Much of our prosperity has come from coal, from centralised energy generation – the electricity provided to our homes, to our businesses, to our industry – and we need to acknowledge that. We need to be thankful to those workers and we need to be mindful of those workers as we transition from thermal generation into renewable generation.

Solar and wind farms have emerged over particularly the last decade in this state. We are seeing the technology improve, we are seeing the skills and the capacity to build these facilities improve. Much like the work we are doing on the level crossing removals around Melbourne, the skills, the know-how and the technology get better and better. Wind turbines that were 1 megawatt are now 5 megawatts and heading towards 10 megawatts. We are getting better efficiencies out of the work we do. We are getting better cost efficiencies out of what we do. That is why renewable electricity is the cheapest form of electricity generation. The work that this government has done will ensure there are clear signs for industry and for the community to understand where it is we are heading, what it is we want to achieve. We are seeing the investment, we are seeing the upskilling, we are seeing the technology here and available that is seeing these costs reduce more and more and more.

In our generation system we have our large-scale solar and our large-scale wind. As I discussed earlier, we have got our rooftop solar behind people’s meters. It is generating energy they need where they need it. In addition to this, we have huge, huge generation capacity that the state government is planning and preparing to deliver. It was unfortunately held up nationally. The regulation for the offshore wind industry was held up for years while it sat in a top drawer in a national office, but we have the regulatory framework for an offshore wind industry now. We have a clear understanding of where these offshore wind farms are going to go. We have a plan for where the wind turbines are going to be assembled. The Port of Hastings has been identified; the Port of Hastings facility is being planned. It will be developed. It will be built. In 2028, when we are ready to start constructing these wind turbines in preparation for when various generation capacities in the Latrobe Valley are closing, we will have more capacity coming online. We have other capacity to go alongside offshore wind, which I will talk about later when I talk about the SEC – I have not even got to that yet – but the capacity of our offshore wind is massive. We have identified 13 gigawatts of capacity along Victoria’s coastline already, and the state government has committed to ensuring that 9 gigawatts are up and going and feeding into our system by around 2040.

But all of this, as I said, takes time. It takes planning. From the regulatory framework and the feasibility studies to the licensing – the granting of feasibility licences and licensing permits, which is occurring

now – and the environmental assessments, everything we do needs to go through proper process to ensure that while we are doing the incredibly important work of protecting our climate, the climate that we all depend on to thrive, our environment is being considered and we are doing the right thing by our broader environment and our local environment. Again, planning, time, delivery – this all has to be considered.

I come back again to the construction elements. The offshore wind industry is going to be absolutely massive. We are talking about billions and billions of dollars of investment. The key is ensuring that we have the skilled workforce to complete this work. The skilled workforce is being planned for. Minister Tierney, with her work, is ensuring that we have investment – investment out of this budget already for a centre of excellence in Morwell. I am only just touching the surface. You can see how much detail and how much planning is involved in shifting an entire generation capacity from thermal power to renewables. It is absolutely massive. We talk about the industrial revolution; we are in the middle of an energy revolution. That is generation.

Transmission is not like plugging in a hose and watching a bit more water come out. We have to harmonise the system we are using. It has to be balanced. And unlike the old days when there were centralised thermal generators which were relatively, comparatively easy to feed into the system and there was a minimal amount of them and transmission lines were very simple to run from point A to point B of the majority of the population, we now have to consider a variety of loads that are feeding into the system.

We can do all this. There are those that will say, ‘It’s too hard and we can’t do it.’ Well, they are wrong. We are going to do it. There are many ways to do it, and I will talk through some of those. But there are those that say, ‘It has to happen yesterday.’ Well, it is actually incredibly difficult. I have already talked about workforce and skills. Getting the amount of workers to do what we are talking about to just be ready overnight is, quite simply, impossible. It takes a pipeline of training and engagement, then we can deliver the work. There is existing maintenance and upgrades on our current transmission lines, our switchgear and our substations, let alone our new transmission lines.

The transmission lines take community consultation and, again, as I said before, environmental assessments, and that is why I will keep coming back to the word ‘proud’. I am so proud that the Victorian government has established VicGrid to make sure that not only can we do everything that needs to be done but we can do it efficiently and effectively where people are heard, people are consulted and we get the best possible outcomes with landowners, with our First Nations people, with industry and with our workers so that we make sure that when something like the offshore wind zone that is off East Gippsland is powered up, is first connected, as those first turbines start turning and the generation is connected into the grid, that power is making its way into the main grid that exists.

Following on from transmission, we have to make sure that we have our storage. I am absolutely delighted that last week we opened our 150-megawatt battery at Hazelwood, where the transmission lines are, where the substations are, where the switchgear is and where the expertise is, leveraging what we have to ensure that we are able to smooth out the system and deliver reliable energy for all Victorians. That takes working with other governments, and I am delighted to say that it is Labor governments around the mainland – a federal Labor government, Western Australia, South Australia, right around – so we can get on with delivering what Australia needs: an interconnected grid that works together. Whether it is Snowy Hydro, whether it is the hydro coming out of Tasmania, whether it is large-scale PV installations, whether it is offshore wind, whether it is wind farms, whatever it is, that energy can feed into a system that not only communicates with various states and various areas but feeds each other, supplies each other, depends on each other, works together, because when we work together we get the absolute best outcomes.

Hydro is growing. Batteries are rapidly growing, and we are very proud here in Victoria to be the home of batteries. We have got the biggest battery in the Southern Hemisphere. As I said, Hazelwood just switched on last week. I have got the app on my phone. It is probably a bit sad, but of a night I

love to look and see: what has the wind input been for the day? What has the solar input been for the day? What has the battery input been for the day? You can see it ticking up. As these batteries come on line we store more and more and more electricity that feeds into our system.

Ryan Batchelor: It's amazing stuff.

Tom McIntosh: It is amazing stuff. This system ensures that we all have dependable energy but, not only that, cheap energy. Energy is not just some sort of idea that we have in our heads. Every single Victorian depends on affordable electricity, and it is our responsibility to ensure that that electricity is provided to their homes – hence, again, the SEC, which I still have not even had time to get to yet but will come back to later.

Ryan Batchelor: Please do.

Tom McIntosh: I will get back to it later. For our consumers, particularly our vulnerable consumers, where energy is so vitally important to them to heat their homes, to cool their homes, for their cooking and for their fridges, we have got to make sure that it is there for them. Our businesses need energy, and absolutely important is our large-scale industry. We need industry in Victoria. Industry to a large extent was built off the back of the energy supply we had thanks to the Latrobe Valley – the affordable, dependable energy we had. Again, we need to make sure the energy supplies continue to be that – affordable, dependable – and that is why this government has a plan to deliver that.

Additionally, on the storage front, I want to talk about neighbourhood batteries, because this government is committed to delivering 100 neighbourhood batteries. I talked about rooftop solar before, ensuring there is generation where people need it, on their roofs – when they need it, where they need it. It is the same with neighbourhood batteries. We can store locally. We can dispatch locally. Everything about electricity is about efficiencies. We want to be getting the maximum efficiencies we can so we get the most electricity into people's homes. Later I will talk about energy efficiency from a reduction point of view, of consumption within the home and businesses, but it is also important to think about efficiencies in transmission, because you do not want to be wasting generated electricity in transmission, just like you do not want to be wasting it in consumption. It is a precious resource. We should view it as a precious resource. It is going to set us up to lead the world with this incredible bounty of clean energy that we have here in Australia and in Victoria.

I have talked in this place before about the tariffs that are being put in place in the EU and in other nations. We see the acknowledgement of manufacturing, of steel, of all of these types of products – where did the source energy come from? Was it clean? This is going to become more and more important, and if we are not manufacturing with clean energy, we will be penalised. All those countries, all those states around the world that are penalised – you know what? We will be taking their market because we are going to have the clean energy to manufacture and deliver what they need and what they want. The world is heading in one direction, and I am going to say it again: I am proud that we are leading the move in that direction.

For households and businesses we have done an incredible amount of work to ensure that, as I said before, they are able to be efficient with their energy. In ensuring that we have the maximum amount of electricity that we need for Victoria and indeed Australia, we have started with the lowest hanging fruit. That is what makes sense. We have done a lot of work on energy efficiency. The state government has invested \$1.3 billion to not only assist 770,000 homes to work on energy efficiency, as is crucially important, but also assist 200,000 homes to have generators on their roofs.

I said before we have got the highest per capita solar installation rate in the world in this nation, something we should be very, very, very proud of. That is work that has been done by this government over a long period of time as we have led the charge on this issue, as we have ensured we have brought on community, we have brought on business and we have trained installers how to safely install solar panels on roofs. When this industry started very, very few people knew how to put solar on roofs.

When this industry started solar panels were \$100 a watt. Now we are talking cents per watt. The price has come down. The skills have come up. The efficiency of installation has improved year on year on year, and therefore it has made more and more economic sense for people to install solar and for businesses to install solar. It is no longer a conversation of philosophy or a conversation of values around doing something to better the environment or better the climate – which we should do, which we must do – but it is actually a conversation around good-quality, cheap, dependable electricity, and that is why people have moved in droves to install it. This government backed it, set very clear policy frameworks and set very clear community understanding and expectations of what we have wanted to do in Victoria. And this is just the start for households in one way, because electrification is the next massive step. It is already underway with solar hot water, but it is a massive next piece of work which this government has identified and is acting on. Cooktops, heating, EVs – electric vehicles – I cannot wait. I hope I am in this place for a long time, because I know it is a bit of fun for people to now snigger about electric vehicles. We are already seeing the prices coming down. We are seeing the prices coming down and individuals are buying them and taking them up.

Evan Mulholland interjected.

Tom McINTOSH: Mr Mulholland, please, put your thoughts on the record, because I cannot wait to come back in time, comrade Mulholland. We will come back in time and we will look at this and we will say, ‘EVs were coming.’ It too takes a lot of work. It does take a lot of work, but we are up to that. We are up to that as a state, we are up to it as a nation and I truly hope we are up to it as a world community, because we are all in this together.

I just want to touch a little bit more on the consumer side of things. I have worked in consumer protection, and in consumer protection in the energy space, and it is something I am very passionate about. This government has done a lot of work with retailers and with distributors over time to ensure that consumers have the best information possible and they have the best access to hardship policy possible. The government backs people in with energy concessions where needed, and of course on this side we are very proud and I believe members all across the place have been very proud to be out selling it: the power saving bonus. That is backing –

Ryan Batchelor: It’s very popular.

Tom McINTOSH: It is very, very popular, Mr Batchelor.

Michael Galea interjected.

Tom McINTOSH: Indeed, Mr Galea, because it is not only giving people a discount on their energy bills, it is ensuring they are on the best price. It is keeping the market accountable. It is keeping the market accountable to be delivering Victorians with an essential service they need at the cheapest possible prices.

Now I can finally get onto the SEC, probably the biggest announcement to come out of the election campaign. We are talking tens of thousands of jobs. We are talking government-owned investment in renewable energy. We are talking about the government leaning in and saying, ‘You know what? We’re taking responsibility.’ This is a massive, massive undertaking, and we are leaning in and we are taking responsibility to ensure that we have the generation capacity; that we have the transmission lines in place; that the system will work together from one end of the state to the other and indeed, as I mentioned before, with other states; and that consumers are getting electricity to their homes and they are not being gouged to do so. It is electricity being supplied to the home dependably and cheaper. That is why I, all on this side and, I believe, the majority of Victorians are proud of and absolutely support the SEC. God, I have still got so many pages of notes, President. I beg your pardon. I do not even know how I am going to get through this in the allotted time.

David Davis: At least you wrote them yourself.

Tom McINTOSH: Indeed, I did, Mr Davis. I am so passionate. Can we ask for an extension of time? Can the chamber vote for an extension of time?

On transport and zero-emissions buses, I do not know if anyone could have missed it – literally the size of a bus, I think the expression goes.

Ryan Batchelor: Bus sized.

Tom McINTOSH: A bus-sized bus out the front of Parliament yesterday. And do you know what was written across the top? ‘Zero Emissions’. That is because this government is rolling out zero-emissions buses. We have got trial sites – in fact we have got one in Eastern Victoria, in Traralgon – and by 2025 all new buses will be zero emissions. We have got 4000 diesel buses in this state, and we have to transition to zero-emission buses. I love it. I think it is great. Perhaps it is not the sexiest thing to talk about, but it is important, because the thing about climate change is you cannot just pick one or two things that are shiny and say, ‘Oh, look, we’re taking action on climate change.’ You have to look at everything: you have got to look at energy, you have got to look at transport, you have got to look at agriculture and you have got to look at waste. That is what this government is doing. We are looking at everything. It does not mean we get a headline every day, but it means we are taking action every day. We are delivering every single day, because net zero emissions by 2045 are not just going to happen. It is not about writing a target on a bit of paper. It is about having a plan to deliver meaningful targets – deliver them – and Victorians know that we are delivering on them.

I just talked about agriculture. I visited places – it must have been – late last year with Minister Tierney. The work this government is doing around reducing agricultural emissions is sensational – if you look at breeding and you look at supplementary feeding. It is important we are doing this work now. We do not want to turn around in years to come and be like, ‘Oh, God, how are we going to get our agricultural industry emissions down?’ Again, it is coming back to thinking about the incremental steps so that when we put them together we achieve the plan to deliver what it is we say we are going to do and to deliver what we want to do.

I am going to talk about Dutson Downs farm, again in Eastern Victoria. It is in Minister Shing’s relevant area. The work the water board is doing there is incredible. For starters – I will not even get to water first – I am going to talk about waste. Waste mitigation perhaps is the word. 180,000 tonnes of green waste are coming out of the south-eastern suburbs of Melbourne and being composted. That results in 60,000 tonnes of agricultural compost leaving that site that otherwise would have been buried. Additionally on this site, thousands of hectares of marginal land, just off the back of sand dunes, is being treated with the compost as wastewater, which once was just flowing down a canal. Treated water from Morwell, both industrial and residential, is now being treated to a quality where it can be used to ensure thriving agricultural conditions on this farm.

I have talked about this in here before: it is about that circular economy. It is about looking at things sustainably. I think sustainability is a really important word. Some feel that sustainability has been hijacked and it has been made a bit niche or a bit owned by some. Sustainability is absolutely key. It does not matter whether you are looking at the economy, whether you are looking at public health or whether you are looking at our agricultural industries, sustainability is absolutely vital. We all need to be sustainable. We need to be sustainable in our lives and we need to be sustainable as a society. This farm is an absolute living example of not only the variety of ag farming that is going on but of various other treatments of waste products which are seeing that circular economy come to life.

I also visited the Drouin wastewater plant, a \$50 million new wastewater plant – I actually did get a plaque that day, which I am still very proud of, which I think you have heard me talk about in this chamber before – with floating pontoons of solar panels on the wastewater. It is these ideas and it is this investment that are ensuring every step of the way that we are reducing our need for energy that is not generated by renewables and that is ensuring we are delivering on what it is we have set out to achieve.

On the other side of this, we do have to be mindful that we have new industries, and of course there are going to be waste products that come from those. I am delighted that the Kilmany solar recycling plant – late last year I visited Kilmany – is taking solar panels from all across Australia and what would be waste products from industry, from councils and from homes, in combination with a number of universities, to ensure that we are recycling and reusing what would have been waste products from our solar panels and solar-related technology.

I think I have given a brief outline of the work that this state government is doing. Against all the political headwinds of the last two decades this government has stood strong, has shown leadership, has identified where the state of Victoria is headed, has communicated with the public, has communicated with industry, has talked to workers, has planned for the skills and has planned the technology. We are exceeding our goals. We are setting ambitious world-leading goals, and we are going to deliver on those goals to ensure that by 2045 we have net zero emissions.

David DAVIS (Southern Metropolitan) (10:21): I am rising to make a contribution to the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023. I say at the outset there is much that the Greens are seeking to achieve here that is common ground but some significant areas are not. Just listening to the government's lead speaker, there is of course much that is common ground in terms of climate change abatement, managing greenhouse gas emissions and reducing the impact of our industrial and other activity on our planet. That is common ground, and I make it very clear that there is a lot of common ground. However, there are again also differences.

On this bill, I want to be very clear that the coalition went to the election with a very clear climate change target and an agreement to legislate that target – unlike the government at the time – to be very clear about the 2030 target. But there are a number of problems with this bill. Essentially we see that the role of coal now is a phasing-down role. We understand that completely. We do see that there is a significant role for gas as a transition fuel, as an interim fuel, that will play a very important role in providing stability in the electrical system. We see that there is a very significant role that has got to be played there because inherently at the moment many of the renewables are less reliable. The truth is that industry and households need very clear and reliable energy sources in aggregate. None of that is to diminish the significance of the growth in renewables over the last several decades, and that is a set of steps that we have supported on many occasions in this chamber and elsewhere and that we will continue to support.

This bill I think, though, is a bridge too far, and in these circumstances we cannot support it. The transition that is required will need to occur, but we think 2030 is a very ambitious target to remove all of the impacts of coal and so forth. We think that is extremely ambitious indeed. In that circumstance we think it is unrealistic. One hundred per cent by 2030 is something that would cause significant economic dislocation in our community. It is a question of how the transition is managed. It is a question of the steps that are taken and the time lines. We understand those legitimate debates, but we think that this bill just goes too far, and in that sense we cannot support the bill. The need for the state to take the actions that are necessary – that we all understand are necessary – cannot be overstated, and the need to work where we can collaboratively is also something that we see as important. But on this occasion we will not be supporting the bill.

We are less enamoured than I think the Greens are with the Latrobe Valley Authority. I will just put on the record our concerns about that body. We think that it is very administratively top heavy. It has a very large administrative load and is delivering relatively little for the size of the spending. This is in one sense quite separate from the points about the objectives of the bill, but the Latrobe Valley Authority should have an important role in assisting people in the valley and assisting those who are impacted negatively by the transition. I accept that the Greens also indicate there are people who will be impacted negatively and will need assistance. The objective we have no difficulty with, but this authority we think is in practice not working well at all. We think it is administratively heavy and has huge costs, and we think that this is an opportunity that is actually being lost. If this authority was working better, it would be better for those who are impacted but would also thereby assist the

transition. Those are just a couple of points that we would make, but on this occasion we will not support the bill.

Michael GALEA (South-Eastern Metropolitan) (10:27): It is a pleasure today to rise to speak on the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023. We are navigating well into the 21st century now, and it is good to see broad support for the need – the urgency – for us to transition away from coal to renewable energy sources. This transition is perhaps one of the most important environmental obligations that we as a Parliament and other parliaments around the world are grappling with, but it is also one that has an economic imperative. It is an opportunity to reshape our societies around clean, sustainable and technologically advanced energy systems.

Victoria is of course already among the global leaders spearheading this monumental shift. Under the leadership of the Andrews Labor government, Victoria has emerged as a beacon of change, embracing renewable energy like never before and setting a compelling example for others to follow, particularly across the nation. Achieving a sustainable future is a complex task, though. It comes with its own set of challenges. Whilst we work towards this goal, we must also always bear in mind the responsibility of protecting jobs and livelihoods and managing this transition from coal to renewable energy in a way which is done with careful planning, with foresight and with a deep understanding of our society's socio-economic fabric. It is evident that the Andrews Labor government approaches this in a way that recognises the importance of the issue.

Whilst it is easy to advocate for a utopian, perfect world, sometimes these visions overlook realities on the ground. The Andrews Labor government recognises the need for a pragmatic, balanced approach that goes beyond such lofty ideals. They understand that any meaningful transition is a journey that involves careful planning, taking calculated steps and making tough choices where necessary. This government prioritises creating a sustainable future, without compromising the present, and ensuring the wellbeing of all Victorians in our cities, in our suburbs and in our regions. We are the party of climate action, progress, getting things done and doing what matters. The road to a clean energy future is a marathon, not a sprint, and it is essential that we do this in a considered way. It is about aiming high while keeping our feet firmly on the ground.

This government, recognising the pressing need to transition from coal to renewable energy, has already orchestrated a robust and transformative approach to this challenge. This transition is not perceived as a mere switch of energy sources. Rather it is a fundamental shift with far-reaching implications, akin to the transformative power of pivotal innovations like the dial-up modem or the printing press.

Of course, as my colleague Mr McIntosh has already mentioned, one of the centrepieces of our current approach to this is bringing back the SEC, the State Electricity Commission. Over the previous two terms of this government a number of initiatives took place, especially in the field of renewable energy, supporting our state's further development and growth through these better, more advanced technologies. The SEC is a game changer. It is going to turbocharge these efforts, with an initial investment from government of \$1 billion, which is laying the foundation to work in partnership with public operators and private consortiums to work hand in hand to deliver the energy outcomes that this state needs by delivering 4.5 gigawatts of power through our investment in building renewable energy and storage projects. This substantial investment does not simply stand as an affirmation of our commitment to renewable energy – though it does – it is a testament to the foresight and strategic planning that underline the government's vision for a renewable energy powered Victoria. This is not limited merely to one set of challenges; this is a reshaping of what our state will look like well into the future. I also note that through the SEC and other initiatives this government now has the most ambitious energy storage targets anywhere in the country. These targets serve multiple purposes. Firstly, of course, they serve environmental benefits, aiding our transition, but they also contribute to driving down power bills and creating thousands of new job opportunities. By focusing on energy

storage as one key critical component of this, the government is ushering in a new era of energy utilisation that maximises the benefits of renewable sources.

A pivotal aspect of a successful transition to renewable energy is a workforce that possesses the skills and expertise to navigate this new landscape. To this end, the Andrews government has also established the \$50 million TAFE Clean Energy Fund. This initiative is more than an education fund; it is a visionary project that prepares the workforce for a future increasingly dominated by renewable energy. Along with my other colleagues from the chamber on the Public Accounts and Estimates Committee, last week we greatly enjoyed looking at the energy space, in particular the new initiatives powering up our workforce for the future SEC. The Andrews Labor government's vision transcends the confines of just one sector and spills over into areas like job security and economic prosperity as well as other areas such as transport, which I will return to as well. The return of the State Electricity Commission is designed to not only transition the state towards renewable energy but also drive down power bills, providing significant economic relief to Victorians.

In the meantime, of course, there are many other initiatives. Again, as my colleague Mr McIntosh referred to, the power saving bonus has been a very, very popular initiative, and the fourth round, currently underway, has received well over a million applications already, which is fantastic to see. I particularly enjoyed getting out and about with my colleague Mr Edbrooke, the member for Frankston, at a very successful street stall at Karingal and then with my colleague Mr Tarlamis at some very successful street stalls in Berwick and Rowville. It was great to have such a strong turnout. People were desperate to not only get the \$250 bonus of course but also find out if there is a better deal out there for them. Being able to help them with that has been a very, very rewarding part of the last few months in this job. There are people out there still who do struggle with technology, so having us there to help them has been a really valuable thing – a valuable thing that I note members opposite have taken up as well with gusto, encouraging their constituents to take up the power saving bonus, which is really terrific to see. It is terrific to see some bipartisanship too in acknowledging a good Labor government policy. That is one thing going on in the meantime.

Beyond that, though, another initiative that will contribute to our renewable energy transition and job creation is the waste-to-energy bioenergy fund. This fund will support farming and food production industries in Victoria to convert organic waste into renewable energy. By targeting agricultural and livestock waste, this initiative will serve multiple purposes, reducing waste, contributing to renewable energy generation and, most importantly, creating and stimulating new jobs and industries in regional areas.

The Andrews Labor government stands out for taking an all-encompassing approach to the energy transition. This approach considers economic and societal impacts alongside those environmental considerations. We recognise that the shift from coal to renewables is not simply a change in energy source, it is a fundamental change in the way we operate our economy and our society. To ensure that this is done properly we are taking an all-encompassing approach to ensure that we are taking Victorians with us on this path as well.

Another topic which my colleague Mr McIntosh referred to is transport. Transport is the source of some of the largest and fastest growing carbon emissions in our state, as in many other Western jurisdictions around the world. We have done several initiatives over the past few years for the take-up of electric vehicles, which is good to see, but it is not the only answer. The answer cannot just be, 'Everyone keep your cars, everyone switch to electric and the problem is solved.' There are broader changes that we can make as well, and we recognise that. That is why this government has been investing so heavily in our public transport network, because you get far more benefits from a modal shift both to public transport and to active forms of course, the most sustainable forms of transport, walking and cycling, which are to be supported as well. Even with a conventional diesel bus, a bus carrying 40 people is far more environmentally friendly than 40 cars driving down the freeway.

Nevertheless we can and must do better, and that is why it was so good to see the zero-emissions bus outside on the steps of Parliament yesterday. I did not quite think you could fit a bus up there until we saw it, but from across the other side of Spring Street it was quite a sight to see. I am even happier to say that that bus is actually based at Kinetic's Heatherton depot in my electorate of South-Eastern Metropolitan. Along with my colleague Meng Heang Tak, the member for Clarinda, I had the opportunity to visit that depot and see how that Melbourne-based company too are transforming their depots, including at Heatherton, to adapt to our renewable energy future by redesigning their sheds and providing charging stations. They are also looking at ways of adapting the network and looking at opportunities to put in quick-charge points at major bus terminals such as shopping centres and train stations. It is adapting the way that we do it. These buses have remarkable mileage on battery as well – quite impressive – which I was not expecting to see. It was fantastic to see that zero-emissions bus here at Parliament yesterday, as well as a number of initiatives right across the state. I know there are a number of depots in the northern suburbs – and in the west at Sunshine West, I believe – that already have these buses, as well as of course the one at Traralgon that Mr McIntosh referred to before. Every step along this journey is one step closer to a more sustainable future in the transport space. We already have taken steps to ensure that our tram network is now fully solar powered, making it one of the greenest ways to travel across this city, which is fantastic and one more step taking us away from coal.

The advocacy for an even faster transition from coal to renewable energy is obviously admirable, but it does not take into account the fact that we are already nation leading – in fact in many cases world leading – on this approach. We have to do this in a way that supports Victorian workers, supports Victorian industry and does not cause risk, especially to regional communities such as those in the Latrobe Valley, and our approach is to support those workers and to be investing now in the SEC and in other projects. There is also of course the Star of the South, a major new offshore wind farm being developed in Gippsland, and right across the state the SEC centres for excellence and other training centres that we are putting into place to make sure that our workforce is ready and is prepared right away to get on with the job of building our new renewable energy future.

As we transition to renewable energy we must take the approaches of idealism and realism and consider those directly affected by the challenges. The shift will involve economic, labour and social issues, so policies must protect the livelihoods of Victorians. In addition to the TAFE Clean Energy Fund and the State Electricity Commission, we have taken the approach that recognises that renewable energy must reshape our society, whilst acknowledging the need for thoughtful and pragmatic navigation. This renewable energy revolution promises a profound change, but it requires a nuanced, realistic and inclusive approach to truly succeed. Achieving our renewable energy goals goes beyond simply displacing coal or achieving carbon neutrality. It is about pioneering a new era of energy production and consumption that benefits everyone, provides job security, fosters economic prosperity and protects our planet for future generations. This is at the heart of the Andrews Labor government's renewable energy policy and the pathway to a sustainable and prosperous Victoria.

In closing I would just like to acknowledge that as much as I might admire the intentions of this bill put forward today, I think it really is important to focus on what is being achieved and what this government is achieving, because, as I say, we are not just nation leading but we are frankly world leading, and we are leading in the transition away from coal.

Samantha Ratnam interjected.

Michael GALEA: I did mention coal before, did I not?

Samantha Ratnam interjected.

Michael GALEA: That is exactly what we are doing. We are bringing in renewable energy. We are bringing in the SEC, Dr Ratnam. This is not about rebuilding the old SEC with coal at the centre of it. This is about a new era and about adapting ourselves away from coal. I would ask that Dr Ratnam support our government's efforts to do this because it is –

Samantha Ratnam: We are. We are helping you.

Michael GALEA: Well, I am very grateful for that, Dr Ratnam, but what I would say is that this is a bill that whilst admirable is actually something that we are already doing; we are already working towards this process. So I encourage you to come on board and join us with that. I acknowledge that in some cases you already have, but this is something that is a major change to our state and a major change to our nation and to our energy network.

The transition away from coal is important, but it must be done in a way that takes into account working communities who do currently rely on those industries. Whilst we do have plans to transition that out, where we differ on that is that we will not be leaving those people behind, so that is why I cannot support this bill today.

Aiv PUGLIELLI (North-Eastern Metropolitan) (10:42): I am very pleased today to be able to rise and speak in support of the Greens Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023. I do note the contributions that have been made before me today, and while I absolutely welcome conversation around renewables, for example, it seems we have had quite sparing mention of coal – the mining and burning of coal being the substance of this bill – in the debate so far. Perhaps it is an elephant in the room. Perhaps the government is not wanting to talk about this, but nonetheless I will seek to return to the substance of the bill.

This bill seeks to ban new fossil fuels and to set an end date of 2030 for the burning of thermal coal. This legislation would block initiatives like the Hydrogen Energy Supply Chain project, which would see hundreds of millions of public dollars being poured into the mining and burning of brown coal to be exported in the form of hydrogen – a project so absurd even the Minister for Energy and Resources is reportedly opposed to it. This bill would also increase Victoria's renewable energy target, as we have been talking about, to 100 per cent by 2030. It would prohibit licences under the EPA being issued for thermal coal activity after 31 December 2030 and cancel any existing licences.

We are already in the thick of the climate crisis. We do not have the luxury of time to squeeze every last cent we can out of fossil fuels before taking this seriously. This legislation enshrines a ban on coal mining in the constitution, ensuring Victoria takes meaningful action against this existential threat while providing certainty and structure for this important economic transition.

In this chamber I often talk about the importance of giving young people a voice in decisions that affect their future like this one and decisions made by this Parliament. As such, given the lack of young people present in this chamber today, I would like to share the words of a bright, young 19-year-old who was one of the organisers and driving forces behind the School Strike 4 Climate movement here in Australia that many of you will know of. These are her words:

As a young person, I've only ever known a world in the throes of a climate emergency. All ten hottest years on record have occurred during my lifetime – my norm is the unprecedented.

And when I was 14, the UN published a report sounding the alarm that we had just 12 years left to avert the worst impacts of the climate crisis. I learnt then that I couldn't trust my so-called 'leaders' to ensure a liveable planet for all, and instead chose to dive headfirst into grassroots campaigning and activism.

That was almost 5 years ago now. And while action has been taken by this –

Labor –

government to increase renewable electricity –

as we mentioned –

in the state, Labor's ongoing commitment to propping up our coal industry, especially through the HESC project, renders this effort functionally moot.

Of course, this crisis is already at our doorstep. Australia has spent the last several years lurching from one unprecedented climate disaster to the next. We've faced record-breaking drought and water scarcity, witnessed bushfires that ravaged our environment and polluted our air. We were battered by a seemingly

endless onslaught of severe flood events along our east coast during the La Nina, and who's to tell the scale of devastation to come in the likely event of an El Nino occurrence later this year.

We barely have time to process these tragedies, let alone to recover. I ask you – what more will it take for you to treat this like the emergency it is?

The International Energy Agency, the world's leading energy organisation, announced back in 2021 that there could be no new investments in fossil fuel energy if we are to keep global warming to a maximum of 1.5 degrees above pre-industrial levels.

There is no middle-ground on the climate crisis. Every fraction of a degree of warming represents an exponential amplification of our already incalculable suffering. What the Greens are calling for isn't drastic. It isn't excessive. It's the bare minimum.

But you know all of this already. As I write this speech, I'm finding myself struck by a sense of *deja vu*. I've written this exact speech more times than I can count over the last five years. Frankly, I'm sick of trying to justify why we deserve a safe and livable future to rooms of wealthy people three times my age.

Are we really still debating this?

Do you ever get tired of the empty words, the cop-outs, the corporate pandering?

I urge you to look beyond the myopic lens of the next election cycle, and recognise that your actions have consequences unforseen in scale. Your role here is to serve the public, who cast their ballot placing trust in you to represent them.

No matter how you slice it, failure to support all necessary measures to minimise the climate crisis is an abject failure of your duty to your constituents.

To put my message bluntly: Every member in this chamber that does not support this legislation should feel ashamed. The science is clear – as it has been for years.

With these words I commend this bill to the house.

Melina BATH (Eastern Victoria) (10:48): I am pleased to rise to put on record the Nationals position in opposition to this private members bill put up by the Greens today, the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023.

I would like to first of all just respond to some of the comments by my colleague the Labor member for Eastern Victoria Region Mr Tom McIntosh. I appreciate his comments and passion, but I wanted to pick up one of the key points that he raised in his debate in relation to manufacturing. He said, 'Labor is leading the move.' Well, in Latrobe Valley Labor has been leading the move out of manufacturing for the past decade. They have been leading the move out of the closure of Hazelwood. They have been leading the move out of Carter Holt Harvey. They have been, as we now know, since the time of the budget on 23 May, leading the move out of a sustainable hardwood native timber industry that produces billions of dollars worth of product, including dressed timber. Indeed only recently I went to Collingwood, and in Collingwood I saw a 15-storey building that had columns and structural mass laminated timber that was manufactured and engineered by ASH timber in Heyfield, which has a 40 per cent reduction in embodied carbon compared to other construction materials. But that piece of beautiful timber that enriches people's lives when they work under it, and there are clear studies around that, will no longer be occurring because we can no longer make locally sourced, sustainable hardwood timber. That is going to be a one-off. Go and look at it. It is magnificent.

The Andrews government has overseen the closure of Australia's only paper production, in Reflex paper, and indeed also recently the M2 machine at Opal for specialty paper. I understand in talking to workers at Opal that we are going to see the loss of at least 30 per cent in production and 45 per cent in overall trades and white-collar jobs, leading to over 200 lost jobs – redundancies; these are jobs that cannot be transferred through Opal – under the Andrews government.

If we go to the SEC – and I know that both the Labor members were spruiking the SEC – just for the record again, the people of the Latrobe Valley in the seat of Morwell did not like it. When I stood on the polling booths, except if you were dyed-in-the-wool – and there are dyed-in-the-wools on all sides – there were people who scoffed at it as a policy thought bubble on the run, and now the government is having to backtrack and put some framework around that policy. So 31 per cent of the

people had a primary vote in support of the SEC. I will put on record too that my grandfather actually worked for the SEC many years ago.

Under the Andrews government we have had the following startling statistics – and these are not my statistics; these are from the Australian Bureau of Statistics. These are small area labour market statistics. The industry closures in the Latrobe Valley and broader Gippsland as well have increased as these so-called transitional arrangements promised by the Andrews government have failed to produce jobs. In Latrobe Valley we see that there has been an 8 per cent shrinkage of jobs in these small area labour markets over the last 11 years. By contrast, it is not all bad for the rest of regional Victoria, which saw 11 per cent to 37 per cent increases. Geelong had a 39 per cent increase in jobs, and Melbourne LGA had a 44 per cent increase over the last decade. I go to the point that the Andrews government is leading the move of jobs out of my electorate and from the people that I very much care for, have worked with and, I hope, have supported in this place.

I will go to the Greens bill. I note that the Greens genuinely care about the rental market, and I can see that. They have brought people in here saying that we have got a rental crisis and that we do not have enough houses or shelters for our people. But this is what they are going to do in the Latrobe Valley if their bill passes, and it will not pass today: Yallourn power station thermal generation will close by 2024, Loy Yang A by 2027 and Loy Yang B by 2030. You are going to smash families and make those people who work in those industries unemployed. Latrobe Valley unemployment rates are the highest in regional Victoria, period. You are only going to hurt these people. Now, I do not know if they have just gone, ‘That’s a basket case there. We kind of like everyone else, but we really don’t care that much for Latrobe Valley.’ You are going to smash people in these regions. Unfortunately we can see that the cost of electricity has absolutely skyrocketed in recent years. We know that the Essential Services Commission is talking, it feels like almost weekly or monthly, about household rates – of increases in the 30 per cent area every year. You see the pain that this is causing.

I will absolutely commit that the Nationals want to support and to have a vision for a responsible transition and a dynamic energy mix – a matrix of renewables as we transition. However, this bill is quite reckless. It is quite irresponsible to be shutting that grid down for the following reasons. We have seen this in other states and in other countries. Scotland, for example, in recent years has gone to 100 per cent renewable energy. Let us look at their costs of electricity. The Scottish regulator has put an increase cap on residential bills of 80 per cent – not 30 per cent or whatever, but 80 per cent. We have seen that businesses are looking at 200 to 500 per cent increases. That is unsustainable for any business to keep the doors open and the lights on. I point that out.

In relation to poles and wires – if this bill were to pass – and the capacity in the system, we all want electricity to flow and we need that transition to be responsible and measured, but if you have those closures of the thermal generation, you are going to see a lack of transmission lines by these dates. I have spoken with SP AusNet in the past in Eastern Victoria Region about their commitment to running the transmission lines that would attach to the source of that electricity from the offshore wind turbines right the way through and into the grid in the Latrobe Valley. They have been doing that work for a number of years, and they still say that it will be, if they get the tender, if they get the contract, up to 2030 before they are up and running. If you look at VicGrid, which was the next round of decisions by the government, if they have that tender – and it is the government looking after their own tender – if they are looking at doing that, the poles and wires will not be ready. You will not have the capacity in the system. You will not have the wind turbines out to sea manufactured and installed by 2024, 2027 or even, if we are lucky, 2030. You are going to condemn Victorians to having to import electricity at huge, huge costs.

I note the Greens are very anti the hydrogen project, and I can understand that because it comes from coal and coal is just *carte blanche non-grata* for the Greens. My philosophy has always been that we should be technology agnostic but we should have a focus on carbon dioxide emissions. They talk about evil hydrogen, but in fact we have got the Japanese government and consortia looking at investing \$1.6 billion into a supply chain to create that gasification from coal with carbon capture and

storage. Again, they are going to say pooh-pooh, but if industry can manufacture it and if there is a will through private enterprise to create this energy and we end up with low to zero carbon emissions, then that should be the end point and the focus.

I was recently out at the Colac trial site, the CO₂ CarbonNet, and listened to and understood all the work that was going on there over decades about their safe carbon capture and storage. At the end of the day it has got to be economically feasible as well as environmentally feasible. Let that play out as it will – do not knock it on the head – because the other way that can happen is when there is totally green hydrogen produced from solar panels and wind turbines, when there is that excess, that is when we can merge, utilise and embrace that hydrogen economy from green sources.

Just finishing off in terms of some of the other points that the Greens were spruiking in the debate last month on this, the Latrobe Valley Authority is going to secure funding to 2035. We have seen in this budget the LVA have a \$7.2 million budget. That is for trading costs. It is for wages and administration. There are no new projects there. Unfortunately we have also seen Regional Development Victoria funding cut. Where Regional Development Victoria was all about promoting the investment in our regions, we have seen that funding cut. The LVA certainly has no projects on the market. It does not actually have implementation of transition jobs, as it was set up to do post Hazelwood, so what is its relevance, and how is it actually going to choose workers?

Finally, when we think about the people who are losing their jobs, I have spoken to EnergyAustralia at Yallourn. They are really on the front foot, working very hard to provide an avenue for new skills, new training and new careers. They have been very proactive, from my having spoken with the unions and EnergyAustralia. But that is not going to happen if you are going to shut this down by next January. You are going to create pain, and unfortunately this is a reckless bill. As I have said, the Nationals and the Liberals support a managed and sensible transition that provides electricity, that continues to keep our lights on and allows families to be able to afford to keep the lights on, but it is unfortunate – is this a gimmick? Well, it is the Greens pandering to their sector. I think that we need to be responsible to all Victorians, to reduce carbon dioxide emissions and to play a responsible climate action role, but we cannot do it by crippling certain Victorians and putting a huge burden on the rest of us.

Rachel PAYNE (South-Eastern Metropolitan) (11:02): I rise to speak to the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023 on behalf of Legalise Cannabis Victoria. Let me start by complimenting the government on their progress in this area. Credit where credit is due – it is easy for someone like me, on the crossbench, to speak of 100 per cent renewable energy by 2023 without carrying the burden of implementation. So for this government to commit to a real-world 95 per cent renewable energy target by 2035 is significant and nation leading. However, does that mean we should not make every effort to do better? I say no. There is no more significant or important issue in our time than the threat of climate change. We must be ambitious in our target setting. The forecasts are devastating and the requirement to act urgent. We cannot forget for a second that restoring a safe climate now is the number-one priority of our generation. We must include a fast transition to zero emissions. We recognise that this bill takes that important step to addressing the urgent climate crisis we face and to encouraging further ambition in the government's renewable energy transition. This bill does this through a plan to legislate a 100 per cent renewable energy target by 2030, prohibiting any licence to engage in thermal coal activity, prohibiting the exploration for, or mining of, coal and entrenching this prohibition in the state's constitution. We support these concepts in principle and acknowledge the urgent need to transition to renewable energy, including the role that Victoria has to play nationally and internationally to support this transition.

It is also concerning to us that at a time when this government is championing its efforts to reduce reliance on non-renewable energy, it is still actively mining and burning brown coal for hydrogen and export. Carbon capture and storage is not foolproof technology. The Hydrogen Energy Supply Chain may sound good on paper, but we believe it will only go to increasing Victoria's emissions at a time when we should instead be doing all we can to decrease them. During a climate crisis we should not be actively expanding our brown coal industry domestically and internationally while also throwing

taxpayer money at speculative hydrogen projects. Rather we should focus on the needs of a just transition and build a sustainable future for Victoria. We should lead by example and support our international partners as they also transition away from non-renewables. We owe it to future generations of Victorians. They deserve to be safe and enjoy their natural environment in the same way we are gifted the opportunity to do. Addressing the climate emergency is one of Legalise Cannabis Victoria's six key policy areas, so anything that stands to improve our position we will support. As such, Legalise Cannabis Victoria will be lending its support to this bill.

Ryan BATCHELOR (Southern Metropolitan) (11:06): I am very pleased to make a further contribution from the government on the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023, which fundamentally gives us in the chamber a chance to reflect on efforts that have been made in the state of Victoria to transform our energy system from one that has historically been reliant on some of the most polluting forms of fossil fuels to one that is much more comprehensively supported by clean and renewable energy.

In the context of Victoria's energy history, I do not think anyone who understands the way that Victoria's energy systems have been developed historically and the sources that they have used to power them should underestimate absolutely the scale of the task to transition Victoria from being reliant on some of the dirtiest forms of coal that we can produce to being a nation leader in renewable energy. The scale of that task is exceptionally significant, and I think it is incumbent upon us to reflect upon that in making a determination as to whether we are doing enough fast enough. The scale of the task that is at hand in making Victoria a renewable energy superpower is significant.

Energy systems are not things that you can turn around on a dime. They are large and complex, as my colleague Mr McIntosh so extensively outlined in his contribution earlier in this debate. The way our energy grid is established, the way it is governed and operated – everything from the infrastructure to the physics of this system – is complex. To see what we have been able to achieve in that context of complexity I think is quite remarkable and deserves this moment of reflection. We have had from the policy settings from this government over the last eight and a bit years, but also from the Labor government prior to that, a fundamentally demonstrated acknowledgement that climate change is real. That is the starting point of all of this – that our actions are contributing to our planet's environment and climate changing. It is an acknowledgement that was not universally shared. If you go back 10 or 15 years, or even five, you have significant sections of the political debate and political parties in this country – probably some still today – who do not believe that climate change is real, who do not believe that there is an urgent need for us to take action. The Labor Party at a state level and at a federal level has always been on the side of both acknowledging that climate change is real and understanding and delivering on climate action. It is those two things that are fundamental to the debate. Those two things are fundamental to success as a state and a nation in making sure that we are transitioning from coal to renewables, because over that time you have got to have both an appreciation for the complexity of the task and a sustained policy commitment to the transition.

I think, and this is something I just want to remark upon, you have got to have the tenacity to get it done. I wanted to, in the context of a debate about Victoria's energy transition, reflect upon and congratulate Minister D'Ambrosio for her contribution to this over the last 8½ years that she has been the responsible minister for climate action and associated portfolios here in Victoria. We would not be in the position we are today as a state without someone like Minister D'Ambrosio every single day doing everything she possibly could to ensure that our energy future was both secure and renewable and pulling all of the levers at her disposal to make sure we got there. It is a credit to her and to the rest of the government – leadership from the Premier and the rest of the cabinet. Minister D'Ambrosio has done an amazing job as the energy and climate action minister here in the state of Victoria, and I think I can say she is the best energy minister we have ever had. I think we can say that.

The content of the bill being proposed by those on the crossbench has as its essence that we have got to do more, that the efforts that we have made are not good enough, but I think it is important to step through exactly what we have said we wanted to do, put in place the policy measures required to

achieve success and figure out how we are going, because there is no point saying we have got to do more if we do not know how much we have done already.

So it is important in the context of this debate just to remember what we have said about our renewable energy targets, because we have set some of the most ambitious targets for renewable energy in the nation. We want to get to 65 per cent renewable energy by 2030 and 95 per cent by 2035, and to measure our likelihood of achieving those goals, we should look at how we have performed in the past. We had a target in 2020 of having 25 per cent of our power generated here in Victoria by renewable energy. It was an ambitious target. People thought, 'I don't know if they're ever going to do that; I don't know if they're going to make it.' But what did we do? How did we go at meeting that first target?

A member: Smashed it.

Ryan BATCHELOR: We absolutely smashed it. Last year more than 30 per cent – 32 per cent, I think – of our power came from renewable energy. So we said we wanted to be at 25 per cent by 2020, and in 2022 we were already well over 30 per cent – on track to meet our ambitious but achievable renewable energy targets. And of course we want to get all the way to net zero by 2045. With these targets and our progress in actually achieving them, Victoria's economy will be decarbonising at one of the fastest rates of anywhere in the world. So not only are we leading the nation in the scale of our ambition, not only are we achieving that scale of ambition, but we are also demonstrating to the rest of the world that if you follow the lead of a place like Victoria, you can achieve decarbonisation at one of the fastest rates anywhere. And that is all about both the leadership that is coming from the state government – and I have reflected on the energy minister's contribution to that – and having the size of the industry, the necessary supports across that industry, both from the conditions for capital investment – the market frameworks to facilitate that – and the skilled workers to do the work. Because you cannot have ambitious goals of delivering new energy projects if you do not have the workers who can do it and if you do not have the supply chains to put in place to make sure that they can be built, as much as they can be, with local products.

It is the comprehensive commitment of the government across all sectors, all portfolios, to helping achieve our net zero energy task that means we are doing so well. That is why we are achieving these targets. That is why we are doing our bit in Victoria to align with the Paris agreement goals of limiting global heating to 1.5 degrees. We know we are doing it because all the independent expert advice confirms that we are. The way that we are doing it is by delivering the largest annual increase in renewable generation of any state ever.

Renewable energy in Victoria grew by 3.6 terawatt hours in 2021. That is a lot of renewable energy growth. With our second renewable energy auction, announced in October last year, there were six huge new projects around the state delivering 600 megawatts of renewable energy capacity. Not only have we done it once but we are coming back and doing it again and again. The effect that that has is both enabling us to deliver what the community wants us to be delivering and helping us meet our commitments. If there is one thing you can say about this government it is that we meet our commitments: we deliver on what we say we are going to do. We want to make government operations powered by renewable electricity: police stations, schools and hospitals. We want to make sure that that can occur here in Victoria, and that is exactly what the framework that we are establishing is doing.

One of the ways that we are leading the nation in our renewable energy agenda – and my colleague Mr McIntosh as a member for Eastern Victoria made good mention of our commitment to and support for the offshore wind industry – is through the support that this state government has given to offshore wind. Its success is demonstrated by the fact that unarguably Victoria is the home of the offshore wind industry here in Australia. Our targets are leading the nation. We want to bring online 2 gigawatts of offshore wind by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040, which is going to create thousands of jobs and drive a billion dollars of investment. We saw at the end of last year an Australian

first: an offshore wind zone was declared off the coast of Gippsland. We know there is the potential for that. We know that it is going to deliver the sort of baseload-like power into our grid. Anyone who has walked along the beach in Gippsland will know how strong and how often that wind blows. It is going to be an exceptionally important part of our clean and renewable energy future, and it is being driven by the support of this state Labor government.

We know that the kind of government support that we need to be providing is not just about tinkering with market frameworks, it is not just about ensuring that different parts of policy settings are right. We know that to help achieve these targets government has got to step up to the plate and be an active participant, an active partner, in the delivery of renewable energy to this state. That is why it was really important that last year the Premier and the government announced our commitment to re-establishing a state electricity commission. It was our commitment to saying that once again we believe it is in our state's interests for the public, through the government, to have a stake and have a say in our renewable energy future. That is what we are doing by bringing back the State Electricity Commission. So many years on from privatisation of our electricity sector this government is taking steps to bring back government ownership of electricity generation, of renewable energy generation, by bringing back the SEC.

As many of us are, I am someone in this chamber whose family – my grandfather – worked for the SEC, and my uncle was trained as an apprentice at the SEC and spent 55 years working on our transmission lines here in Victoria. Uncle Mick is exceptionally proud of his contribution and that of the thousands of people like him who gained their skills at this great state institution – and the generations, in the thousands, who will be able to do that into the future.

We are doing a lot more, and I just do not have the time to keep going on and on about the exceptional support the government is providing to households. But I think you can tell from my contribution today and other members' contributions that there is no doubt that Victoria is leading when it comes to renewable energy. We are making great strides in transitioning away from coal. We are getting on and delivering real action on climate change.

Lee TARLAMIS (South-Eastern Metropolitan) (11:21): I move:

That debate on this bill be adjourned until the next day of meeting.

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

Corrections Amendment (Parole) Bill 2023

Second reading

Debate resumed on motion of Matthew Bach:

That the bill be now read a second time.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (11:21): Today we have got an opportunity to have a conversation about the Corrections Amendment (Parole) Bill 2023, which is a private members bill that has been introduced by the opposition. At the outset I would like to acknowledge the victims of these shocking, heinous crimes that were perpetrated by the individual that is referred to in the bill. Much focus has been on this murderer; the bill is named after this murderer. But the focus – my focus and many people's focus – should be on those that were taken: Natalie Russell, Elizabeth Stevens and Debbie Fream.

It was an immense – I do not know what the right word is – honour, I think, to meet with Natalie's family last week. I met with her parents Carmel and Brian, her sisters Janine and Lisa and her incredibly strong friend Karen. I asked them about Natalie. I asked what type of person she was. She was, by all accounts, amazing, beautiful inside and out, and they reflected on the story of the fact that even everyone at the hospital gathered around when this child was born because she was just so incredibly beautiful. They took her home, and she was an amazing part of their family until she was

tragically taken at just 17 years of age. There are still photos of her. They still talk about her fondly, and they are still talking about, unfortunately, not just her but what happened to her, again and again. That is what we are discussing today. I do also want to acknowledge the broader family and friends and the community of Frankston. This is something that is almost as raw today as it was 30 years ago. Everyone in that community knows what happened, everyone talks about it and everybody is concerned about where we sit now and what happens next.

I want what the family want. I want what the friends want. I want what the community want. I want this individual to remain in prison and not harm anybody else. I certainly do not want anyone to be fearful that he is going to come out and do what he has done again. I think that is what everyone in the chamber wants. I want to make it clear that, if this bill goes to a vote today, people that vote against this bill are not not supportive of victims, they just think that we can do things differently. I want to outline a bit of that today.

The government does not believe that the Parliament should become judge, jury and executioner for individuals. We believe in the independence of the criminal justice system – we believe in it. That is why we have acted to strengthen the parole system in the past. We have introduced a two-tier decision-making process for serious violent offenders and serious sexual offenders. We have also made sure that community safety is the absolute paramount factor in any decision made by the independent Adult Parole Board of Victoria. It is important to note, when we are talking about parole, that reaching a date of eligibility does not form an automatic right to release. Many people of the calibre of the offender that we are talking about go through the processes knowing that they are not going to get approved, but they get to go through the process. That is one of the issues I want to talk about.

Parole is an absolute privilege. It has to be earned; it is not a right. Fundamentally and most importantly, parole is never granted in cases where there is a risk to the community. In this instance these principles have been applied and these principles have worked. This individual was denied parole. I do not think we should be establishing a precedent where we legislate every time a politician is not happy with a court outcome or decides that a tragedy can be used for political purposes. Unfortunately there are many, many high-profile offenders – I know their names; I will not mention them – that are in a similar category to this individual. We will be here again talking about those individuals, I have no doubt. I want to limit that possibility, I want to explore that opportunity and I have given a commitment to the family that I think we can do that.

It is incredibly difficult to look into the eyes of a victim who has been told, ‘There’s a piece of legislation that can apply to your situation and end your pain.’ It is very difficult to tell people that that is not the best way to go. I had to do that. I acknowledge that it is an easy message to sell, but sometimes as legislators you have got to do the right thing even when it is not the easy thing. I think we can do better here. I think we can get the same outcome from a different path and help more families and more victims than this whack-a-mole situation that we are trying to do through this bill today.

What I want to explore, what I have put on record publicly and to the family – and I have got to say it is incredibly difficult, because I gave a commitment to the family when I sat down and talked to them, and I have been asked questions by the media, ‘What did you say to them? What did they say to you?’ I am not doing that, but what I will reaffirm is that I have given them a commitment to see this through and respond to their pain, their experience. We can be better, and I know we can do better. The government has put on the table a proposal. It is high level; we still need to nut it all out. But I want to outline some of that today, which I think is a better approach than the bill that is before the chamber.

One of the most compelling parts of the story of the victims that I have met with is the uncertainty of being continually exposed to an individual exercising their rights. They want to know where their rights are: ‘Why does this person have all of these opportunities to get in front of the media, where they talk about what he’s going to do next, which application he’s going to make and what he’s going to do next through the justice system?’ I think the system that we can create can be much less likely

to facilitate his ability to exercise his rights – less likely to start, for example, a lengthy appeal through the High Court process.

The government wants to advance laws, and we will advance laws irrespective of the vote today, to amend the Corrections Act 1986 as soon as practical to ensure the adult parole board can refuse to consider parole for up to a further set period following a failed application for parole. What does that mean? For somebody who applies for parole and is denied parole under the current system, there is the ability to reapply on a reasonably regular basis, to come back and say, ‘Hey, I’d like another chance,’ and that is a right. What we want to do is give the adult parole board the opportunity to say, ‘You don’t deserve that right. You’re not going to get it, so rather than waste everyone’s time and rather than put that family through further anguish, I’m going to set a period of time before you can even have the opportunity to put in an application to come back.’ What that does is it not only keeps a person in prison but gives comfort to the family that, ‘Well, we don’t have to think about that element of our pain for a particular period of time.’ Of course it does not take away the pain – I cannot do that; I wish I could – but it takes away that part of the pain.

We also intend to ensure that anyone serving a life sentence for murder – not just one individual; we want to see how many other people we can support and capture in these laws – who is denied parole on the basis that they have not sufficiently engaged with an appropriate rehabilitation program during their sentence will not be eligible to make further parole applications. It will be another barrier to people applying for parole.

The government intends to implement reforms that will ensure appropriate information sharing with victims and their families and ensure that support is available to assist them to navigate the various stages of the parole process. This is really important, because the political process, the justice process, the court process, the parole process – they are very foreign concepts to anybody that does not do this every day. I see that all the time. You sit down with victims, and usually the first problem they have is ‘We don’t understand what happened. We don’t understand why that happened. We don’t understand why there are time lines or why there are not – why someone gets another go.’

We did not do what we should have done for this family. We should have been much better in making sure they had the information that they needed so that they knew what was happening, because this is hard enough without being confused by it. There are issues with privacy provisions under the Corrections Act 1986, and we will need to deal with those. There are some barriers, but fundamentally we need to do better in ensuring that people who are subjected to the justice system as victims get as much information as possible so they are not worried about what is going on. You can complain about it, but you should actually understand what it is rather than be confused about what it is. That is a personal commitment I have given to this family and every family that I meet. When you find something that you have not done right, own it and fix it, and that is what we are going to do.

It is our view that this broader approach, the reforms, strike the right balance in keeping this particular individual – and the motivation is this case for me, I will honest, but I think it can be more broadly applied to others – and others in prison while also protecting other families and the rights of victims. This approach also, importantly, avoids the risk of a High Court challenge to so-called one-man legislation, which is effectively what this bill is proposing to be. I think this is important not just because of the risk of a successful challenge increasing. We do not know what the High Court will say. Of course people tell you there have been two before and they did not have a problem with them and you can do it again. We do not actually know the answer to that. All we do know is the playbook is already there. We know what this individual is going to do – they are going to appeal to the High Court. They are going to continue to be reported on what their actions are. They are going to get a day in court, and that will be sometime down the line. As I said, we continue to provide a playbook for every one of these murderers every time we try and do this. We know what happens. This does not silence them, these flaws, it just gives them an opportunity to go on and argue again and again. But as I said, I want to give the families certainty and a reprieve from ongoing applications, and I think that is what the proposal that I have outlined can do.

I do not think that this legislation should pass the Parliament today when we have got a credible alternative. I also do not think it is fair on the family members that we are rushing these laws through today. I acknowledge people say, 'Well, you've known for 30 years that this case was coming up.' I get that. Again, I do not want to go through every conversation that I have had with family members, but when you have been briefed on a bill and what it means on the same day that it is being debated in this Parliament, I think we can do better. I am happy to sit down with families as many times as it takes, and I think before you proceed with a bill like this you should probably do the same. As I said at the outset, I do not think there is anybody in this chamber who does not want what is best for the victims, for their families, for their friends and for the community. I just do not think this bill is the right way to go about it. And I get it, it is easy; you put a cross next to every member of Parliament that does not stand up to support these bills. I do not think that is a fair reflection on what we are here to do and what we want to achieve. I can only say that I do not think this bill is the right way to go.

I also do not think it is actually for me to say it is wrong. If you vote for the bill, I do not think that you are wrong; I just think that my approach is better. And I am not going to lobby the family either, saying, 'I think that's wrong, I think I'm right.' As somebody who has a responsibility to the broader justice system, to the rule of law and to the separation of powers, I think this approach is better. I want to get, effectively, the same outcome as they do, the opposition. I just think I can do it a better way, and I do not think having a divisive debate about who is right and who is wrong is going to benefit those families. I actually think we all want the same thing, which is why I asked not to have the vote today, because it is not a true reflection of the intention of what we all want to achieve. I understand that that request has been denied by the opposition, and that is fine. But I want to put on record that anyone who does not stand up for this bill is not not on the side of victims. In fact my personal commitment is that I have inserted myself into this pretty personally. I have sat down at that kitchen table. I am invested. I want what is best for the family. I do not want to politicise their views. They are entitled to support a bill or not support a bill. I think that the bill will fail today, based on what I think the numbers are. We will see what happens. Irrespective, my commitment stands to the family about what the outcome is today. I keep going in conjunction with Minister Erdogan, and I am sure he wishes he was here today. We are both committed to doing better for this family, and we will get legislation into the Parliament very soon in that regard.

I want to thank the family members that have come today, and I want to thank the family members that are not here today, because I know that this is so hard for you guys – so hard. I find it hard, and it is not me that is dealing with the emotion that you guys are dealing with. We can get a good outcome here. I just do not think this is the way to deliver it.

Georgie CROZIER (Southern Metropolitan) (11:37): I rise to speak to the bill that we have introduced into the Parliament, and I do so because this is an important bill that we are debating this morning. There are people in this Parliament today sitting in the gallery in this chamber who have experienced immeasurable pain for the loss of loved ones – for three young women who had their lives viciously taken by a man who inflicted horrific crimes. No-one should have to experience what was experienced by the family and friends of these three young women whose lives were so viciously and horrifically taken by a man described by Justice Frank Vincent as 'not one of us'. I have read his sentencing statement, and having had the pleasure of working closely with Justice Vincent, I have absolutely no doubt about his assessment of a man who is undoubtably one of the most notorious serial killers in Australia's history.

I have just listened to the Attorney, and I will come back to that. She talked about the independence of our justice system. We all agree to that. But I make a point about what Justice Vincent said about this man. In December 1993 Paul Denyer was sentenced to three terms of life imprisonment without parole for the sadistic murders of Elizabeth Stevens, Debbie Fream and Natalie Russell. I cannot imagine how difficult it is for those people that are listening to this debate today who are here in the Parliament or for anyone who was affected. He was also jailed for attacking Roszsa Toth, who narrowly managed to escape with her life after he grabbed her from the street in similar circumstances

to his other victims. Denyer had been stalking women in the Frankston area for years before he carried out these calculated attacks and was motivated by a desire to kill from the age of 14. These are the facts. At the time of sentencing Justice Vincent observed that Denyer's crimes of hunting down women were 'almost beyond comprehension'. The judge said he did not consider it appropriate to fix a non-parole period in Denyer's case. On appeal in 1994 Denyer was granted a non-parole period of 30 years, and he remains eligible to make parole applications. We do not think that is right.

On two previous occasions the Victorian Parliament has passed legislation to ensure that specific individuals are never released from prison: for Hoddle Street killer Julian Knight and Russell Street bomber Craig Minogue. As has been reported, the Premier himself backed laws identical to this bill to keep Hoddle Street killer Julian Knight and Russell Street bomber Craig Minogue in prison – identical to this law – so why is the government now backtracking on something that is identical to what was done in relation to those two individuals who committed crimes against too many Victorians and in horrific circumstances? This individual has done the same. When Knight later lost a High Court bid to overturn a decision about his parole the Premier said, 'This is a fantastic outcome for the safety of every single Victorian.'

The government, as outlined by the Attorney today, has given a commitment to strengthen parole reform, which the Liberals and Nationals support. We have not seen the details of that, but the government has had years to do this. The Attorney spoke about making that commitment and sitting down with the families. She sat down with the families less than a week ago. That is the problem with what we are debating here, because those families and friends that have been so intrinsically and enormously affected need the certainty that this man will never, ever be released from prison. I make the point again: the Attorney states that we are at a high level now. Why didn't you start this in 2018 when the Minogue law came into place? That was years ago. No-one wants to, as she highlighted, politicise this issue. Mr Limbrick has been magnificent in his advocacy for a number of years. He sadly understands this case far too well, and he has been approaching the government, but nothing has been done. As members of Parliament we have a responsibility to bring a private members bill into this place that will make Victorians safer, that will improve the lives of Victorians, and that is exactly what the Liberals have done. I cannot help that you have not acted on this previously, that you have failed to act on this and that you are now sitting down and making these reforms. I am glad that you are doing that, but there is no excuse for the lack of action so far.

This bill does a number of things, as I have said. It amends the preconditions for Denyer's eligibility for parole using identical provisions as for Julian Knight and Craig Minogue. It will provide certainty to ensure that Denyer is never released unless the parole board is satisfied that his death is imminent or he is seriously incapacitated to the extent that he lacks the capacity to harm another person. The families and friends of Denyer's victims deserve to have assurance beyond doubt that he will remain in jail for the rest of his life. While nothing will end the enduring pain of the victims' families and their friends, this bill will end the uncertainty of the possibility of his release into the community. We as a Parliament can end that uncertainty and ongoing speculation and discussion about this man's right to be released into the community. This bill provides certainty about never giving him the opportunity to be eligible for parole. I urge the house to support the bill.

Ann-Marie HERMANS (South-Eastern Metropolitan) (11:45): I also rise to speak in support of the Liberal and Nationals Corrections Amendment (Parole) Bill 2023, a private members bill to ensure that convicted serial killer Paul Denyer cannot make further applications for his release. This bill is important for the people who have lost loved ones to dangerous criminals and for those who have survived vicious, life-altering attacks. This bill will provide extra provisions in the Corrections Act 1986 which reflect the current provisions that exist for Craig Minogue and Julian Knight that prevent them both from ever making further applications for release.

In 1993 Denyer murdered Natalie Russell – and my deepest sympathies are extended to our respected colleague for his loss of a much-loved partner and to family and friends who grace this chamber today – Elizabeth Stevens and Deborah Fream and also attempted to abduct Roszsa Toth in Frankston

and Seaford. He was subsequently granted a non-parole period of 30 years in jail in July 1994. According to news reports, Denyer has never shown any remorse for his conduct, and as Supreme Court Justice Frank Vincent said at the time, the murder of three innocent young women was ‘almost beyond comprehension’. I do extend my deepest sympathies to the families and friends who are here or watching today for their very tragic loss.

Denyer is claiming he is now reformed. He has applied for parole, which he became eligible for last month, prompting many distraught family members of those who were his victims to call for this application to be blocked. The Liberal–Nationals bill will prevent Denyer from ever being released and will ensure that his victims’ families can feel some comfort in the knowledge that he will never hurt anyone in our community again.

Last month Denyer became eligible for parole after three decades and made a bid to be released. Seriously, we should never have even got to this moment. In May 2023 Denyer’s relatives were informed that the Adult Parole Board of Victoria had rejected Denyer’s application, but without this current legislation being passed, he can still technically reapply for parole in the future. This is a violation of all the victims’ families and the human rights of all Victorians. Interestingly Daniel Andrews is opposed to the bill, having been reported as saying that it would be highly unusual for Parliament to create laws that specifically target a single person, when in fact, as my colleague has said, this has been the case for Minogue and Knight. So if Labor does stop this bill being passed, it will not only be hugely disappointing but a significant indictment of our rights as law-abiding citizens and a callous approach to the families of the victims, particularly since there is precedence on this issue.

We all know that Labor has the majority in the Legislative Assembly, so the bill needs to appeal to the sanity of the crossbench to support its passing. All these women were young. One had a 12-month-old baby – that young woman innocently went out to get some milk. According to Channel 9 news reports, Denyer initially denied the vicious and callous murders he had committed, but after about 1500 questions by police he finally confessed. With this bill, we are looking to deliver the means to ensure that Denyer should never be released, except in very restrictive circumstances. This legislation mirrors preconditions contained in New South Wales legislation and means that Denyer will never be able to cause harm to another woman in our society or make a woman feel unsafe again. Victorians deserve to know that we as their political representatives are here to protect them where and when we can. And we can with this bill.

There have been too many delays by this government – too many opportunities to do something. In fact I have here a response from June 2018, when the Premier made comments about the Craig Minogue case. At the time, legislation was introduced concerning Minogue, a 23-year-old who was convicted of murdering policewoman Angela Rose Taylor at Easter 1986 by bombing the Russell Street police headquarters – we know the story. The Andrews government was attempting to remove Minogue’s parole eligibility with special legislation compelled by the state to tend that he will die in jail. So why not now? Why is there a distinction now? I have here some of the transcripts from what the Premier said in that moment and also what the Leader of the Opposition said at that time. The Premier was quoted as saying things like ‘Jail is where he should die’ and ‘He should spend the rest of his life without parole and die in jail for the terrible act that he perpetrated’. This was in regard to the Minogue case. And yet here we find that there is a continual fobbing off of the situation in a way that has actually caused harm and made family and friends feel unsafe. It is unsafe for others. Remember there is still a victim who is out there, and anyone could become a victim of this person if he is still able to offend, so we are all in danger.

I note that yesterday, on 20 June, Andrews apologised to the families of Denyer’s victims, and again we have had that apology today, admitting that they have not been adequately supported during Denyer’s bid for parole. But what is disappointing is that the government has not offered support for this bill, arguing that extra conditions of parole could be applied which would restrict parole for murderers for several years. But clearly the Premier decides cases based on his own determination. I

call on all involved to use common sense, display empathy and ensure the Corrections Amendment (Parole) Bill 2023 is passed. This government has had decades to reform this system. It is now providing words and not action. We need follow-through. The opportunity is here. If the crossbench will support this bill, then the government will not have to consider other options. We urge the government to reconsider and to support the bill so that the friends and families of the victims, and any surviving victims who feel unsafe, will be cared for.

Katherine COPSEY (Southern Metropolitan) (11:52): I rise today to speak to this bill, which seeks to amend the Corrections Act 1986 in relation to parole arrangements for an individual prisoner. The case is undeniably a horrific one. In the 1990s the prisoner committed a series of brutal murders and attacks that shook our community to its core. The pain and ongoing grief experienced by the victims' families and friends are immeasurable. All the victims who lost their lives – Elizabeth Stevens, Deborah Fream and Natalie Russell – and Roszsa Toth, who escaped, were young women at the start of their lives. It is crucial to acknowledge the gravity of these crimes and the impact that they have had on the lives of so many.

We also understand how difficult and painful the recent months have been while the Adult Parole Board of Victoria has considered the prisoner's application, and we understand the relief felt by many in the community at the board's decision to reject that application. We also note that the parole board has a two-tier system with a substantially higher bar for serious offenders, which is what was used for the prisoner. It is clear that the parole board made the correct decision to keep this person behind bars, and it is an example that we can have confidence in those independent institutions. We believe it is in the interests of justice for the parole board to be independent, and there are several reasons why it is generally a bad idea for parliaments to make laws specifically targeting individual criminal cases. If parliaments do so, it introduces a risk of having arbitrary or discriminatory legislation that undermines the principle of equal treatment before the law – an important principle.

While Parliament has the power to enact laws, it is generally preferable for laws to be drafted in a way that applies broadly and sets general principles, leaving the specific application of the law to the courts. This ensures a fair, independent and consistent approach. Our legal system relies on precedents set by previous cases to ensure consistency and predictability in the application of the law. When laws are tailored to specific cases, it creates uncertainty and unpredictability, as similar cases may be treated differently. Allowing parliaments to intervene in individual criminal cases can create a perception of political interference or favouritism, which can undermine public confidence in the legal system and erode trust in the fairness and impartiality of the courts.

We do note the government has flagged other measures in relation to parole to address situations like the one we are discussing today and which would provide an alternative approach to that taken in this bill. There is also merit to arguments that the parole board has acted as a bit of a black box, with little information available. How the parole board releases information to the public – what it can and cannot release – is currently determined by extremely strict legislation. We would encourage a review into how well that legislation serves the public interest and would welcome the opportunity to work with the government to consider changes to provide more information to people on the victims register.

Business interrupted pursuant to sessional orders.

Questions without notice and ministers statements

Moorabool River catchment management

Sarah MANSFIELD (Western Victoria) (12:00): (185) My question is for the Minister for Water. The ABC recently revealed that 200 new private dams have been constructed along the Moorabool River catchment since 2012. Many appear to be unlicensed, and the water regulator, Southern Rural Water, has failed to enforce the law. In fact last year Southern Rural Water made not a single prosecution. The proliferation of unregulated dams poses a significant risk to essential inflows to the Moorabool, which is already one of the most flow-stressed systems in the state. Will the government

place an immediate moratorium on the construction of new private dams within the Moorabool catchment whilst this issue is being investigated?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:01): Thank you for that question about Moorabool and about the issue of dams and the way in which dams may be constructed over time. I want to acknowledge the work of PALM, the community group that has been identifying issues around concerns relating to the extension of existing dam footprints which may be subject to a stock and domestic licence – for example, using an existing bore. You do not currently need to have a licence to expand a bore where it is 3 metres by 3 metres, and there are other regulations that apply in the event of wanting to expand a bore, a dam or a holding beyond that process.

There have been concerns raised by PALM around the very issues that you have talked about, which have been brought to my attention. We have had a discussion around surveys of what is actually happening. It is really difficult to get onto private landholdings to see what has changed over time and whether it has occurred inadvertently or intentionally. We know from the compliance system in Victoria that we have a very, very high level of compliance and enforcement with the rules and regulations that apply around the capture and storage of water, and in fact we lead the nation in that regard. To that end, I think we have seen about 3000 breaches notified, with only about 20 of those proceeding to prosecution. That should give you an idea about the extent to which undertakings can usually be provided or remedies delivered in order to correct breaches without them needing to be escalated further through a legal proceeding. I have been notified that the work of surveying is continuing and that PALM has been a big part of that. I am looking forward to seeing what the outcome is of those analyses about the footprint of dams across private landholdings.

I want to make a couple of general points, if I can, about the importance of maintaining access to water. We know that dams in fact take water away from other areas where it might naturally travel to provide a range of other benefits, whether environmental or to primary producers or to riparian and waterway health overall. Wherever we take water and put it into a large-scale dam, we are in effect denying water the opportunity to move around to where it is otherwise needed. As far as integrated water management and natural resource management go, that is a significant thing to have to manage. I am looking forward, as I said, to getting the outcomes of that survey work and being able to continue to engage on improvement and making sure the community has the transparency that it is looking for. Again I thank PALM for that work and those partnerships that are being informed by the work on the ground.

Sarah MANSFIELD (Western Victoria) (12:04): I thank the minister for her response. I think it is interesting that you view Victoria's compliance and enforcement systems as being robust. There is an alternative view that water corporations are structured in such a way that they are actually struggling in their duty to enforce the law. Following similar problems with illegal water theft and illegal dams in New South Wales, the New South Wales government established the Natural Resources Access Regulator to ensure direct government oversight of compliance and enforcement. Does the proliferation of unlicensed dams on the Moorabool demonstrate that the government needs to establish a similar body, a natural resources access regulator, rather than devolving this responsibility for enforcement to water corporations?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:05): Thank you for that further question. I do want to point out that the Pearson review in 2018 found that we have around 96 per cent compliance. That is the highest around Australia. What I do also want to acknowledge is the statement that you have made around water corporations being responsible for that compliance work. In fact that consultation and part of the work that Southern Rural Water is doing on discussions with the community include those conversations with Wadawurrung, with PALM and with other community members to understand the presence of and/or the proliferation of and the need to monitor whether there might be any unauthorised or unlicensed dams that are being constructed or are otherwise present

in our landscape. We are working across a consultation process, but our water corps are state owned. They are part of the government and not private companies, and when we look at the contradistinction with other jurisdictions and we see that there have been privatised environments, you will see in fact why that is a part of the feature of distinction of the compliance and enforcement systems that we have here in Victoria.

Commonwealth Games

David DAVIS (Southern Metropolitan) (12:06): (186) My question is to the Minister for Commonwealth Games Legacy. With 1000 days until the start of the Commonwealth Games, does the minister stand by every commitment promised by the government in terms of the Commonwealth Games legacy?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:06): Thank you, Mr Davis. It is wonderful to be able to talk, with this opportunity that you have given me, about the Commonwealth Games and the way in which Victoria 2026 will enable our regions, our regional hubs and our rural communities to shine on the world stage. We know that wherever our Commonwealth Games have been had around the globe we see around about a \$3 billion return on investment, and we also know that the commitments that we have made will deliver around 7500 jobs before, during and after the Commonwealth Games. This is also about maintaining and delivering, as I have indicated in this chamber a number of times before, including to Mr McCracken, an opportunity for \$800 million to be delivered within a pipeline of investment. This includes around 1200 opportunities for people to submit to get a contract – there will be around 1200 contracts, as I indicated – on everything from transport through to catering, security and food provision, and we want to engage as locally as possible in the delivery of all of these things.

We also know – and this has been a really critical part of the work that we have been doing in Commonwealth Games delivery – that inclusion and accessibility and First Nations engagement are of primary importance in delivering those pillars under the Commonwealth Games legacy and that in construction of everything from our large-scale venues through to our villages and the way in which community facilities are developed First Nations stories, community presence and identity will be a very, very big part of that work. It was a pleasure to meet with the First Nations leadership group last week to talk with them about what self-determination looks like in the delivery of the Commonwealth Games. Belinda Duarte, who is chairing that group, is doing a phenomenal job, and to meet with traditional owners to talk with them about their aspirations for the games really does highlight what it means to deliver a games that is representative of everyone, including the oldest continuous culture on earth, Mr Davis.

This is about making sure that accessibility is at the heart of what we are doing. Inclusion and accessibility are again a very strong feature of the engagements that we are continuing to have. Jeroen Weimar, as I said, met with CEOs in Shepparton I believe just yesterday, and I am looking forward to continuing the engagements with local councils, with the Commonwealth Games Federation, with community sporting facilities and with everybody who is working so hard to develop the momentum that will really enable these games to shine and to help communities to come together to reflect all of the wonder, the diversity and the economic momentum that we have developing and being delivered across rural and regional Victoria.

David DAVIS (Southern Metropolitan) (12:09): All that is very nice, but the answer is that the minister did not stand by a commitment to deliver every commitment, did not stand by every promise. I therefore ask: will the minister release a list of all the legacy commitments made by the government, to enable proper monitoring by local communities?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:10): Thanks, Mr Davis. This is an opportunity for me perhaps to call upon you to talk with those communities who have in fact

been delivering and generating their own priorities around what they want their communities to be part of. From our community sporting facilities right through to our councils and indeed Commonwealth teams and international teams, we have been continuing a conversation which is about what communities want, Mr Davis. If it is your idea to say that we should have a static approach to these things, that says more about how you would fail to deliver something which is representative of communities' interests and desires than anything else. We are stepping through this conversation to make sure that what we deliver – this \$2.6 billion investment, this return on investment – is what communities want. That is precisely what we will continue to do.

David Davis: On a point of order, President, the minister obfuscated on the first question, and now on this question she is refusing to answer the simple question of whether she will make a list of all commitments that have been made available.

The PRESIDENT: I was listening intently, and the minister said that she is not in a position for a comprehensive list because it is not static, it is a moving opportunity, so –

Members interjecting.

The PRESIDENT: There is no point yelling at me. I do not uphold the point of order, and the minister has got 9 seconds.

Harriet SHING: Thanks, President. Mr Davis, I would welcome an opportunity to see you at one of our legacy round tables now that the regional engagement forums have finished. It is a shame that you were not able to make it to any of those to hear about what it is that communities want.

Ministers statements: Disaster Legal Help Victoria

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:12): Today I would like to use my ministers statement as an opportunity to update the house on how Disaster Legal Help Victoria is helping flood-impacted victims navigate their path to recovery. After the water subsides, unfortunately problems big and small do not get washed away as well. In many ways my two portfolios, A-G and emergency services, are complementary. Fundamentally, they are both about helping people, and that is what Disaster Legal Help is all about. Following natural disasters, legal advice referrals and legal case management are critical to helping people understand their rights and legal options. I have seen firsthand just how vital it is to ensure individuals, small businesses and farmers get the legal advice they need so they can focus on their recovery, and this is absolutely more evident when you talk to people who have gone through fires and floods.

In response to the October 2022 floods, the government allocated an initial \$7.9 million to ensure flood-affected communities can access this legal support through Disaster Legal Help. This is achieved through a combination of location-based services and statewide specialist legal services, with legal professionals offering on-the-ground assistance with a wide range of matters, including tenancy issues, insurance claims, family law with parenting arrangements and even criminal matters. For example, ARC Justice have been providing free legal advice in northern Victoria, including financial counselling and social work to support flood-impacted renters. This is helping people in private, public or community housing along with those living in temporary housing and former renters who are facing homelessness.

Disaster Legal Help is coordinated through the Federation of Community Legal Centres along with Justice Connect, the Law Institute of Victoria, the Victorian Bar, Victoria Legal Aid and the Victorian Aboriginal Legal Service. Together they help connect people from impacted communities with dedicated legal services. This coordinated approach was successfully utilised in response to previous disasters, such as the 2019–20 bushfires, where \$7.87 million was provided to support this valuable program. I would like to take the opportunity to thank those involved in Disaster Legal Aid as well as those on-the-ground services who are continuing to ensure people can get back on their feet.

Georgie CROZIER (Southern Metropolitan) (12:14): I move:

That the minister's statement be taken into consideration on the next day of meeting.

Motion agreed to.

Fox and wild dog bounty

Georgie PURCELL (Northern Victoria) (12:14): (187) My question is for the Minister for Agriculture. New research has revealed that most dingoes in Victoria are actually purebred. Comprehensive DNA testing has disproved a longstanding and deadly myth that has allowed a cruel bounty program to continue since 2011 in Victoria. This research confirms what ecologists, First Peoples and animal advocates have been demonstrating for years – that there is no such thing as a wild dog. It also means that not only does this government sanction the slaughter of endangered native dingoes, but it will literally pay landholders over \$100 for each one that they kill. A 2021 inquiry into ecosystem decline in Victoria recommended greater protection for dingoes, including reviewing the fox and wild dog bounty program, but a response from the government is long overdue. In light of the recent findings, will the minister step in and end the outdated and unscientific fox and wild dog bounty program in Victoria?

Gayle TIERNEY (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:15): I thank Ms Purcell for her question. Predator pest management does cut across agriculture and environment, and I am sure Ms Purcell is absolutely aware of that. Effective control of larger predator pests is complex, and there are lots of policy implications in relation to it. I understand and I am advised that Victoria has probably one of the most nuanced positions in respect to our current position, and it will always be a challenge to strike that balance of conservation, agriculture production and of course animal welfare in an area like this, and of course community and stakeholder engagement is incredibly important and is key to this whole area.

We are aware of the new research that is coming forward at the moment, and the department is looking at all of that. Essentially it is about the genetic status of free-ranging dogs. We have got teams within the department that are considering the policy implications, but currently the policy is that lethal and non-lethal control methods form part of the current integrated approach to predator pest management. Lethal control measures are targeted to agricultural areas considered to be of highest risk of livestock predation, and the department works with landowners to support the uptake of non-lethal control techniques, such as fencing and the use of guardian animals to protect livestock production. That is the current policy, and as I have said, the department has active policy teams looking at the most recent research that has become public.

Georgie PURCELL (Northern Victoria) (12:17): I thank the minister for her response. Dingoes are exempted from protection where they are deemed to pose a risk to livestock. However, the sheep industry's own research states that more than 80 per cent of lamb deaths are due to farm management practices, including breeding for multiple births and repeat exposure to the cold. In the last year as little as 0.0056 per cent of Victoria's sheep population was reportedly attacked. In the same period over 1000 dingoes were killed through cruel trapping and bounty programs. On top of that, it is unknown how many are killed by 1080 poison baiting. Can the minister advise the total number of reported livestock attacks compared to sanctioned dingo deaths in Victoria?

Gayle TIERNEY (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:18): This is a fairly detailed question, but I have sought advice on this on a previous occasion. What I can let Ms Purcell know is that, in terms of the number of attacks, it is around 3500. In terms of the total livestock that have been reported killed or maimed, there have been something like just under 15,500 of those, and that is between the years of 2011 and 2022. Over the same period – and I do not actually like describing it as such, but to give you an accurate sort of visual on how this is worked – body parts for 4629 wild dogs were collected through the bounty program. These figures illustrate, I think, the complexity of the policy that is being considered.

Change room facilities

Moira DEEMING (Western Metropolitan) (12:19): (188) My question is for the Minister for Equality. The Equal Opportunity Act lists both sex and gender identity as separate protected attributes for the purposes of prohibiting discrimination, and we know that in various circumstances for various reasons we have to balance these rights against one another. Could you please outline how service providers who manage change rooms are to treat gender identity and sex – which one they are to treat as the ascendant right – when managing change rooms?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:20): Thank you, Ms Deeming, for that question. At the outset, I just want to note that there are some overlapping issues here around the way in which the Equal Opportunity Act operates and indeed a range of other legislative instruments. In particular, when you talk about community facilities I suspect we may be coming to local government, and that is obviously part of a separate regulatory framework. It may be more expansive than that, and I am very happy to talk with you about that. We actually do not, as a Victorian government, have a policy on gendered facilities at, for example, council-run facilities. That is by way of example.

Individual operators of facilities are in a position to set the terms of the way in which such facilities are used and are engaged. I want to perhaps identify an example that may give people here and people who are interested in this issue some insight. At the Regent Theatre we have a smash hit musical, *& Juliet*, which is a reimagining of Shakespeare. It is a global smash hit, and it has been very well received. At that particular venue – at the Regent – they have a sign which indicates:

& Juliet

...

GENDER DIVERSITY IS CELEBRATED HERE

Please use the restroom that most closely aligns with your gender identity or expression.

It is obviously part of making sure that people can safely and accessibly use facilities. I know that when I was first elected many of the toilets here that were for members contained urinals, which is obviously not inclusive or representative of me and a number of others who now occupy more than half of the government caucus and more than half of the cabinet. What I think is also really important to note, though, is that when people use facilities – save and except for, for example, a Changing Places facility, where you may have more than one person in a cubicle or in an area at once or where you may have parent or family rooms – toilets are engaged with as facilities by people on their own, so this –

Moira Deeming: On a point of order, President, I thank the minister, but my question was only about change rooms, not toilets.

Harriet SHING: Sorry, I thought you said ‘community facilities’. My apologies. Change rooms are also about creating spaces where people can actually get changed in a safe and accessible way, which is why at facilities we see family rooms and we see all-access rooms. Changing Places is another example of where people can get changed. Therefore gender does not actually feature in many of those settings where people can get changed, and indeed these are situations and settings where we do not have a particular policy. However, people are entitled to a safe workplace. People are entitled to participate in everyday life and to access goods and services in a way that is free from discrimination. That might give you some guidance as to how the law applies across various settings.

Moira DEEMING (Western Metropolitan) (12:23): Thank you, Minister Shing. Legally, then, can providers of change rooms theoretically provide for three categories separately – for example, one change room for biological males, one for biological females and perhaps a couple of other change rooms for those people who want to prioritise their gender identity over their sex when accessing those facilities? Would that be legal?

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:24): Ms Deeming, I am not in the habit of giving legal advice, and in this place it would be inappropriate to do so. I am just wondering, though, in that list that you have identified with three sets of facilities: firstly, what the cost impost of that would be; secondly, where we also have situations where we have intersex variations – and we touched on this yesterday – whether that indeed creates four categories; or whether indeed we have other sorts of facilities raised for different sets of concerns that might be raised. These are not matters that I am going to be giving legal advice on in response to your question.

Moira Deeming: On a point of order, President – I do not like to interrupt – I feel that perhaps the minister has not understood what I am asking. It sounds to me like, if people have the choice when they are providing change rooms, they can actually put a sign up and say, ‘This change room is for biological females and intersex females only based on their sex’ –

The PRESIDENT: I am sorry, Mrs Deeming, I do not think there is any point of order. The minister at the outset said that she was not free to give that sort of legal advice.

Harriet SHING: Again, Ms Deeming, just to confirm, I am not going to stand here and give you legal advice about what can and cannot be done. But I just note there are a variety of permutations and combinations where people need to get changed, need to be able to have a shower and need to be able to participate in community life in the same way as everybody else, and that will inform a variety of settings, including as they might relate to local council, to private enterprise and to a range of other settings. But, again, I am not going to traverse that landscape by seeking to provide a legal opinion on that today.

Ministers statements: National Centre for Vocational Education Research

Gayle TIERNEY (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (12:25): Today I would like to highlight the important work of the National Centre for Vocational Education Research, NCVER. They are internationally recognised for their strategic research in education and training and their important and detailed analysis. Based in Adelaide, they were established in 1981 as an independent, not-for-profit company. NCVER is owned by the Commonwealth, state and territory skills ministers.

Recently it was my pleasure to join Blair Boyer, South Australia’s Minister for Education, Training and Skills, at NCVER. We met with chair Ruth Shean AO and managing director Simon Walker. We discussed at length NCVER’s important work and the absolute necessity for their independent analysis. They play a critical role in informing policy and practice in skills and training. They are dedicated to supporting a skilled and capable Australian workforce, which is so important for a strong economy. Their work is critical for government, training providers and industry. The breadth, independence and integrity of their research is impeccable and is critical for government to develop and implement the right policies.

I am proud that Victoria places such importance on the work of NCVER. Their research informs us and is one of the keys to ensuring that Victoria has a strong, relevant and innovative VET sector, which is underpinned by our commitment to public provision of TAFE. I take this opportunity to thank and congratulate all NCVER staff for their resilience, their commitment, their passion and their professionalism.

Freedom of information

David DAVIS (Southern Metropolitan) (12:27): (189) My question is to the Attorney-General. I refer to the government’s proposal to refer an examination of the Freedom of Information Act to a parliamentary committee. Will this incorporate an examination of the surge in agency challenges to the independent rulings of the Victorian information commissioner?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:27): I thank Mr Davis for his question in relation to a government-initiated approach to the IOC in relation to a committee reference to review the Freedom of Information Act. I had very positive conversations with the chair of that committee in relation to developing the terms of reference. The terms of reference are clear; they are set. That is the intention. It is not for me to confine the terms of reference in relation to how they relate to the request of them to review the act.

David DAVIS (Southern Metropolitan) (12:28): Minister, isn't this inquiry simply an attempt to nobble OVIC and to make FOI more costly and less transparent?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:28): No. In fact I wanted to progress this review following my conversations with the information commissioner. He has got a few ideas about what he thought could be advanced. He gave me some examples of other jurisdictions and the like. I thought that there are a lot of people in the Parliament that are rather interested in FOI and so a parliamentary committee that is representative of members from across the political divide would be a great avenue to explore what he thinks should happen while also bringing in their experiences and calling on other experts and other witnesses in formulating their advice to government. There is no design to nobble it; in fact I have sent it there so it can be improved.

Elder abuse

Melina BATH (Eastern Victoria) (12:29): (190) My question is to the Minister for Disability, Ageing and Carers. Last week was World Elder Abuse Awareness Day, but for prevention workers and the elderly who receive much-needed support there was nothing to celebrate, given the government has cut the integrated model of care. As you know, Minister, the IMOC provides elder abuse prevention workers around the state. In PAEC last week you described this as a trial that has come to an end. Given just one service provider has seen more than 1200 clients in the funded period and client demand is increasing, with waiting lists currently between eight and 12 weeks, can you explain who is replacing these locally based elder abuse prevention workers in these communities who offer face-to-face assistance?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:30): Thank you, Ms Bath, for the question. Yes, I was very pleased to explore this issue at PAEC last week on what was world awareness day for the atrocity of elder abuse. All people in our community, particularly those who are elderly, deserve to live free from abuse, from neglect and from exploitation. This government is absolutely committed to that, as we have explored already in this question time alone and certainly previously in this place and as I was pleased to explore with the committee at PAEC last week.

In terms of the investment that we are making in relation to elder abuse initiatives, the 2023–24 budget invests \$6 million over four years in relation to \$2.5 million for the continuation of elder abuse prevention networks that provide community-based primary prevention services and that raise awareness of the issue of elder abuse across communities across Victoria and \$3.5 million for the continuation of the Seniors Rights Victoria support service, which includes a statewide elder abuse helpline which provides free information and referrals as well as legal advice, casework, advocacy and education on matters specifically relating to elder abuse. The four years of funding for these programs provides certainty for these programs that they have never actually had previously.

Ms Bath spoke of the integrated model of care trial. It was indeed a trial. As well as the targeted bushfire recovery project, these were both very impactful projects in communities, but in the view of government it is most definitely time to integrate our services, to provide a broader approach to community and family violence services across the board and to enhance service capability across the board. We need to be very clear here that counselling and mediation services, including financial counselling, will remain available in the areas that will no longer be serviced by these lapsing initiatives, as well as ensuring that there is access to training and access to resources. It is simply not right to characterise it as these services disappearing from these communities, and in fact I would

suggest that it is irresponsible to do so. Professionals working with older people can continue to access secondary consultation from Seniors Rights Victoria or from Better Place Australia.

It is important to note that these were important programs, and the lessons learned from this investment are what enable us to continue the investments that we are making in order to protect people from the atrocity of elder abuse. They are also what enable us to respond to and prevent elder abuse from actually occurring in the very first instance. We are committed to tackling elder abuse, and the 2023–24 budget investing \$6 million and ongoing funding prove that this government is absolutely committed to ensuring that the atrocity of elder abuse is, preferably, prevented and certainly that we are providing those services to assist people who are victims to get the services and whatnot that they need, because all people do deserve to live free of abuse.

Melina BATH (Eastern Victoria) (12:33): I thank the minister for her response. Minister, you will be aware that people who suffer from elder abuse do not want to deal, often, with the police, one of the reasons being that in some cases it involves family members. One of these elder abuse prevention workers was based in Traralgon. Will that person be able to continue their important role, or are they out of a job and is the service removed because of your cuts to this trial?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:34): I cannot speak to the particular circumstances of the particular individual and their role that you are talking about. I can confirm that the integrated model of care trial and the targeted bushfire recovery project are lapsing programs. What we are doing is investing the \$2.5 million for the continuation of elder abuse prevention networks that provide community-based primary prevention services that raise awareness of elder abuse in our community – in your community and in communities right across Victoria, Ms Bath – and the \$3.5 million for the continuation of the Seniors Rights Victoria support service, which also includes the statewide abuse helpline which provides free information and referrals wherever anybody lives, legal advice, casework, advocacy, support and education on matters that specifically relate to elder abuse. Importantly, this funding is for the first time ongoing. There will be certainty in relation to funding for, preferably, the prevention of elder abuse and, in the case of elder abuse, services to support those people who are victims of elder abuse. These services are continuing; these services are ongoing.

Ministers statements: Victoria's Pride

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:35): It is Pride Month, and today I want to talk about an opportunity we have for communities around the state to participate in celebrations, in events and in gatherings that help everybody to connect – LGBTIQ+ folk, their families and indeed their allies. We know that Victoria's Pride has been a phenomenally successful set of events. The street party that was conducted at the start of the year attracted around 49,000 people, and we have \$6.8 million to assist people to do exactly this sort of thing around rural and regional Victoria.

We want to make sure that Pride is something which everyone can celebrate and connect with. This is not just about visibility; this is not just about symbolic and actual inclusion. It is about making sure that we reduce stigma and discrimination. It is about enhancing opportunities that provide LGBTIQ+ folk with a meaningful capacity to connect, and we all know how important that is to health and wellbeing, to outcomes across the whole of life and indeed to the fabric of communities overall.

Victoria's Pride, as I said, has been a really successful program of funding, and I was delighted to join Maree Edwards in Bendigo last week to announce the next round of funding which is available. Making sure that under the regional activation program we have grants of up to \$15,000 for communities to develop events and to showcase regional and rural Pride is a big way for us to support the entire state and to make sure that everyone can be involved in the rich social and community life that we know shines through every part of our state. Applications opened on 6 June; they are open until 8 August. I would encourage all regional and rural LGBTIQ+ people and organisations to get involved and to apply to make this the best summer of Pride yet.

The PRESIDENT: Before I call the next question, under our standing orders we have eight questions, and the eighth question is available and should be directed towards the crossbench, so I indicate that if anyone on the crossbench has a question they can ask it. If not, we will offer it to the opposition. We can work that out while Dr Bach asks a question.

Office of the Special Investigator

Matthew BACH (North-Eastern Metropolitan) (12:38): (191) My question is to the Attorney-General. Attorney, the Parliament established the Office of the Special Investigator to investigate whether offences had been committed in relation to the Lawyer X scandal. The special investigator, former High Court justice Geoffrey Nettle, has today reported to Parliament that his efforts to bring charges against people for serious offences, including attempting to pervert the course of justice, have been blocked by the DPP, and he is now proposing to resign as a consequence. In light of Mr Nettle's report, Attorney, will the government agree to giving the special investigator the power to bring charges directly against those people who his office has evidence broke the law during the course of the Lawyer X scandal?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:39): I thank Dr Bach for his question, and I thank the special investigator for the work that he has done and the report that he has tabled today. The legislation appropriately provided powers for him as an independent person to investigate and prepare briefs to be considered by the independent DPP, who has the clear responsibility for assessing those briefs and deciding whether or not to proceed to prosecution, as with other criminal matters. It is certainly not my position to adjudicate over whose view may or may not be correct. Whether you are quoting someone else or yourself, to say that the DPP has blocked a particular matter I do not think is a correct reflection of her role in relation to the independent role she plays in determining whether matters can proceed to prosecution or not.

I would reiterate that as Attorney-General I have no decision-making role in either of these processes, and that is entirely appropriate. For you to suggest that I should consider legislation to support one person's view versus the other when we already have a role for the DPP is not actually a request I think you should be making if you understand the role of the DPP. It is certainly not a matter for me to make these decisions. It is not a matter for me to comment in relation to these matters in any detail. It is certainly not appropriate for me to put pressure on either the special investigator or the DPP in the exercise of their independent but separate functions.

Naturally, I will consider the recommendations that have been put by the special investigator in his report. I will meet with both him, as I have on previous occasions, and the implementation monitor Sir David Carruthers, who will be meeting with me in relation to his role of overseeing the implementation of all the recommendations from the royal commission into police informants.

Matthew BACH (North-Eastern Metropolitan) (12:41): I thank the Attorney for her response. I am interested in her commentary, especially on the appropriateness of me asking a question – not making a suggestion but nonetheless asking a question – especially given that the Independent Broad-based Anti-corruption Commission has the power to bring charges itself in matters it investigates. Here the special investigator has reported to Parliament that charges should be laid against a number of people for very serious offences. Why won't the government allow these charges to be brought by giving the special investigator the same power to bring a charge that IBAC has?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:41): Because we are implementing the recommendations of the royal commission. I will bring to your attention recommendation 94, where it states:

... where the Special Investigator compiles a brief of evidence containing sufficient evidence to establish the commission of a criminal offence or offences by Ms Nicola Gobbo or current or former Victoria Police officers, the Victorian Director of Public Prosecutions should be responsible for determining whether to prosecute and, if so, for the prosecution of the matter under the *Public Prosecutions Act 1994* ...

So not only have we introduced legislation that is true to that recommendation, I have no intention of bringing legislation to undermine that recommendation. The DPP has a role, she has performed that role and I give no commentary in relation to her view versus the Office of the Special Investigator. They have important roles, and I thank them both for their work, but I will not be retrospectively legislating, as I believe you are trying to urge me, to get a different outcome to what the independent DPP has determined.

Medically supervised injecting facilities

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:43): (192) My question is to the Minister for Mental Health, and it relates to the long-awaited Ken Lay report, which now sits with the minister. This report was expected several years ago, and as of the end of this week Parliament will be on winter break for the next six weeks. It is critical that the Labor government urgently releases this report and commits to a safe injecting centre in the Melbourne CBD. As each day goes by without a safe injecting facility in the city, people continue to use drugs in the area and inject without medical supervision and without immediate resuscitation support. Minister, please do not delay. When will you release the Ken Lay report publicly?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:43): Thank you, Mr Puglielli. It is a really important issue that you raise, and I will ask the Minister for Mental Health to provide me with an answer that I can furnish in accordance with the standing orders.

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:44): I thank the minister for referring the question on. Minister, given the break approaching that I have just mentioned, to give certainty to the community, to traders, to residents and to medical professionals, if recommended in the Lay report, will the Andrews government commit to a fixed-site safe injecting facility in the City of Melbourne?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:44): Oh, mate, that question: ‘If it recommends, will you commit to accepting that recommendation?’ I cannot answer that question. You cannot pre-empt your support for a recommendation that you do not know is there or not. But I can confirm that the minister has publicly said that it will be released, and I will get you a response to your questions.

Ministers statements: community organisations

Lizzie BLANDTHORN (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (12:45): I rise to update the house on how this government is delivering its election commitment of delivering for local communities. This government has proudly invested almost \$7.6 million to support local communities. We are funding 59 community-based organisations, including neighbourhood houses, men’s sheds, food relief providers and philanthropic organisations, so they can continue to play an important role in supporting their communities, including older people, single parents, regional households, culturally and linguistically diverse communities, carers and people with disability. Of this almost \$7.6 million, we have invested \$5.3 million in grants to 59 community-based organisations, including neighbourhood houses and men’s sheds, for the important work they do in supporting their communities, including through the provision of food relief, and \$2.2 million for FareShare to expand the provision of nutritious meals to people across Victoria who need them most.

We have invested \$80,000 in the Keysborough Learning Centre; \$50,000 in the Melbourne Steam Traction Engine Club to help them continue preserving vintage industrial, agricultural and maritime mechanical machinery as well as their history; \$80,000 in the Mount Beauty Neighbourhood Centre to keep providing support to that community; \$50,000 in Foothills Community Care; and \$100,000 in the Hastings Community House to continue their work as a hub for community connection. We have committed \$100,000 for the Alphington Community Centre to keep providing support to the community, \$100,000 for the Creswick Neighbourhood Centre and \$75,000 for the Ballarat Foundation, ensuring hardworking volunteers can continue to provide the services that their

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communities need. We have provided \$55,000 to Port Phillip Community Group and \$80,000 to Alamein Neighbourhood House and Learning Centre to continue providing low-cost education. We have invested \$100,000 in Knox Infolink and \$100,000 in Diamond Valley Community Support to make sure local families experiencing financial or personal hardship can access the help that they need, and we have invested \$100,000 in Goonawarra Neighbourhood House to ensure hardworking volunteers can continue to provide the services that their community needs. This government is proud to continue to support our local communities right across our state as we recognise the impact our investments will have in strengthening communities.

Written responses

The PRESIDENT (12:47): I thank Minister Symes, who will get a written response in line with the standing orders from the Minister for Mental Health to the substantive question from Mr Puglielli.

Questions on notice

Answers

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:47): President, I have two unanswered questions on notice that are now overdue. The question numbers are 372 and 373. I ask that responses be given.

The PRESIDENT: Can I ask which ministers they are to?

Aiv PUGLIELLI: I would have to check. Those numbers are correct, though.

The PRESIDENT: I ask that one of the ministers please follow up those questions for Mr Puglielli.

Constituency questions

Northern Metropolitan Region

Sheena WATT (Northern Metropolitan) (12:48): (254) I have got a question this afternoon for the Minister for Youth, and the question is: can the minister outline how the Andrews Labor government is supporting Victorian Youth Fest in the Northern Metropolitan Region? It is a very exciting month-long celebration in September where young people have a chance to come together and host events that showcase their talents and reflect the diversity of our state. The young folks of the Northern Metropolitan Region enjoy a tapestry of rich cultures, and Victorian Youth Fest is an important opportunity for newly arrived young people, Aboriginal young people, young people from diverse cultural backgrounds, young people with disabilities, young folk of the LGBTIQ+ community and many others to build connections, express their creativity and engage with other young people in the community. I am really excited to see how Victorian Youth Fest events in Northern Metro come alive in September, and I look forward to hearing from the minister on how the Andrews Labor government is backing young people in my community.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (12:49): (255) My constituency question is for the Minister for Public Transport. In the north of my electorate of Northern Metropolitan Region residents of Wallan and Donnybrook use Victoria's regional V/Line service every day to get to and from the city. But for the next three weeks, due to rail works, the people of Wallan and Donnybrook will be shuffled onto buses every evening. We welcome upgrades to the Seymour line; it has been allowed to decay from underinvestment for years under this government. But when communities in the inner and middle suburbs are taken off trains and put onto buses, Melbourne passengers are told by staff the travel is free. They would not have to pay if they were going from Craigieburn, so why are our growth suburbs just a few kilometres north still being charged the full fare? Given the government says they have capped V/Line prices the same as metro prices, why are Wallan and Donnybrook still paying for replacement buses when the rest of Melbourne does not?

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:50): (256) My constituency question is for the Minister for Environment. Correspondence from 13 May stated that Development Victoria has given the go-ahead to disturb a mob of 40 kangaroos to allow development for the Commonwealth Games village at Flora Hill, Bendigo, to proceed. Residents, wildlife rescuers and veterinarians have been appealing to developers for months to safely relocate wildlife before their habitat is demolished. Exclusion fencing has already gone up, and it is only a matter of time before the beloved mob are inhumanely herded across busy roads into built-up areas or inappropriate bushland. Without intervention, this plan will be lethal. Mismanaged dispersal of wildlife is inhumane. It only leads to deaths and increased road strike, which also poses a danger to humans. My constituents want to know why native wildlife has been sacrificed to make way for the Bendigo Commonwealth Games village.

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (12:51): (257) My question is for the Minister for Health and relates to the Labor government's commitment to women's health, something that is coming obviously on top of the already considerable investment this government is making in our healthcare system in general. Minister, I would like to ask: what services will the women's health clinic at Casey Hospital provide women throughout the south-east of Melbourne? Understanding that women have unique health challenges that should be treated specially and separately to other medical needs, sometimes they may require specialist staff – experts in the field of women's general and reproductive health. Approximately 200,000 women in Victoria suffer from endometriosis, one of the conditions that I understand will be treated in the women's health clinic. Endometriosis is a painful, isolating and debilitating condition and often sees sufferers needing to visit many doctors to obtain the correct diagnosis and treatment options. I ask the minister: in addition to endometriosis, what other services will this clinic provide for the south-east?

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (12:52): (258) My question is for the Minister for Health, and I ask: will the minister order the immediate postponement of next week's Remembrance Parks Central Victoria annual meeting to enable reasonable notice to be published in all communities where the trust manages cemeteries? On Friday 16 June 2023 a notice of the RPCV 2021–22 annual meeting was published in the *Bendigo Advertiser*. The location of the meeting was stated as an online webinar. As such, RPCV has an obligation to publish notice of the meeting in newspapers in Shepparton, Donnybrook and Sunbury, where the trust manages cemeteries. Also, section 18H(1) of the Cemeteries and Crematoria Act 2003 states that:

A Class A cemetery trust must hold an annual meeting before 30 December in each calendar year.

Prior to 2020, annual meetings have been held regularly in November each year. Two things happened in 2020: COVID and a change of chair. The 2020 annual meeting was held in February 2021, possibly due to COVID, but no trace can be found of the 2021 annual meeting, and now the 2022 meeting is to be held more than six months late, a further failure of governance under the current chair.

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:53): (259) My question is for the minister representing the Minister for Planning. After already having raised this in an adjournment matter, I still have numerous constituents reaching out with reasonable concerns. The proposed 1400-acre Meadow Creek solar farm in Bobinawarrah is to be the largest in the country. As previously mentioned in this chamber, this specific piece of land is described in the *Hume Regional Growth Plan* as strategic, premium agricultural land. It is also within the Wangaratta domestic water supply catchment area. Having said this, will the minister conduct further community consultation with the Meadow Creek community action group?

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Southern Metropolitan Region

John BERGER (Southern Metropolitan) (12:54): (260) My question is to the Minister for Education in the other place, Minister Hutchins, and regards the recent completion of works at Windsor Primary School. The Andrews Labor government has upgraded and modernised Windsor Primary to create space for an extra 200 local students, and it was needed. My staff member's son went to Windsor Primary, and she told me that in the decade since he attended, school enrolment has tripled. This project was needed, and we delivered. Stage 1 of the project included the construction of a specialist learning building. Stage 2 provided the school with a three-storey building and a multipurpose hall, music room and classrooms. With \$15.5 million allocated for the established areas program in 2020, I am proud to announce that two weeks ago, on Monday 5 June, the project achieved practical completion. So my question is: will the minister join me on a visit to Windsor Primary School to celebrate its opening?

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (12:55): (261) My constituent question is to the Minister for Emergency Services regarding funding for communities still recovering from the October 2022 floods. In Victoria over \$54 million will be spent on Disaster Ready Fund projects, which includes \$28.23 million from the state government. The *Weekly Times* reported that most of this funding will be spent on employing consultants to undertake reviews and studies. It is over eight months since the floods, and I was in Rochester recently and there are still 300 households living in caravans, sheds and tents. The neighbourhood house is relying on donations for blankets, heaters and support staff. The community are also seeking funding to hold social events to bring the community together. Can the minister please explain why funds are being used on consultants rather than grassroots programs and advise when community grants will be open to help local communities recovering from the floods? The funding made available following the bushfires was vastly different to the support being given post floods, yet the impact is the same on those who have lost their homes and businesses.

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (12:56): (262) My question today is for the Minister for Public Transport. In the state budget it is noted that \$60 million has been allocated for works to implement the next generation G-class trams on routes 57, 59 and 82. And this is a great step in making climate-friendly public transport accessible to all, but these are not the only tram routes that have accessibility issues. In my constituency a number of tram routes, including the number 3, the 12 and the 78, still operate the old, high-level style trams. Further to this, we have relatively few accessible tram stops, making this mode of climate-friendly transport unusable to my constituents with accessibility requirements. Given the failure to mention routes in Southern Metropolitan in the budget allocation, my constituents would like to know: what is the order in which tram routes will be receiving next-generation tram works, and what is the criteria for a route to qualify for next-generation tram works? Everyone deserves access to climate-friendly transport.

Western Victoria Region

Joe McCRACKEN (Western Victoria) (12:57): (263) My question is to the Minister for Transport and Infrastructure, and it relates to the construction and duplication of the Western Highway between Buangor and Ararat. Can the minister please release the full projected costings of the project, other options considered and any other considerations used to justify the existing route selected? I am asking for a complete and full disclosure, please. I raise this on behalf of Keep Original Route Supporters Inc, a local group of residents in and around Ararat who have taken a keen interest in the matter. They have raised the prospect of other options being available for the route, and one option could be to increase the width of the current road on the existing footprint. Given no work of substance has really begun, there is an opportunity to consider the route carefully given it was first approved in 2013 and the road construction material costs have changed significantly since that time. Is the minister open to hearing from locals about the matter? Will the minister meet with KORS and have a reasonable and honest

discussion about the project? Concerns about cost, heritage, environment, traffic safety and road quality could be fully considered and discussed.

South-Eastern Metropolitan Region

Rachel PAYNE (South-Eastern Metropolitan) (12:58): (264) My question is for the Minister for Roads and Road Safety. My constituent is a resident of Dandenong and her question relates to the pedestrian crossing at Stud Road, Dandenong. She is one of the large number of pedestrians who access the Dandenong Stadium on Stud Road from nearby residential areas or bus stops on Stud Road. In that location there is no formalised crossing point, meaning regular occurrences of pedestrians running across this busy arterial road. Sadly, the accident history there includes a pedestrian fatality in 2018. My constituent understands that council officers and the Victorian government officers have worked together to finalise the design for signalling at the intersection at Stud Road and McFees Road, which would address this issue, so my constituent asks: what steps has the minister taken to fund construction at this location?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:59): (265) My constituency question is for the Minister for Roads and Road Safety, and my constituent writes about the Baxter-Tooradin Road between the South Gippsland Highway and the Fisheries Road and Cannons Creek Road roundabout. This stretch of road received multimillion-dollar upgrades a few years ago to create the roundabout, but unfortunately for my constituent – and I can sympathise because I have been down that road only recently – the road surface itself was not part of the upgrade. The upgrade was about putting in a roundabout, but the road integrity and the road surface are deplorable. He also said there are new highway stabilisers and that they are putting in wire rope barriers so you cannot fall off the edge of the road, but the state of the road is shocking. Will the minister resurface and fix these potholes to drastically improve road safety on this particular stretch of road?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (13:00): (266) My constituency question today is for the Minister for Small Business, and it relates to the tendering of metropolitan bus services, particularly in my electorate of Southern Metropolitan Region. I am aware of the impact this is likely to have on a number of providers of services in my region. Whilst the machinery of the bus tendering occurs through the Department of Transport and Planning, the Minister for Small Business has a responsibility to ensure that small businesses are treated fairly. I ask her: is she prepared to intervene and meet with a number of the bus operators from my Southern Metropolitan Region and ensure fairness in the process as it relates to the long-established bus routes and depots and the long-established arrangements that have been in place for these small businesses that provide ongoing transport services in my region?

Sitting suspended 1:01 pm until 2:07 pm.

Bills

Corrections Amendment (Parole) Bill 2023

Second reading

Debate resumed.

David LIMBRICK (South-Eastern Metropolitan) (14:07): I would like to start by acknowledging the real reason we are having this debate, and that is because of what happened to Elizabeth Stevens, Debbie Fream and Nat Russell 30 years ago. I acknowledge that in the gallery at the moment there are some friends and family of these people: the son of Debbie Fream, who was only 12 days old when his mother was murdered; Karen, Nat's best friend; and Lisa, Nat's sister. I am personally involved in

this case: Nat was my girlfriend at the time. Thirty years is a long time. I was a teenager with long, curly hair, believe it or not. I am certainly not a teenager anymore.

One of the things that I discovered 30 years ago in my first interaction, I suppose, with the criminal justice system was the supports, or lack of supports, for victims of crime. At the time I managed to avoid the fact that I was somehow connected to the case. The media sort of missed the fact that Nat had a boyfriend, and I was very happy about that because I saw the spotlight that they were getting and I did not want that on me. I just wanted to go away. But I did want to know what happened to Nat, because the cops never told me anything. I did not have a clue what happened. All I knew was that she was gone. To find out, on 20 December 1993 I went to listen to the sentencing of Paul Denyer, and I found out what happened.

Some things are unspeakable, and his crimes are certainly unspeakable. I think I speak for everyone involved in that we found some comfort in the remarks and the decision of Justice Vincent at the time. With regard to the question of parole, I would like to quote something from the sentencing statement that he made at the time. As everyone would know in here, he is a very, very learned man, who many from all sides of politics have great respect for, including me. Here is what he had to say on the topic of sentencing and parole, and this was addressed to Denyer himself:

Unfortunately, I must sentence you now and I cannot abrogate my responsibility to some distant Parole Board. Recognizing the importance of rehabilitation as a sentencing consideration, there are very occasionally situations in which that factor must be subordinated within the confines of a proportionate sentence to the need to protect the public against the truly dangerous. The evidence before this court is tragically clear on that aspect. You do constitute such a danger, and at our present state of knowledge, apart from separating you from society, there is nothing that can be done about it. Any non-parole period which I fix would have to be very long in any event and calculated without reference to the potential risk which you could then pose. Perhaps there will come a day when you will be able to walk among the ordinary people of our community. Whether you will ever do so must await the passage of years and the decision of the Executive Government of the time.

That brings us to today. It is in a way a decision of the executive government of the time, but very different to what he imagined, because after he sentenced Denyer to three life terms, plus eight years for the kidnapping of Roszsa Toth, we felt some sort of closure that justice had been served. It was still very difficult, it was still awful what had happened, but there was some justice.

I did not understand anything about the legal system then and did not understand what was happening, but the next year there was an appeal. I did not follow it closely. I did not really understand it. But what happened at the appeal was this exact paragraph that I just read out to you apparently, through some technicality, was in error or something like that – I cannot remember the exact term they used – and they decided that not setting a parole period was wrong, and they overturned it. It was not a unanimous decision – one of the judges dissented – and they set a non-parole period of 30 years. Of course everyone connected to this case was in absolute shock.

This was not some random event of anger or something where someone made a mistake; this man had been fantasising about murdering women since he was a teenage boy, and he committed many, many other heinous crimes that he confessed to, including assault, harm to animals and stalking potentially hundreds of women. Since we talked about this in 2021 I have had many people contact my office stating that they were stalked by him. I know that the author Vikki Petraitis, who is also in the gallery, has also had many women from Frankston contact her as well and talk about their stories. That stalking – hunting is what he was doing – eventually culminated in murder, which as Justice Vincent stated, he was excited by and continued doing. And as he stated himself, he would have continued murdering until he got caught. He stated that himself.

I do not think that anything that Justice Vincent said in his statement is wrong. I do not see any new treatment technologies, drugs or psychotherapy that would rehabilitate someone of this character. I acknowledge I am a big believer in rehabilitation and reform for prisoners, for people who have done things wrong to turn their lives around. My entire politics is around the defence of liberty, and here I

am arguing to take away a single man's liberty. But it is inarguable that there are some people – very, very, very rare – that are so dangerous they must be separated from society. In fact Justice Vincent said it plainly. He said, 'You're not one of us,' and I think this is true.

What has happened is that for 30 years it has always been in the back of our minds that one day he might get out. One day a distant parole board, whom Justice Vincent was unwilling to abrogate his responsibility to, might make a decision to let him out. Since we started talking about this in 2021 all we have been asking for is a reassurance that he can never harm another woman. I talk to people and they say he will never get out, it will never happen and this sort of stuff. Great, let us state that publicly. But no-one can do that. No-one can actually provide that reassurance, so we are left in the unenviable position where we are forced to continue pushing this.

I totally take the Attorney-General's words in good faith and the Premier's apology in good faith, but I am critical of the government because I think that when we raised this in 2021 it could have been dealt with back then. I do not know why it has to take so long to act on this. I would say that despite the criticisms of the mechanism of this bill that has been put forward by the opposition – I actually share some of those concerns about naming single people, and I do see the problems with that – it has already been successful in the sense that the government is acting and has made some commitments, so I would say that it has been successful in that sense.

I think as a path forward from here I am very happy and would be very keen to work with the government on what that legislation and those changes might look like, in conjunction with friends and family who might have an interest in this, and we need to make sure that they happen and soon. Like I said, there are not many of us left that can continue to fight this. We are not going away. I could leave Parliament and I would still be fighting this from the outside; I would probably have more freedom to be naughty doing it that way. But this does need to happen. Something needs to happen. There needs to be some sort of reassurance.

It is not just for the friends and families. It is for the people of Frankston as well. That entire community was traumatised. People have described it to me, and I saw it myself, as like a lockdown, except it was just women. Parents would not want their daughters going out at night or meeting friends. People just decided to stay home, and that has had an intergenerational effect in that town. People that are my age and lived through this back then are parents now and they worry about their own kids. They think back to what happened then. They do not want it to ever happen again, and they do not want the possibility of it ever happening again. That is why I am supporting this bill. Regardless of whether it passes or not, I know from the statements I have heard so far and talking with people privately that everyone agrees that they do not want him to hurt another woman. No-one wants that. I also know that the people voting against this do not want him to get out and harm another woman, so I am not accusing anyone of that. We do need a solution, and I am critical of the government for leaving it so long. But I am happy to take in good faith the government's statements and actions, and I hope that there are better things in the future.

On the subject of wider parole reform and how victims interact with it, having seen up close now how this works, it needs changes. This is aside from the Denyer issue. The idea that you just get a letter about someone who has done these horrible things to your family saying, 'Would you like to put in a submission?' – what do you put in a submission or an impact statement? People do not know how to do that stuff, and it is really, really hard. And as to information about the process and how it works and what is happening, we still do not even know. We know that parole was refused, but we have no idea what actually went on there. I understand that there are privacy issues, but surely there must be some changes that can be made that would improve this process, because it is just absolutely brutal. It is not good for anyone.

I do not want to have to keep fighting this, and I do not want to make it political, because I know we all agree at least on the objective – it is just how we get there. I have been open-minded all along. I have said to the government, 'I don't really care how you do this. We just need a solution.' The

government has lots of smart people working for them, and I am sure they can figure out solutions. We must do better in the future for other victims of crime, especially people who have been exposed to this type of trauma. It changes your life. It certainly sent me on a totally different direction than what was going to happen, and I know it did for everyone else.

I would also say that no-one who has been talking about this publicly to my knowledge wants to do it. None of us want to be talking about this; none of us want to be going over and over it. We just want to have some sort of solution or closure, which we felt we had back in 1993, because even today, despite our will, no-one here can actually stand up and say for certain that he is never going to harm another girl the way that he hurt Nat. So we have to act.

Rikkie-Lee TYRRELL (Northern Victoria) (14:24): I am rising today in support of the coalition's Corrections Amendment (Parole) Bill 2023 to ensure Paul Denyer is unable to apply for parole. To begin with, I would like to thank the families of the victims for their strength and time to attend today. I do not want to even try to imagine the pain this must be causing them.

After reading the sentencing statement for Mr Denyer, I quickly realised that he was a vicious, calculating and evolving predator who was preying on innocent women. In such a short period of time he robbed three young Victorian women of their lives. By anyone who is considering not supporting this bill today, I am left dumbfounded. This bill will ensure that this heinous monster has no chance of ever gaining parole while he is a physically capable individual. If I could change anything in this bill, it would be to deny him applying for parole ever, so that he takes his last breath locked away. I do not have enough faith in our parole system to risk even a minute chance of this creature being released on parole. With the data from 2020–21 – 43.6 per cent of released prisoners reoffended and were returned to prison within the first 24 months of their release – I am not willing to gamble the safety and wellbeing of every Victorian that would be vulnerable to such a predator as Paul Denyer.

It has been made abundantly clear that the prisoner in question has shown no remorse and is seemingly incapable of rehabilitation. To drag the victims' families through the process time and time again is a barbaric and cruel sentence that they must go through each time he applies for parole. This bill will put an end to their emotional torture. This bill is not unprecedented. It is a necessity in this case. It is my duty as an elected member to ensure that correct legislation is passed in this chamber to guarantee the safety and wellbeing of Victorians. I would be betraying my constituents in the north and every other Victorian if I were to oppose the coalition's Corrections Amendment (Parole) Bill today.

Jeff BOURMAN (Eastern Victoria) (14:26): It has not been easy sitting here listening to people go through this, particularly Mr Limbrick. I remember this period quite well. I have lived in the south-eastern suburbs of Melbourne more or less since we came to Melbourne. Whilst I did not live in Frankston, I lived in the vicinity, and for a while no-one knew what was going on. Someone said it was like lockdown, and it was. In fact I remember in most of Melbourne women were just scared to go out, and it was because of a single person – and not much of a person.

I am going to go against my normal rule of not using names and I am going to just use names through this because it gets too difficult and I will sound like I have gone off the rails. Denyer is not a normal person. He is broken. There is nothing about him that I can see, other than the fact he draws breath and turns oxygen and food into energy and all that, that is like a normal human being. What normal person in their right mind would send a letter to a member of Parliament who was a victim of his asking for help? I have not seen the letter. I know it exists. I do not want to see it. There is nothing normal about this person.

Having been here through the time when we put the Minogue legislation through so he would spend the rest of his glorious days in the big house – and I hope he dies there, and Julian Knight – I concur with Mrs Tyrrell. I do not think there should be a provision in this bill before us to ever let him out. I do not care how sick he is, I do not care whether he is 2 seconds away from death – bring him out in a box, and bring those other clowns out in boxes too. There are some people that go beyond our rules.

As an ex-policeman I am well aware of sentencing and I am well aware of the need for law and order, but every once in a while people come along. Ironically, I think a bill that individually targets someone is better than trying a catch-all thing, because it allows for the fact that there are some people that go beyond normal sentencing. Over the years I have been kind of a bit critical of Justice Vincent, except on this case. I think he got it right, and I am retrospectively appalled that they overturned it back then. Three life sentences plus eight years – how on earth could you set a minimum of 30 years? That is effectively 10 years for each of the girls he murdered. In what society is that just?

As to the government's proposal, I see some problems with it. I understand that it is a proposal and there is not a lot of structure to it, but there are a couple of things I see. At this stage it will be setting a period of time that people cannot reapply for parole – we will make it five years, 10 years, whatever – but then at that time the victims will have to go through it all again. Whether the intent is to keep them behind bars forever, we do not know what the future brings. No-one thought we would be here debating this in the form it is, yet here we are.

One of the things I have heard is that the government is worried about what the High Court may or may not do about this, but I might also point out that with the proposed reforms I have heard there is a distinct possibility that the two others that should be in jail for the rest of their lives could apply to the High Court and want it applied to them. So I actually wonder if we are opening a door for other victims to be tortured by these people, and I really urge the government – I know they are not going to support this today – to think very carefully about where they go. There are real people at the end of this. As a police officer you deal with the victims a lot and you tend to identify with the victims a lot, but you are generally not a victim. I can only imagine – and as I said earlier to the victims, I only ever want to imagine – what they go through. It is inexplicable – the sorts of things that people can do to each other. Whilst I am obviously a little bit more hardcore and law-and-order than most, I do believe some people can be rehabilitated. But Denyer cannot. He should spend the rest of his days burning in hell – even though I am not religious – and if we cannot do that, he should spend the rest of his days in prison.

David ETTERS HANK (Western Metropolitan) (14:31): Thank you to Mr Limbrick for his contribution. This bill seeks to amend the Corrections Act 1986 to limit the circumstances in which Paul Denyer may be released on parole, a prisoner sentenced in 1993 to three consecutive sentences of life imprisonment for three counts of murder. Last week I had a long conversation with Karen Noone, a close friend of Natalie Russell, and I thank her for her time and for her patience and for her candour. I found our conversation both deeply moving and deeply troubling. I express my profound sympathy to her, to the family and friends of Denyer's victims and to my colleague Mr Limbrick.

This is a wicked problem. On the one hand we have a wicked man and an evil man and a man who, as I understand it, has expressed no remorse for the crimes that he has committed. Personally, and like the family and friends of the victims, it is unfathomable to me why Justice Vincent's original decision was watered down. I do not think anyone in this house wishes to see this man set free. On the other hand, we have a central pillar of our democracy, which is the separation of powers between the Parliament, the executive and the judiciary. Put simply, it is, as I understand it, the role of the Parliament to make laws and it is the role of the judiciary to interpret and to apply those laws. This principle has underpinned our Westminster system for more than 300 years.

What makes the debate before us so vexatious is that the parole process serves to repeatedly punish the family and the friends of Denyer's victims, as they are forced to relive the events and the trauma of their loss. So in seeking to respond to this wicked problem and to this bill, it is incumbent on us to weigh up these conflicting priorities. If this bill was to address how the state responds to serial killers generally, then we should debate that and provide a standard to the judiciary. But it does not. It seeks to step in and replace the role of the judiciary. Politicians are not judges, and we should not attempt to be. That previous parliaments have chosen to legislate this question for specific individuals does not change the primacy of that principle. We should, however, be seeking to address the appropriateness of the current laws and ensuring that the families and friends are not continuously retraumatised.

Denyer should be punished, not the families. On this basis, while we have the greatest sympathy for the families and friends, we will not be supporting this bill, and we look to the government to bring forward changes to protect the families and friends of these victims and others who are regrettably affected in the future.

Adem SOMYUREK (Northern Metropolitan) (14:35): I am generally against ad hominem legislation – that is, legislation targeting individuals. I certainly believe in the separation of powers between the legislature/executive and the judiciary, although I believe it is imperfect. I do not believe the executive should be appointing judges, and that is pretty much how our system works at the moment. I also believe in equality before the law. I think it is a fundamental principle of every liberal democracy throughout the world and is certainly entrenched in our charter of human rights. However, I also believe in the consistency of this Parliament. What has happened in this Parliament twice previously is the Russell Street bomber – I have forgotten his name – and Julian Knight have had specific legislation enacted against them, ad hominem legislation, making sure that they never get out of prison. Paul Denyer committed some of the most heinous crimes in Victorian history, targeting young women. I just cannot see how we cannot do everything possible to make sure this man does not leave prison. Again, I say: if the precedent was not there with Julian Knight and the Russell Street bomber, I may have voted the other way on this. But because that precedent is there, I am voting with this bill.

Mr Limbrick, in his powerful address, talked about the local community of Frankston and surrounding suburbs at the time, in 1993. I do not like drawing on my experiences here; I think too many politicians talk about themselves too much in discussing matters before the house. So I was going to pretty much downplay my experience, but I and my wife lived in Chelsea Heights at that time. We were young: my wife was in her early 20s and I was a little bit older, closer to mid-20s – 24 I think. I think I have got the go-ahead from Mr Limbrick's contribution to talk about the circumstances at that time. I was going to downplay it. Mr Limbrick described it as a lockdown type of situation. It was terrible. It was absolutely terrible. It disrupted everyone's lives. I could not go to work. My wife did not have a licence, so she had to travel to Frankston by train regularly. She could not leave her house. I could not go to work sometimes. I thought that all of this would sound too dramatic, so I was not going to go through any of this stuff. I was going to paper over it with a few innocuous statements, but I have got to tell you: this man struck fear into the lives of everyone.

As Mr Limbrick was on his feet I was on my phone going through how far away one of the murders was from my house; 6 minutes away it was. That refreshed my memory. It was 6 minutes away. I apologise to anyone that saw me on my phone as Mr Limbrick was talking, but I just thought, 'Actually how far away was that murder?' It was a 6-minute drive away. Again, as Mr Limbrick described it, it was like a lockdown of our womenfolk during that time. It was a great relief when he was caught and when he was sentenced to life in prison. We thought he would never get out. We actually thought life meant life. We thought he would never get out. So here we are, 30 years down the track, and I am a legislator. How can I possibly not do everything I can to ensure that this man does not get out? With that, I will be supporting the bill.

Matthew BACH (North-Eastern Metropolitan) (14:40): I want to thank all members who have spoken on this debate, obviously in particular Mr Limbrick. I spoke on another day, so I have not had the opportunity personally to thank the family members of the women who were murdered back in the early 1990s who have been with us today. I do not want to say too much. I would note, as Mr Limbrick has said, that I also take the Attorney-General at face value when she talks about some of the things that the government would like to do now. Nonetheless on this side of the house we agree with him that, in this proposal which entirely mirrors earlier legislation introduced by this government, we have an opportunity now in a way that is strong, yes, but entirely reasonable and proportionate and, as Mr Somyurek has said, in keeping with earlier legislation agreed to by this house to keep the Victorian community safe and to finally provide at least a measure of certainty to families and loved

ones who have been lacking that for so long. So I would urge all members of this house – government members, members of the crossbench – to support the bill today.

Council divided on motion:

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

Noes (19): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Samantha Ratnam, Harriet Shing, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Motion negatived.

Motions

Mental health

Georgie CROZIER (Southern Metropolitan) (14:48): After that very intensive time with a very important bill, I rise to speak to this motion in my name. I move:

That this house:

- (1) condemns the Andrews–Allan government for failing to:
 - (a) act on independent advice on trauma caused by the mental health system, published in the report commissioned by the Andrews government *Not Before Time: Lived Experience-Led Justice and Repair* (the report);
 - (b) implement the report's recommendations to:
 - (i) undertake a truth and reconciliation process;
 - (ii) apologise to the communities identified through a restorative justice process;
- (2) notes that the author of the report claims that:
 - (a) senior bureaucrats interfered and pressured the author to amend the report;
 - (b) senior bureaucrats in the Department of Health (DH) repeatedly attempted to alter the report's scope, including forcing authors to provide recommendations to the DH rather than to the then responsible Minister for Mental Health;
 - (c) the Andrews government attempted to ban the author from making the report public, including threatening the author's future employment opportunities with the government if they published the report;
- (3) further notes that these interactions indicate a failure by the Minister for Mental Health to avoid discrimination in the workplace on the basis of mental health and victimisation of a person with disclosed mental ill health, which would constitute a breach of the Equal Opportunity Act 2010;
- (4) requests the Minister for Mental Health to provide to the house a full and proper account of the actions taken by senior bureaucrats in DH in relation to the handling of the report; and
- (5) requests that the Victorian equal opportunity and human rights commissioner urgently investigate these matters.

My motion talks about the report's recommendations and the failing of the government to be able to implement those recommendations. The author of the report has made several claims about what had occurred amongst a number of senior bureaucrats and how the department had altered some of the issues around what the lived experiences which were in the report found, which I will speak to in a moment, and the banning of the author of the report, including, which is quite extraordinary, threatening the author's future employment opportunities if it was published.

The motion goes on to speak about the failures of the Minister for Mental Health around the interactions and to avoid discrimination in the workplace. Therefore the motion requests that the minister provide to the house a full and proper account of the actions taken by senior bureaucrats in the Department of Health in relation to the handling of the specific report and that, finally and most importantly, the Victorian equal opportunity and human rights commissioner urgently investigate the matters that have been aired and claimed publicly.

This report, as I said, was commissioned by the government following the findings of the Royal Commission into Victoria's Mental Health System – and the royal commission obviously was supported by everyone in this chamber – around the very many issues. There are many issues that are impacting those that live with mental illness, and we have seen the failure of the government to be able to support many, many Victorians who have not been able to have the support that they require at a very, very acute time. That is leading to some catastrophic outcomes, and it is also leading to more pressure within our health system.

This report, *Not Before Time: Lived Experience-Led Justice and Repair*, was undertaken, and I just want to read this part from the report:

In February 2021 ...

The Royal Commission into Victoria's Mental Health System handed down its final report, with 74 recommendations in total. This was a policy-focused Royal Commission that outlined a future mental health and wellbeing system.

However, consumers and survivors, and families, carers and supporters continued to confront unresolved trauma from the system. It was difficult to see a future mental health and wellbeing system when that system failed to acknowledge its past and confront its present.

In May 2022, the Department of Health commissioned advice to the Minister for Mental Health on how their government could formally acknowledge harms in the mental health system.

This became the *State acknowledgement of harm project*.

The task, from this report, was to advise the Minister for Mental Health on how to formally acknowledge harms in Victoria's mental health system. To do that, a reference group of 10 consumers, survivors, family members, carers and supporters was set up. Many of these people obviously were connected to those that had the lived experience or they had lived experience themselves. It was crucial to a whole range of people within the community, and there was a whole range of people in the community that were contacted to provide that input.

What this report did then was critical in terms of what had happened, but Mr Katterl, who is the author of this report, has made some allegations around the failures of the government, the senior bureaucrats and what his report, which I have just read from, was talking about. The claims, according to news reports and from Mr Katterl's own public statements on social media – on Twitter – are many. They go through a series of claims around how he was speaking out about how he was pressured by the Victorian government to change and not release the report:

False meetings were made up in a discussion with an executive where it was purported that our disagreements were dealt with (that it was advice to the Department, not Minister).

That was not his understanding. There were other claims by Mr Katterl on his social media feed:

It was consistently claimed, on several occasions, that I misunderstood the project and that it was always advice to the Department, not Minister. All meeting minutes and project plans said Advice to the MINISTER. This was gaslighting of the highest order.

I was not, clearly, in those meetings, so I cannot verify them. I cannot say if they were accurate or not. But what I can say is this motion goes to the heart of these claims and this report. Mr Katterl said that was his experience in dealing with the department. He also says that he was pressured and he was threatened and that senior bureaucrats in the Department of Health interfered by attempting to alter the scope of the report so that those recommendations, as I have previously mentioned, were

recommendations to the department and not actually to the minister. He was also pressured to remove a recommendation to allow patients and carers who had suffered to tell their story publicly. As a result of all of these elements, he felt very unwell and felt that this behaviour and the treatment that he was receiving from the government was having a very serious impact on him where he felt suicidal – so a very significant impact indeed. And that is the whole issue around why we think this needs to be investigated by the Victorian Equal Opportunity and Human Rights Commission. As he said, the report found Victorians subjected to mental health treatment were forced to endure gross human rights violations and that because of those findings, they were not able to be put out into the public domain.

All of those aspects that I have just previously mentioned around his mental health and wellbeing and his interpretations and experience of what occurred within the department and with the senior bureaucrats need to be investigated. We think there needs to be an arms-length investigation and that the Victorian equal opportunity and human rights commissioner should undertake that independent investigation and do it as a matter of priority. That would at least then see what Mr Katterl was also requesting – that an urgent inquiry into these threats that he has alleged occurred to him be undertaken – and that investigation can then get to the bottom of what actually went on and make recommendations. And really, if there are issues around what the government has provided and done or not done and it has manipulated the report, changed the report or made these threatening claims, then that is just completely unacceptable. I mean, if that is the case, that is just completely unacceptable and Mr Katterl has every right to be extremely disappointed and frustrated and very, very concerned about what the government has undertaken.

So we say that that is why this motion is an important one. These issues have been raised in the public domain – they are very well documented – but if the government did force change on an independent report, then that needs to be called out. What is the point in asking these people with lived experience to undertake this report and get that advice and provide it to the government if the government are not going to look at it and if it is just a tick-the-box exercise to say they have done it? What is the point of any of that? No wonder Mr Katterl is so frustrated and feels so extraordinarily let down by the government.

I think it is an important motion and I think it is important that we get to the bottom of it, so I would urge all members to support this motion so that we can have that independent investigation and the equal opportunity and human rights commissioner can undertake this work, get to the bottom of it and get a proper report to the government and to the Parliament so that Victorians understand exactly what went on.

Sarah MANSFIELD (Western Victoria) (14:58): Can I first acknowledge all those consumers, survivors, their families, carers and supporters who have experienced harm in the mental health and associated systems. I also acknowledge all of those who contributed to the *Not Before Time* report. It is sobering reading, and I would encourage all members of the house to take the time to read it. By centring lived experiences it demonstrates the need for truth-telling and recognition of the harms experienced in order to genuinely reform how people living with mental health conditions are treated and build greater trust in systems that should be providing care and support. While mental health systems and practices have improved significantly over time and our mental healthcare workforce does an incredible job in what are often very complex and challenging situations, delivering life-changing and life-saving care every day, we also know that we have a long way to go. This was demonstrated during the Royal Commission into Victoria's Mental Health System and is again illustrated in the *Not Before Time* report. People are still experiencing harm, and pervasive stigma, chronic under-resourcing across many sectors of our society and failure to acknowledge past wrongs all contribute to the perpetuation of that harm.

Regarding the motion before us, with respect to the first part, we agree that this report warrants a response from the government, but it should be sensitive and considered. These are difficult issues requiring well-thought-out and genuine actions. Condemning the government for failing to have undertaken a response to a report released a week ago is somewhat unreasonable. This motion is

critical of the government for not having already implemented a truth and reconciliation process, amongst other things. We could all agree, I am sure, that such a process is complex and should not be rushed. It must be done properly if we are to do those with lived experience of harm from the mental health and associated systems justice. As stated, we believe this report warrants a meaningful response to the recommendations, and we undertake to work with the government on these issues.

Regarding the second and third parts of this motion, as a broad principle we believe the government should not suppress or alter reports just because it does not agree with the contents. The right approach is to release the report and respond to it publicly – debate it publicly. While the public claims around what has occurred with this report are very concerning and in our view warrant further investigation and action by the government, we do not believe this motion’s approach is the right one. Indeed the report’s author has publicly indicated that they do not support the process proposed in this motion. For these reasons, the Greens will not be supporting the motion.

Lee TARLAMIS (South-Eastern Metropolitan) (15:01): I move:

That debate on this motion be adjourned until later this day.

Motion agreed to and debate adjourned until later this day.

Schools payroll tax

David DAVIS (Southern Metropolitan) (15:03): I am pleased to rise and move:

That this house notes that:

- (1) the government announced in the budget that it would remove the longstanding payroll tax exemption, present since the introduction of payroll tax in 1941, for 110 Victorian charitable schools with annual fees of more than \$7500, raising \$421 million over the next three years;
- (2) in the middle of a cost-of-living crisis, this will lead to higher fees for thousands of families at a time when they can least afford it;
- (3) with this new tax, the Andrews government wants to punish parents who support their child’s education by reaching into their own pockets to pay for it; and
- (4) as well as raising fees, many schools will also have to cut programs and reduce the number of teachers because of this nasty new tax.

There has been a lot said about Labor’s new schools tax, and it is a very unfair tax. It clobbers families who are trying to aspire to the very best outcome for their children. People send their children to non-government schools for a whole range of different reasons. Those reasons are sometimes religious reasons. They are sometimes reasons of curriculum – for example, languages. They are sometimes reasons related to ethnicity. I have mentioned in this house before that Oakleigh Grammar is a case in point. Greek community members send their children to a school like that, like Alphington Grammar and like St John’s. There are Jewish-background schools where people send their children for the same sorts of cultural reasons. There are also those who have specialist needs for their children and seek a particular education style or focus which is not replicated in some cases in the government system.

The importance of this diversity is severalfold. It provides choice and the ability of parents to put their children in the very best location that suits them, but it also provides a valuable step to take pressure off government schools. Think for a moment, just for the exercise, about what would happen if every child left a non-government school this year and next year attended a government school. There would be a huge increase in the number of kids in government schools. About 40 per cent of Victorian kids attend non-government schools at one point or another. This is a huge cohort of children, and they are provided with support and with less input financially from the state government than they would otherwise have if they were in a government school. That is not even taking into account the huge logistic and capital requirements that would be there if kids were to move en masse into the government sector.

But even further than this, I think this reveals several things. One is about the budget. It reveals the terrible state of our budget, with huge debt building up. We know now that by 2025–26 Victoria's debt will be as big as Queensland, New South Wales and Tasmania combined. We know that the interest-servicing costs are increasing massively, and we know that part of what the government has done with this budget is to massively expand the amount of tax collected. It has not only increased existing taxes but has sought brand new taxes. Since coming to government there have been 49 new taxes introduced. It is a huge number of new taxes. Some are small and some are very large. Some are minorly impactful; others are very major impacts on businesses and community and those who are forced to pay them. So there is the tax side of this too.

But make no mistake, equally, underneath the tax issue and underneath the huge need for revenue of this government, there is also a nasty, vicious, ideological heart that is working through this to change the nature of our society. They want to stomp on parents who send kids to a private school. They want to stomp on kids who are at private schools. This government does not believe in choice, it does not believe in parents having the option and it does not believe in parents being able to make the decision. It believes it knows better. It believes it needs to penalise the decisions of aspirational parents, parents who are seeking to do the very best for their kids. I say, as I said in this chamber the other day, people make a whole range of different choices for their kids, and the reasons for them are very complex and diverse, as they should be, because every kid is different, every family is different and every circumstance is different. But closing down choices and options by putting taxes on schools and making it harder for those struggling parents to send their kids to a school, is not the way to achieve a better education system. It is going to achieve a poorer education system, a less diverse system, a less innovative system and a more staid and rigid system, where the government controls more and more and more.

I believe that is exactly what the government is doing with this tax. It is designed to penalise those parents to send a clear message. We have watched the minister and the Premier struggle to explain this policy and the Premier try to backtrack and send out coded messages that they are not going to tax all the ones that they said in the budget. They did say 110. They referred to the \$7500 to \$8000 cut-off, and now they are tampering with that. But I say to those parents, I say to those schools, the government might tamper around the edges of this policy this year – they might lift the threshold to \$10,000, they might lift it to \$12,000, they might even lift it temporarily to \$15,000 – but make no mistake: they are coming after you, they are coming after your kids and they are coming after your schools. That is what they are going to do. They are going to widen the net in such a way that they can bring in more and more revenue and penalise more and more aspirational families and aspirational kids in this way. One way they might do it is to set a threshold of let us just say \$10,000, for the sake of the exercise, and then just hold that threshold fixed over a number of years as they bring in more and more schools. This is a very nasty step, and I think it is worth again just stepping back in this chamber to understand the history of payroll tax in this country.

Until 1941 there was no payroll tax. It was a wartime tax put on by the federal government. And that bill, and I have read the bill closely, made it clear that benevolent organisations and not for profits would not be taxed, would not have to pay payroll tax. The 1966 federal act made it clear that schools specifically were exempted, including all not for profits and so forth, from payroll tax. When the deal was struck with the federal government and the state governments in 1971 to give payroll tax to the states, in this Parliament in the lower house the then Premier and Treasurer Henry Bolte introduced the bill.

Nicholas McGowan: Good man.

David DAVIS: He was a very good man, and he made a very clear point in that bill of protecting not for profits and protecting schools from payroll tax. He made this point explicit in the second-reading speech and in the bill. It is quite explicit. That is when payroll tax comes to the state, and until this year's budget private schools and not-for-profit schools have all been exempt from payroll tax.

This is 80 years – it is a long time – and this government is overturning that settled, bipartisan policy that we would not put payroll tax on non-government schools.

Again you have got to ask why they are doing it. There are two reasons: the desperate need for cash is certainly one of them, and the other is this deep, nasty, pernicious ideology that hates private schools. They simply hate private schools. They hate the aspiration and they hate the striving that is behind the decisions of so many parents to send their kids to a private school. That is what is going on, and I think it is a really very nasty thing. I think the community needs to call it out, and we need to make it very clear that we are opposed to this. We have indicated that if we are elected in 2026, we will repeal it. The bill went through on Tuesday night. The message has presumably gone to the lower house and the bill will be signed into law in coming days.

There is another aspect of this legislation. There are the very unusual, draconian powers given to the Minister for Education, in conjunction with the Treasurer, where they can designate which schools are in and which schools are out. This again is a mechanism to establish a list. On one hand there is a list of favouritism where they say, 'You're okay. We're going to let you off for the moment – just for the moment.' And then there is another list, which is the hit list. That is the list where people are going to be clobbered, families are going to be clobbered and schools are going to be clobbered.

If I was on the board, for example, of a non-government school, I would be suggesting to each of those schools that at the bottom of their fee schedules, as they hand them over to parents, the fee invoices, they attach a line item that actually lists and quantifies the government tax that is put on their school so that every parent knows exactly how much tax they are paying for the privilege of sending their child to that school. I think this would make it very clear to people that this is very unfair. They have already paid their taxes over here. Sure, there is some federal money that comes back to private schools and there is a small amount of state money that comes to private schools. They have paid their taxes, but they are already paying tax which helps and properly funds government schools – quite properly. But then over here, where they are paying their fees, they are going to be clobbered, in some cases, we now know, more than \$1000 a year to pay for the privilege of sending their kids to that school.

It is a double taxation that is being applied here. You are paying once in your tax, quite properly, to support all schools – and government schools especially, where, let us be clear, parents pay. When my kids were at a local primary school, we did not pay for the fees. We paid a voluntary contribution – fair enough – but essentially the education was free. That goes back to the education acts of the 1870s, and that is a good thing. But to clobber those families, on the other hand, who have made a perfectly legitimate decision, for whatever reason, be it cultural or language education – it could be a music program; it might be a sport program, whatever it is – they have made a decision to send their kid to a non-government, not-for-profit, benevolent school, and they get hit with a tax. This is a very nasty thing that is going on here. I think that people across the community, particularly those parents who are going to end up paying this, need to be prepared to stand up and have a pretty big political fight about this. I think that Labor MPs need to go and confront their non-government schools. They need to talk to them, and they need to understand what is going on. Any non-government school that is below the initial threshold – whatever that may be in the end, once the government gets its act together, because it did not consult on any of this; we know that. Whatever it is, if your school is below the threshold, what we need –

Nicholas McGowan: What threshold?

David DAVIS: Well, I am just saying whatever the threshold is – whatever it is – you need to understand that you are likely going to see your school brought into the net in just a few years. You are going to be caught. They are going to widen this net. We know the line that they initially wanted to go to – \$7500 – and nobody believes that that is the end of it. We know that there is huge pressure financially on this government, but we also know it is one of the most ideological governments in the state's history. They are going to continue this process of hammering non-government schools – hammering them – and I think we should be prepared to fight and stand up on it.

John BERGER (Southern Metropolitan) (15:19): Today I rise to speak on my colleague on the other side Mr Davis's motion 105. This motion reads:

- (1) the government announced in the budget that it would remove the longstanding payroll tax exemption, present since the introduction of payroll tax in 1941, for 110 Victorian charitable schools with annual fees of more than \$7500, raising \$421 million over the next three years;
- (2) in the middle of a cost-of-living crisis, this will lead to higher fees for thousands of families at a time when they can least afford it;
- (3) with this new tax, the Andrews government wants to punish parents who support their child's education by reaching into their own pockets to pay for it; and
- (4) as well as raising fees, many schools will also have to cut programs and reduce the number of teachers because of this nasty new tax.

It is important to note that Parliament has already debated the payroll tax, and in fact this chamber did it yesterday. I remember a very late evening sitting to get the day's events done. Some say removing this exemption will unfairly affect a large proportion of our schools, but the reality is starker. The removal will impact a small number of high-fee non-government schools. It ensures that the payroll tax exemptions are only provided to low-fee non-government schools.

I am keenly listening to my community's views on this bill. The Minister for Education, with the consent of the Treasurer, will make the determination of which non-government schools will remain exempt from the payroll tax, and it will be done by considering each school's level of fees and charges, parents' contributions and any other appropriate factors. How is it fair that government schools have for so long been required to pay payroll tax but non-government schools have not? These changes will ensure that high-fee non-government schools contribute their fair share, and I note that the Minister for Education in the other place Minister Hutchins and her department are working with the peak bodies to finalise and implement these changes accordingly. The Andrews Labor government will always use Victorian taxpayers money responsibly, and that includes the funding allocation given to our schools. However, the Andrews Labor government prides itself on the fact that we will act when we recognise there is a need to go back to the drawing board.

Despite the way this motion is framed, the removal of the tax exemption is not yet in effect and will not be in effect for roughly a year. The bill is not law yet. We have one of the best aspects of our democracy on display right now: constructive debate, a discussion that will lead to the best possible outcomes for stakeholders. This payroll tax is being introduced to improve the lives of all Victorians, which will ultimately mean the improvement of every single student's and their parents' lives. Good government must look to the whole picture. The removal of the payroll tax exemption on high school fees will ultimately improve all education in this state. It is not in the interests of the Victorian people to have COVID debt drag on; action needs to be taken now.

Some act like support for schools is a one-way street. It makes very little sense. The evidence shows that the Andrews Labor government supports non-government schools in a range of ways. We are committed to funding 20 per cent of the schooling resource standard for non-government schools under the *National School Reform Agreement*, and there are a range of measures in the 2023–24 budget that will support non-government schools. On top of what I said yesterday, it includes \$450 million for the Non-Government Schools Capital Fund. Funding is provided in construction, expansion and renovation of low-fee Catholic and independent schools of Victoria. This follows \$402 million in 2018–19 for the Victorian government's Non-Government Schools Capital Fund 2019–20 to 2022–23; \$120 million in 2015–16 for the Victorian government capital funding program for non-government schools from 2015–16 to 2018–19; and funding for specific programs, including \$168 million for the Camps, Sports and Excursions Fund. This program provides support for non-government schools and their students. It helps to cover the cost of camps, sporting activities and excursions to ensure family circumstances are not a barrier to participation. This year's budget increases the amount of funding per year by \$25. In addition, the low-fee non-government schools

will also benefit from \$17 million for access to the Smile Squad free dental program, commencing in 2026.

To look at the tutor learning initiative, an independent evaluation found that 88 per cent of primary school principals and 75 per cent of secondary school principals surveyed said something important, and that is that our programs are improving student achievements. It is noticeable and it is real. That is why it has been extended to the end of this year. In fact more than 88,000 students in low-fee non-government schools received this targeted small group support in 2021 and 2022, and it is continuing into this year. That benefits more than 600 low-fee non-government schools. In fact we have assisted schools with 257 projects, 180 of those in the Catholic sector and 77 in the independent sector, and we will not be stopping any time soon.

Take a school in my own community, the electorate of Southern Metropolitan. In fact this is Mr Davis's community. We have seen students from Galilee Regional Catholic Primary School in South Melbourne benefit from a massive upgrade. Students and staff of this school community have received \$5 million so they can have access to a new multipurpose hall and performing arts facility, and that is on top of the refurbished general learning area, administrative facilities and outdoor spaces.

Our government's funding commitments are divided across four project categories. The first category is building new campuses in areas of Victoria experiencing significant enrolment demand. The second is expanding the capacity of existing schools in areas of Victoria experiencing significant enrolment demand. The third category is upgrading facilities in existing schools according to their need, including the replacement of existing relocatable classrooms; and the fourth is a planned removal of asbestos and other cladding.

In 2018 the Andrews Labor government committed \$402 million over four years to upgrade and build new Catholic and independent schools across the state, and a further \$450 million was allocated in this year's budget to continue to provide funds to non-government schools. We are working with both the government and non-government school sectors. That means Catholic Capital Grants (Victoria) Ltd and the Victorian Independent Schools Block Grant Authority manage the program for schools in their respective sectors.

Before I finish today I want to talk about service. The Andrews Labor government is supporting our low-fee non-government primary schools by funding the mental health in primary schools program. The program funds schools to employ a mental health and wellbeing leader. Any parent in this place with kids in school will know how important that is. In the modern era our young people face unique changes and challenges, and they are different to those in my day. That is why the support provided to individual schools will help teachers better identify and support at-risk students and build relationships with and referral pathways to local mental health services.

Finally, we have invested more than \$126.4 million to establish the Victorian Academy of Teaching and Leadership because we need the best teachers no matter what school your child goes to. The teaching excellence program is an Aussie first. Participants are from all three school sectors. Government, Catholic and independent schools are undertaking this advanced flagship learning program for highly skilled teachers. In just two years the academy has trained 238 teacher participants, with 92 per cent of the participants having identified that the professional learning and development had a positive impact on their lives and their professional practices.

Evan MULHOLLAND (Northern Metropolitan) (15:28): I am delighted to speak on this motion and once again to defend independent schools in my electorate from the cruel intentions of this Andrews Labor government. As a proud representative of the northern suburbs, my electorate is home to probably the most diverse communities in Victoria. One unique characteristic is that diverse communities are all aspirational communities. Migrants come from all across the world and settle in the northern suburbs as their new home, with high hopes and big dreams, all of which fit into a suitcase.

This kind of story is familiar to me. My nonna and nonno settled in the northern suburbs in the 1950s. They arrived in Australia by boat with nothing but a suitcase, and they started a life for themselves. They worked really hard. I know my nonno worked six- or seven-day weeks as a metalworker, all to provide for his family and all to make the choice to use the vehicle of education to provide for his family so that his children could have what he could not, so that his children could read English, so that his children could get ahead. That is the case for so many migrant families around Victoria, particularly in my electorate. That is why to me this Labor schools tax has to be one of the most cynical policies I have ever seen from this Andrews government. I am proud to be part of a team that has guaranteed that we will scrap this tax.

I just wanted to point out something that my colleague Mr Berger said in his contribution when pointing out all the initiatives that the government had for independent schools – clearly given over by the Premier's private office – what they were doing for independent schools and all the grant programs and things like that. They are basically just washing money through non-government schools. You have got a case where the government is saying, 'Oh, we're giving you this and we're giving you that and you should be thankful for that. We'll take a million and we'll give you 20,000, and you should thank us for the privilege.' That is what they are doing with the hard-earned taxpayers money that they receive, washing it through independent schools and asking them to be thankful for it. That is not the kind of attitude we should have from this government. The government should be thanking, actually, independent schools for the job they do and for the relief they give in terms of easing pressure on the school system.

I think Labor loathes independent schools. They do not want parents to decide for themselves where their children are taught. They do not want parents to choose schools that align with their values. They talk down independent schools. I have not heard a single positive word about independent schools from Labor, but the people out in the real world speak differently. Just look at Aitken College in Greenvale and Hume Anglican Grammar in Mickleham, in the growing northern suburbs. Enrolments in these independent schools are booming, and much of it is actually due to Labor's failure to deliver for public schools in the growing northern suburbs. They are happy to approve new precinct structure plan after new precinct structure plan and get all the stamp duty revenue that comes with that, but they are not actually investing in public schools. Let us look at Craigieburn's public school Mount Ridley College. It is overflowing. It has 2750 students, so they can thank Hume Anglican Grammar for relieving some of that pressure.

Let us look at Greenvale. Greenvale does not even have a public school that goes all the way to year 12, because of the decades of underinvestment in this area by the Labor government, so Aitken College, who they are planning on taxing, is actually the only school in the area parents can send their kids to. We see the principal of Aitken College Josie Crisara – she has described it as bizarre, this tax, and urged MPs not to support it because there has been no consultation on this. She has tried to express that to the local member, I believe, and it is quite clear – and I have spoken to many parents at Aitken College, one of them a sponsor of a petition that is online on the parliamentary website – that the Labor member for Greenvale has failed in his first hurdle to advocate for his community, who have been shafted by this government. He has failed at his first hurdle, his first test, for the local community. You would think after receiving the biggest swing against the government in the state you would want to listen to local communities, you would want to listen to parents, you would want to listen to families who send their kids to independent schools and then go into bat for them in the Parliament. I tell you what: I will go into bat for them in the Parliament every single day I am here, even if the member for Greenvale will not, because they are being shafted by this Labor government and do not have a member of the government, supposedly of the community, to stand up for them. That is quite disappointing.

Labor have initially said 110 schools will be impacted, but you never know – they have got history. They have got 49 new or increased taxes and they have a history of dropping thresholds, like they have

done with land tax, just raising the volume a bit on different taxes. We can see their history on this. They have got form. They have got form on that side of the house. They will pass a tax –

Members interjecting.

Evan MULHOLLAND: I mean, he is a new resident in Greenvale. We have seen, even in the Public Accounts and Estimates Committee (PAEC) –

Members interjecting.

Evan MULHOLLAND: They cannot be proud of the Minister for Education. She said, ‘It’s not my job to give advice on Labor’s schools tax,’ despite the Treasurer explicitly telling PAEC, the very same committee, ‘That’s a matter for the Minister for Education.’ I agree with Dr Bach: she will not be education minister for long. This government has a history of winding people that are not quite up to scratch around portfolios, and I make a prediction that we might see the same thing here. She also failed to name a single school that she had consulted with. She said she had spoken to schools and when asked ‘Which schools?’ – who – she said that she attended a dinner. As my learned colleague Dr Bach has revealed to this chamber, they seemed to more barrel her up rather than her seeking them out to speak to them about the impacts of this wicked tax.

I heard some comments yesterday I just want to get to. Mr Batchelor was speaking on this yesterday. He justified it by saying that they have got to make these savings somewhere to bring in our COVID debt. He asked what we would cut. He said that if they do not do this, we will cut something. I said this in the last sitting week as well, when I detailed some of the programs that perhaps the government could look at. It was quite prophetic actually because I said that they ought to look at the fishing rod program, which has been in the news lately. That is an area they could certainly look at.

Nicholas McGowan: How much?

Evan MULHOLLAND: A lot. Also, I said they could look at the \$3000 subsidy for electric vehicles. I do not know if you fellows have been out to Greenvale or Broadmeadows, but not many people in the northern suburbs can afford a \$70,000 electric vehicle. I think that kind of subsidy is probably aimed more at the people of Ashwood than the people of Broadmeadows. The government has in fact now scrapped that subsidy, so perhaps someone was listening. Perhaps they took my suggestion on where to cut. There are other areas they could cut. I do not know why we need to be appointing a director of diversity and inclusion at the Suburban Rail Loop for over \$270,000 a year.

Nicholas McGowan: \$1.5 million on fishing rods. There we go.

Evan MULHOLLAND: On fishing rods – exactly. These are all the things that the government could look at. Perhaps they could look at their \$30 billion in cost overruns. What a record for the future Premier – \$30 billion in cost overruns on infrastructure projects. This is a wicked tax. This is an attack on choice and this is an attack on families. We will repeal it in government.

Michael GALEA (South-Eastern Metropolitan) (15:38): I rise to speak on this motion moved today by Mr Davis, after that rather bombastic, entertaining contribution from Comrade Mulholland. I always appreciate hearing from you, especially about fantastic local members like the member for Greenvale and the member for Kalkallo too, who are working hard day in, day out for their communities.

A member: He’s a very good man.

Michael GALEA: He is a passionate advocate for his community, and he is out there every week doorknocking his community, which is more than can be said for some on your side.

I do rise to speak on this motion moved today by Mr Davis, and I am unsurprised by the lack of context. Really, the way it is written – goodness me. There is an apparent conflation, an exaggeration, implicit

in the motion's wording. I am unsurprised because I fully expected such language from a coalition motion on this issue.

Nicholas McGowan interjected.

Michael GALEA: I appreciate the offer to read the motion, Mr McGowan. I think I will be able to get through the rest of my 9 minutes without going through the whole motion, but if I am struggling, you will see me pick it up.

Changes to payroll tax exemptions for schools do have a real impact, and it is essential that any measures are considered carefully and are carefully applied. The politicking from members opposite is misleading, it is disingenuous and it shows contempt for the public. This fearmongering causes real distress, especially amongst parents, many of whom are being told about price increases that will not even occur at their schools.

Members interjecting.

Michael GALEA: At their children's schools. I have already appreciated those school principals who have reached out to us, and I have enjoyed productive conversations with them. I look forward to meeting a few more. I am looking forward to meeting the principal of Beaconhills College, which has a campus in Berwick and also in Pakenham. Along with my colleague, another outstanding outer suburban local member, the member for Pakenham Emma Vulin, I am looking forward to meeting with them. I understand and we are hoping that in the case of that particular school it does appear that they will not actually be affected by this anyway, but we will be working through that with them. It is something that we will be working through for all our schools. If there is –

Nicholas McGowan: I'll give you the list for my electorate.

Michael GALEA: If they are not subject to the threshold, they are not going to be covered by it. It is quite as simple as that, Mr McGowan. This is not a special exemption that I am putting into place, this is just a statement of fact.

Members interjecting.

Michael GALEA: It is not a special exemption; it is absolutely not.

The ACTING PRESIDENT (Sonja Terpstra): Order! Order on my left, please. Mr Galea to continue without assistance.

Michael GALEA: Thank you, Acting President, grateful as I am for the assistance. As I said, all schools, whether they are affected or not, or whether they think they will be affected – my Labor colleagues and I will be working with them in our constituencies to ensure, whether they are affected by this or not, that they are fully supported. I look forward to continuing those discussions.

The other framing of this motion is that we are pulling the rug out and that there is no support. There have been some outrageous things said today. This budget included a number of measures for private schools. I can list you one in my electorate too, in one of the non-Labor held electorates, which is Rowville. We have had a \$2 million commitment to a Catholic primary school. They are a low-fee Catholic school, I should say, too. They will not be affected by this either, as others have been suggesting. We have been proud to go out and announce that. In spite of the fact that the member for Rowville then declared on his social media that we have given nothing for Rowville schools, we actually have. We have not only funded that, we have also funded an upgrade to Carrington Primary School – planning works for their renewal – which will be in the order of \$13 million. I think it is important to keep the facts in the discussion.

In the outer suburbs there is a number of things going on in the outer north, but I am not the member for Northern Metropolitan. I will talk about the South-Eastern Metropolitan Region, where not only do we have two new primary schools being built at the moment this year, which will be opening to

students for the start of term next year, Alexander Boulevard primary in Clyde North and Brunt Road primary in Officer, we also have three new schools announced in the budget – two new primary schools for Clyde North as well as a secondary school for Clyde North too. The assertion that we are not investing in public schools is frankly ridiculous, and the assertion that we are also not investing in private schools is ridiculous too.

I had delight in visiting yet another fantastic outer suburban Labor MP, the member for Bass Jordan Crugnale. We visited Clyde Grammar school, which received a considerable amount of funding for its primary school campus, and we got to see the benefit of that state funding and how those students are benefiting from that as well. So this notion that we are underinvesting in public and private schools and whatever is complete rubbish. I am sure my colleagues who cover the north will have plenty of examples themselves of schools that have been funded too, as will colleagues in the east, in the west and of course in the regions as well – right across this state. It does not matter where you are, whether you are in one electorate or another, this is a Labor government that is investing in our children's future.

I should just mention as well – I did mention Beaconhills before – that I would like to give a particular shout-out to the year 12 legal studies class, who, members may have noticed, were observing us from the gallery yesterday in question time along with other MPs from both sides of the house and both sides from the other house too. It was great to have them in to have a look. We had a Q and A with them beforehand; they had some really good questions.

Nicholas McGowan interjected.

Michael GALEA: We then had a Q and A after – you might be interested to know this, Mr McGowan – and they had even more questions. We spent about half an hour on all the questions just from our question time. They said it was more enjoyable than I thought they would say – they said it was very enjoyable. They said it was very fiery as well, so I am sure they had an even better time in the Assembly in the afternoon. They also asked many questions about procedure: why do we bow, why do we do this, what are the time limits – really, really good questions. They also asked why members below them were on Instagram. I do know who was on that, but –

Matthew Bach: I am updating mine now.

Michael GALEA: Perfect. Maybe it was you, Dr Bach. But they were a really perceptive group of students, and it was really great to meet with them yesterday. There are a number of measures in –

Renee Heath: On a point of order, Acting President, on relevance, I think he needs to come back to the topic.

The ACTING PRESIDENT (Sonja Terpstra): Thank you for raising that point of order. I have been listening intently to the debate, and this debate has been a very wideranging debate on both sides of the aisle today. I have said this before, and I will say it again: if members on this side of the chamber want to open the door to extraneous matters, then those on the government benches are entitled to respond in kind. Mr Galea to continue without assistance.

Michael GALEA: I am sure to Dr Heath's delight, I was actually just about to return to the subject of this budget and the COVID debt repayment plan in particular.

These measures in the 2023–24 state budget, which do include the payroll tax changes as part of the budget's broader tax reform measures, cannot be viewed in isolation. I think we need to remember that 2020 was an unprecedented year, with a devastating bushfire season leading into the beginning of a one-in-100-year pandemic. In Australia economic activity fell across the board, as it did across the globe. International students – one of our largest export industries – tourists and migrants arriving in Australia effectively ceased almost overnight as borders closed. About 240,000 Victorians lost their jobs between March and September of that year. There was a massive demand on our hospitals and healthcare professionals as we grappled with the pandemic. The record levels of government support

were crucial in preventing the impact of the COVID-19 pandemic from becoming far worse – far worse for our health outcomes, far worse for livelihoods, but also far worse for our economy.

This could have been significantly worse than it was had it not been for interventions at all levels of government. State, federal, Labor and Liberal governments banded together. We can have many disagreements over what the appropriate courses of action were in whatever particular scenario, but governments got together and worked together to do their absolute best. That included the Victorian government, who fought day in, day out for Victorians. People may not agree with every decision that was taken – that is perfectly understandable; we live in a democracy and people have that right, absolutely – but this is a government that fought for Victorians during that time and spent what it had to spend to keep Victorians out of the ICU and in jobs.

We do have this COVID debt; it is approximately \$30 billion. This payroll tax measure is one component of paying that down. And I do ask those opposite: what is the alternative to paying this down? We could speculate hypothetically about what you might have done differently – and I certainly hope it would not have been a hands-off, laissez faire, Institute of Public Affairs approach to the pandemic – but one thing I am sure that we can agree on –

A member: He's gone.

Michael GALEA: He has gone. It's a shame – my friend over there has gone. This is an important aspect of our COVID debt repayment plan, and for those reasons I do not support this motion.

Melina BATH (Eastern Victoria) (15:48): I am very pleased this afternoon to put my name in favour of Mr Davis's motion 105 on the notice paper lambasting the Andrews government for an unnecessary tax on top of another unnecessary tax, on top of the 48th tax that we have seen since Daniel Andrews came to government, who previously stared down the barrel on the eve of the 2014 election saying, 'No more new taxes do I promise' – in the Premier's words. Now, the Premier's words decided to fall out of his mouth yesterday in a very uncultured and derogatory form, and I note that he begrudgingly apologised on the request of the Speaker. I have since checked in with my colleague Ms McLeish, and she is doing very well but is clearly most upset by this.

In terms of the COVID debt, as Mr Galea went to, and even the bushfires – so it has been a wideranging piece of debate so far – Victoria's state debt at the end of COVID was larger than New South Wales, Queensland and Tasmania all aggregated. As I said yesterday in communicating on this topic, if there was an Olympic medal, unfortunately Victoria and the Andrews government would be gold standard in terms of debt. The government is paying this down, apparently, and they have chosen families who want to send their children to an independent school.

According to Independent Schools Victoria, the strongest growth is in schools serving – and we heard this from Mr Mulholland, referring to his area – aspirational families. Many of them are migrants in those growth suburbs, who sacrifice maybe some of their extras to focus on the wellbeing and the educational outcomes of their children. ACARA, which is the Australian Curriculum, Assessment and Reporting Authority, in 2022 suggested that around 160,000 children attend independent schools – about 15 per cent of all of those students in our state. They meet the needs – those independent schools – of around 21 different affiliations, philosophies and approaches to education, so they are a broad-ranging level of independent schools. About 25 per cent of them are in outer regional and also inner regional areas. If you are looking at that, that seems quite reasonable. We have got 25 per cent of the population in rural and regional Victoria; we have got 25 per cent of the independent schools. About half of them have annual school fees of over \$7500 per student. These particular schools apparently, according to the government, are high fee paying schools. Many of them are from my electorate. At least 13 of these schools on that potential 110 hit list are in rural and regional Eastern Victoria Region. It is supposed to raise these funds. It is supposed to raise approximately \$400 million over the next three years to pay down some of this COVID 'government spin' debt.

One of the things that I find quite appalling is that the government is prepared to put this impost tax – or it ends up being an impost tax – on families, a tax on education, by way of removal of the payroll tax exemption, and nobody wants to own it. My colleague the member for Gippsland South did an amazing job on the Public Accounts and Estimates Committee the other day, as he did in all of the last two weeks. He quizzed the Premier. I was listening to the Premier obfuscate about whose responsibility it was. He was not owning it. He was saying, ‘Well, actually, it’s the Minister for Education.’ Well, define that last list of who is in and who is out. Then we saw the Treasurer on a subsequent day say, ‘No, that’s definitely for the Minister for Education.’ Then we saw towards the end the Minister for Education, Minister Hutchins, go, ‘No, no, it’s not my job to give that advice.’ Well, who is going to be on that hit list? Nobody wants to touch it.

One of the key factors that this government does so beautifully well is consult after the fact. They consult by having a conversation with somebody that may loosely resemble a key stakeholder or may be part of the government infrastructure system or part of the government framework and call that consultation. We have seen that in so many different policy settings, and if you have not heard me mention the native timber industry as being one, you have not been listening to my contributions over the last few years.

What will that mean to schools? At the end of the day those schools will have to forward on those cost imposts to families – families that make choices with school fees as low as \$7500. They are going to have to put those cost imposts onto families, and then those families will have to make a decision. One of the schools in my electorate of Eastern Victoria Region is the Gippsland Grammar school. It is a great school offering really high-quality education, and I thank all the staff, principals and students for doing their best on any and every given day. They are concerned, as an independent school, as to the impacts of being hit, but they are also concerned about what the government is doing in terms of the transition and funding model. They are concerned that whereas in the past they looked at socio-economic status as a funding model, it is actually going to be transferred, altered and changed to become a direct measure of income funding model as a methodology to determine how they are going to be funded. So they raised that with me as a concern around another level: will there be funding cuts to these schools if that system is changed?

Finally, we want choice. We often hear the government talk about how it is important to have choice in a whole range of things, from religion to your sexuality to how you identify to where you travel and who you vote for, and we need choice as to whether to go to one of our fantastic state schools. As I have said in the past, I have enjoyed the privilege of teaching in the state school system in a country school with exemplary teachers, but also I chose for various reasons to send my children to a local Catholic school. I chose that not because I am Catholic but because I knew that there was a section there. My youngest, most beautiful child had a learning disability, and I knew that that system was going to meet his needs in a better way. I researched this quite thoroughly. So that was my choice. I wore the cost impost at the time. It is one of those low fee paying schools, but who knows? It could even be on this cut list now. With that I had the choice. I do not want to see good parents in our state have that choice removed through financial burden. As we have said on this side, the Liberals and the Nationals will repeal this tax when we come to government.

Jacinta ERMACORA (Western Victoria) (15:57): I will speak on this motion Mr Davis has brought forward. From the outset I will say that just because something is longstanding does not make it immune to review. A payroll tax exemption that has remained unaltered since 1941 should be open to reconsideration. It is not hard to argue that the socio-economic demographics of school education in this state have changed since 1941. One of the other things that has changed is that Robert Menzies is no longer the Deputy Premier of this state, nor is he the Prime Minister of this country – since 1966. Back in 1966, when Robert Menzies was the PM, there were zero women MPs in the Victorian Legislative Council. There is a big difference in this government here –

Members interjecting.

The ACTING PRESIDENT (John Berger): Order! I have been observing today's proceedings, and there has been nothing but interjections from my left all afternoon. Ms Ermacora, could you please resume, without interruption.

Jacinta ERMACORA: There were zero women MPs in the Victorian Legislative Council. That is a big difference from this government here in 2023, where we now have more than 50 per cent women in the government and more than 50 per cent women in the cabinet. If we look opposite, it is clear that there has been lots of looking back, because there are still so few women in the Liberal opposition. So whilst history can be instructive, it is often better to look forward, and that is exactly what the Andrews Labor government in its 2023–24 budget does.

The bill includes a suite of measures as part of the COVID debt repayment plan. After careful consideration by the government, it was decided that this was the best avenue without impacting those who are struggling the most. Individuals and businesses that did well under COVID-19 are the ones being asked to contribute to reducing the debt for a temporary period of time. As I said yesterday, the criticism of the COVID debt repayment plan from those opposite really does make us wonder what they would do in the same situation. It is of course very instructive to look back at the Liberals' record in government. Premier Kennett introduced –

Nicholas McGowan interjected.

Jacinta ERMACORA: Looking back is always useful to learn a lesson, but looking forward is the way to go. Jeff Kennett instituted a \$100 levy on every single property in this state despite the significance of their socio-economic status and despite the situation and circumstance that each individual was in, causing extreme hardship for many individuals. The Kennett coalition government tried to close the Warrnambool railway line, did close down several schools in our region, abolished the industrial relations commission, sold off the SEC and consequently caused a –

Matthew Bach: On a point of order, Acting President, I do realise that on all sides of the house this has been a wideranging debate, but when we get to the SEC under Mr Kennett it is hard to see how that bears any resemblance whatsoever to the motion before the house. I would urge you, respectfully, Acting President, to bring the speaker back to the motion.

The ACTING PRESIDENT (John Berger): Could I please bring you back to the topic, Ms Ermacora.

Jacinta ERMACORA: I will move on. Jeff Kennett closed down schools in Victoria –

A member interjected.

Jacinta ERMACORA: I am on the topic of schools – causing 7000 teacher job losses.

Members interjecting.

The ACTING PRESIDENT (John Berger): Order! I cannot hear the speaker. Could you please resume without any interruption.

Jacinta ERMACORA: And not many years later there was a skills shortage in Victoria. This can only be described as decimating the economy of Victoria, not managing the economy of Victoria and this state. During the pandemic Liberals criticised every strategy the government provided. They criticised the health response. They criticised the financial assistance packages. They criticised our investment in vaccination research. The federal Liberal government said 'It's not a race' when of course it absolutely was a rush for vaccinations. Unsurprisingly the coalition has criticised the debt reduction strategy today. Meanwhile Victorians disagreed with the Liberal muck-up strategy and returned Labor for a third term with an increased majority. This motion appears to be yet another opposition scare tactic. They use scare tactics because they are too busy fighting amongst themselves to decide what they stand for. It is opportunistic and, frankly, counterproductive.

I would like to remind the chamber that the government has a track record of supporting not just public education but also education in non-government schools. Victoria has committed to funding 20 per cent of the schooling resource standard for non-government schools under the national school reform agreement. Every non-government school receives government funding under the national school reform agreement. In the 2023–24 budget alone the government announced it will continue to support non-government schools by delivering \$450 million to the Non-Government Schools Capital Fund, which provides funding for construction, expansion and renovation of low-fee Catholic and independent schools. It has gone quiet, Acting President.

In addition, low-fee non-government schools will also benefit from \$17 million in access to the Smile Squad free dental program, commencing in 2026. I could go on. The tutor learning initiative has been deemed a success in evaluations from 88 per cent of primary school principals and 75 per cent of secondary school principals. More than 600 low-fee non-government schools are receiving this funding this year. In my electorate I had the pleasure of opening the new science lab and learning area at Emmanuel College, a non-government Catholic school that received \$2 million in government funding from the Non-Government Schools Capital Fund. This was from more than \$520 million the government has invested in non-government schools. I was blown away to see the facilities. They truly are going to inspire a new generation of STEM workers.

Those opposite speak emphatically of how there will be an increase in tuition fees as if it is guaranteed. I keep hearing stories from the coalition that private schools in their electorates may be included in new tax measures, and their first act was to convey the news to parents. Those opposite are addressing this payroll tax expansion as if the government is legislating for parents of children in private schools to pay more fees. They pretend that government has a direct hand in how schools budget. There is absolutely nothing wrong with educating our children in the public school system and in the private school system. In the current society, we operate under this facade that our children will achieve better results if they attend a private school. In 2022 an Australian educational researcher debunked that. Looking at the differences in academic achievement from years 3 to 9, they found that the results demonstrate that private schools are not associated with systematically higher average student achievement in primary or secondary school, nor with steeper trajectories in reading or numeracy.

The real issue in educational success is regional versus metropolitan, and that is the issue that I would argue is important. So maybe rather than criticising the new tax measures by forcing a new cost-of-living pressure, those opposite should encourage non-government schools in their electorates not to pass on the costs to their students. I again mention that this motion has come before us for debate with the bill already having passed yesterday.

Matthew BACH (North-Eastern Metropolitan) (16:07): Yes, it has been brought on for debate after the bill passed yesterday, but if you talk to any independent school – and I talk to independent schools every single day; I talk to staff at Independent Schools Victoria every single day – they will maintain the rage, don't you worry, Ms Ermacorma, all the way through to the next election, on this schools tax.

I want to start by dealing with several of the statements made by the previous speaker. She talked about the fact that we should not look back. She also talked about the fact that obviously the government won a thumping majority at the last election; it did. Other speakers have said, 'Look, if you're going to oppose the schools tax, what will you cut?' I can understand on that basis that Ms Ermacorma would not want us to look back, because I recall – quite clearly I think – that at the last election the Treasurer said what he says before every election, which is 'Vote for us and there'll be no new or increased taxes.' The people of Victoria voted for this Labor government – well, fair enough – but on the basis that there would be no new or increased taxes, and now we hear that because of COVID debt, which was all accrued before the election, we must take this course of action. The government had a secret plan at the election to smash Victorians with a whole series of taxes – the schools tax, the jobs tax, the rent tax and the debt tax – that it did not tell Victorians about before the

election. Worse than that, the government lied to Victorians and said there would be no new or increased taxes, so I can understand why Ms Ermacorma would not want to look back. I was stunned –

Harriet Shing: On a point of order, Acting President, it is ‘Ermacora’.

Matthew BACH: What did I say?

Harriet Shing: Ermacorma.

Matthew BACH: Ermacora. Thank you. We also heard a long list of things, oftentimes meritorious things, that this government has done for independent schools, including the tutor program. That is a fabulous program. It was first proposed by the Liberals and the Nationals, to debunk the myth that nothing positive was put forward through the period of the pandemic. I was the Shadow Minister for Education at the time –

Tom McIntosh: Have you got a policy?

Matthew BACH: We do, Macca, we do. The government took it up, and that is a good thing. The model is wrong – the Grattan Institute has a far better model – but nonetheless what was put forward through the tutor initiative was really good. But the embattled Minister for Education – who will not be the education minister for long, I am advised by my friends in the caucus – has said that it has been cut. We learned this at the Public Accounts and Estimates Committee hearing, where Mr McGowan subjected the minister to questioning. So it is an interesting thing that the member would say that this is something that has been funded through this budget. What we learned in the budget papers is that the best thing this government has ever done for independent schools is actually being cut.

Now, the other laundry list of things, like the Smile Squad, for example, which the member rattled off was rattled off by the education minister at the famous dinner – the fancy dinner at the Park Hyatt. I was there. I am not impugning the minister for going to a fancy dinner at the Park Hyatt; I like a fancy dinner at the Park Hyatt. She went to the Park Hyatt the day after the budget to talk to Independent Schools Victoria. I was invited as well, and I went. I actually sat next to the principal for Aitken College. This idea that if you whack \$420 million worth of taxes on independent schools it will not lead to fee increases is so witheringly stupid that it almost needs no rebuttal. But we hear logic like this about taxation so often from people opposite that I fear it does. If the minister had spoken to one single independent school – she has spoken to none – or if she had ever spoken to Independent Schools Victoria, she would know what every single one of them says to me, which is that there is no way that they have the resources to suck up millions and millions of dollars in tax increases without increasing fees. The idea put forward by those opposite that this is somehow a scare or a political tactic is so nakedly stupid. It comes back, obviously, to the fact that the minister has not spoken to one single school.

Mrs McArthur at the Public Accounts and Estimates Committee asked Minister Hutchins, who knows nothing about her portfolio, whether she had spoken to any schools. She said, ‘Yeah, I went to a dinner.’ I went to that dinner. She only spoke to schools because when she was trying to escape, well in advance of the end of the dinner, several school principals went to talk to her. Those same school principals talked to me, and they were crystal clear – like the principal of Oakleigh Grammar, for example, which has fees of about \$8000. If you whack Oakleigh Grammar, a high-fee school according to the government, a school that did really well through the period of the pandemic according to the government and a school that should pay its fair share according to the government, that will lead to significantly higher fees for people who cannot afford it, like the good punters of Oakleigh, who are struggling and working hard, oftentimes on two incomes, to send their children to a school of their choice.

So the idea that it is inappropriate now that the bill has passed to continue talking about these matters is not one that I accept and not one, to the best of my knowledge, that any leader at any independent school in the state accepts. And if those opposite want to say that it is wrong to assert that schools with

fees of \$8000 will be impacted, or schools with fees of \$10,000 – give me a nod if you know. Michael, you know. It was fabulous to see Mr Galea talking about an excellent outcome that he has achieved for a school in his electorate. He has already given an exemption to one of the schools in his electorate. I want Mr Galea to come to my electorate and to meet with schools in Warrandyte –

Michael Galea: On a point of order, Acting President, I would just like to note that Dr Bach has misclassified what I have said. I said that I am working with them to try and ensure that they are not affected by this, as I suspect. I did not say that the school is categorically not affected.

The ACTING PRESIDENT (John Berger): On the point of order, that is not a point of order.

Matthew BACH: I did make that last remark tongue in cheek. The point, however, is that schools know nothing. You cannot say in the budget papers that approximately – that is the exact language in the budget papers, ‘approximately’ – 110 schools, high-fee schools with fees as high as \$7500, will have their payroll tax exemption removed, meaning that many of these schools will be totally defunded by the state government. The state government will be a net detractor of money from many of our independent schools. And the point made previously by Ms Bath is absolutely right: we know what this government does. We have heard from this government so many times explicit promises never to implement new taxes or increase taxes – never. We have heard that so many times, and yet under this government we have seen taxes increase 49 times now. Schools know what we know on this side of the house, which is that if this payroll tax exemption is removed, no matter at which so-called threshold, all independent schools in due course will have their payroll tax exemption removed, because we know what those opposite think about independent schools. ‘Independent schools did fabulously through the pandemic,’ we have heard just today, ‘They should pay their fair share. The tax arrangements for independent schools are a sweetheart deal.’ The Premier only used that particular line for one day, and it went down so badly that he scrapped it. But that is what he thinks, and that is what those opposite think, that it is a sweetheart deal for non-government, non-profit schools to not have to pay payroll tax.

As I finish I want to bust a couple of myths. Members opposite continue to say that independent schools are for profit. That is simply untrue. Every single non-government school must operate a surplus. That is as a result of a government policy overseen by the Victorian Registration and Qualifications Authority. The government is saying, ‘Because you run surpluses, which you must do if you want to be registered as a school or we’ll shut you down, we’re going to punish you because you are a wealthy independent school with high fees’ if you have fees over \$7500. That is not my figure; that is the government’s figure. It says in black and white in the budget papers ‘110 schools.’ It did not take long to do an analysis of Victoria’s independent schools to find out that once you get to 110 schools you are talking about schools with a fee structure of \$7500. They will not just be paying \$422 million, under this budget alone, in payroll tax; they will be paying the COVID levy and the mental health levy, even though the minister had no idea that there was even one school in the whole state with a payroll over \$10 billion – there are 69 independent schools and over 10 Catholic schools. The number of schools in the state, under the government’s own plans, which will be formalised tomorrow when the budget passes, will mean a massive hit, under this budget alone, in the order of \$500 million.

The government is not going to vote for this motion, but what the government must do now is finally reason with the almost half of Victorian parents who choose, as is their right, to send their children to an independent school and tell them if their school will be on the hit list, how big the hit list is, where the so-called threshold is and what will be included as we determine the threshold. Will it be fees and donations?

Nicholas McGowan interjected.

Matthew BACH: ‘Will it be indexed?’ asks Mr McGowan, which is critical, because if it is not indexed, and the Attorney-General failed to guarantee that to me yesterday in the committee stage of

the State Taxation Acts Amendment Bill 2023, then more and more schools – if I am wrong, then I would invite those opposite to correct me, because under the government’s plan – (*Time expired*)

Gaelle BROAD (Northern Victoria) (16:17): I am pleased to support this motion put forward by my colleague David Davis regarding the Labor government’s budget announcements to remove the payroll tax exemption on independent schools. Labor’s new payroll tax on independent schools, announced in the state budget, is a tax on families.

The increased cost of this tax on independent schools will flow through to the families who are already struggling with rising living costs. In many families both parents are working and making sacrifices to provide a unique educational experience for their kids. Choice is important. Choice is very important when it comes to education for your children. With the rising cost of living and higher interest rates, parents and families simply cannot afford higher school fees. Independent schools are concerned about the financial impact of the new payroll tax. Many faith-based schools and independent schools operate as not-for-profits and already have very tight budgets. They put every dollar back into school programs, into the teachers and into the facilities to provide the best outcomes for students. They are not sure yet how they will pay for the new tax, if they will need to cut programs and reduce staff or raise fees. I spoke with the principal of a school in Northern Victoria. They have developed a master plan for the next 20 years, but with this announcement they may need to pay \$500,000 in payroll tax. They do not know how they are going to pay for it and what they need to cut.

Independent schools have historically been exempt from payroll tax. In 1971 control of the payroll tax was passed to Victoria and the other states, and since then non-government schools and other charities have been exempt, because the government recognised the important contribution of non-government schools and charities to the public good. If independent schools closed, there would be a massive problem, as other schools in our region are already full. We need independent schools as they reduce the pressure on the public education system. But Labor’s style of government is they announce changes without any consultation and they do not provide any details. They just announce changes and expect people to come along for the ride.

Well, it has been several weeks now since this new tax was announced by the government, but independent schools are still in limbo, waiting on details from the government. We want to see this tax on schools scrapped. The Nationals and the Liberals oppose the tax and will repeal it if elected to government in 2026.

Ann-Marie HERMANS (South-Eastern Metropolitan) (16:21): I also rise to speak about the payroll tax in schools. It is a great concern. I know I have spoken about this many times, and I can tell you that in the south-east there are a number of schools that are concerned. They are low fee paying schools, but when it comes to VCE, they will be over that \$10,000, because that is what it costs to provide education at the VCE level and the choices that students require. I think it is a real shame that we have a payroll tax, which was never intended for not-for-profit organisations, being implemented on schools. Education should be a choice. Schools in the south-east are crowded. There is a lack of choice if you are going to only stick to the government schools. There are some very good government schools in the south-east. Some of them are select entry, some of them are single sex – there are a limited number of these; in fact one select entry – and there are very few choices for parents if they have particular concerns about their own children. We have a number of primary schools that have been built, but when it comes to secondary, we do not have enough government schools. There are certain people, I can tell you, in the Cranbourne area and Cranbourne West that have been waiting for a secondary school for a very long time.

I have a concern because when I talked to a number of the principals, their concerns were that the fees for their schools in the independent sector are going to be such that parents are going to have to make choices. They will have to make choices about whether they send their son or their daughter to a school and about which one has to go to maybe an overcrowded or unsuitable government school that does not fit with the family’s ideas or concerns or with the needs of their own children.

I am against the payroll tax for schools. It is a tremendous concern, and I do want to have that on record. When it was first brought in, the payroll tax was never meant to be for not-for-profit organisations. The minute we start taxing our not-for-profit organisations we are actually limiting what they can provide to the community. On behalf of a number of the low fee paying independent schools which could be impacted, particularly at the VCE level, in the south-east, and on behalf of those that are high fee paying – some of these are single sex, and I am concerned, for instance, that girls might be taken out of the school if parents have to choose one or the other and are more likely to choose boys, which is going to be a backward step. It is like we are taking society in the wrong direction. If parents have to choose which of their children they educate in the independent sector, then of course I have to advocate for them, of course I have to speak up for them and of course I need to emphasise the importance of what the implications are when we bring in a payroll tax for schools. I just wanted to make this comment and to have this on the record, and I want to thank you for the opportunity.

Nicholas McGOWAN (North-Eastern Metropolitan) (16:24): In my electorate, where there are very many schools, both government and non-government, including faith-based schools, it is very important, I feel, that the government should support both of those systems essentially with both fairness and with a great sense of equity. And historically that has been the case here in Victoria. My learned colleague Mr Davis outlined for the house earlier today the history of payroll tax, both from its wicked beginnings federally until 1971 – from memory, I think that is what he said – when we started to apply it in essence to schools. However, in effect in the state system we gave with one hand and took with the other. Governments – plural – have done that for some time. It could be argued that all governments since that point in history in fact should have just given it with one hand and left it there, because that would have done far greater good for education and for the schools involved at the state level than perhaps taking it and putting it back into consolidated revenue would have, which is what has happened for some decades. This is, however, a new chapter and a decidedly concerning one. In my experience in politics this sort of policy is usually the result of one of two things: it is either a conspiracy or it is a cock-up. Sadly, I think it is a cock-up. And I think –

Harriet Shing: Sorry, could we maybe just rephrase that?

Nicholas McGOWAN: No, I have looked the word up. It is not an offensive word. It is actually historically accurate and probably apt for this occasion, but I appreciate the point of order nonetheless that is coming.

Harriet Shing: On a point of order, Acting President, in the long canon of turns of phrase which are rapidly being revealed as unparliamentary, I would seek some guidance from you as to whether the term that Mr McGowan has used is unparliamentary and offends the standing orders on that basis.

The ACTING PRESIDENT (John Berger): Mr McGowan, could you possibly rephrase that?

Nicholas McGOWAN: I will rephrase that just because it is the afternoon and I feel ‘Why not?’ But I am obliged to point out that the dictionary definition is ‘something done badly or inefficiently’, as in ‘We have made a total’ – and I will not repeat it – ‘stuff-up.’

Matthew Bach: On the point of order, Acting President, my understanding of the etymology of the expression ‘cock-up’ is that it regards a cock’s feathers in an arrow. Now, in the other place yesterday the Premier obviously used the most disgusting, unparliamentary language, and he withdrew only in deference to the Speaker. That is what he said. Here, for us to have to not refer to feathers I think is just a little silly.

The ACTING PRESIDENT (John Berger): Dr Bach, he has already agreed to rephrase it. Mr McGowan, with the time that we have got left, have you finished your submission?

Nicholas McGOWAN: No, I have only just started. This is just the beginning. It is going so well. I will return to the subject matter, because as my honourable and learned friend member Lovell points out, it is a serious issue. And for me in fact to see it first in the budget – \$421 million – that is a massive

amount in anyone's language; it is half a billion dollars. So when you are going to impose a new tax – essentially that is what this is, a new tax of half a billion dollars – understandably every Victorian will be very keen to understand what that means and where that comes from. In particular with this tax, we at least know one thing. The expectation is, in terms of the budget, that they will grab out of the non-government school sector \$421 million. That is huge – huge by anyone's standard. It is also significant because they are taking it from a very select number of schools. We know initially that number of schools was in the order of 110 schools. We are now very unclear about that, and I want to go into that somewhat.

Initially, once the budget had passed, a bill briefing was provided. At that bill briefing a number of the Treasurer's advisers – but only the Treasurer's advisers – a representative from DTF, the Department of Treasury and Finance, and a representative of the State Revenue Office were all there, happy to provide answers to any questions that we offered, although what was clear very quickly in that bill briefing was that nothing was clear – that in fact this had been cobbled together in such a fashion that they could not answer the most basic questions. To begin with, they could not answer whether in fact this tax would be indexed at all. They could not answer, for example, when schools are assessed as having a fee threshold of \$7500, whether that would include things like a \$10 deposit just to put your child's name down. Then if you are successful in having put your name down at a non-government school, and you might have to pay a \$2000 deposit, it was not clear whether that was actually included in the \$7500 either. As we continued to ask questions like, 'Would that include a building levy?', for example, because many non-government schools have building levies, they did not know the answer to that either. Would it include a library levy? Again it was not clear whether that would be included in the threshold at all. In fact what was very clear, as I have already said, was that nothing was clear, at least in terms of the answers we received from the advisers to the minister, the State Revenue Office and the representative that was there from DTF, the Department of Treasury and Finance.

Fast-forward to just a couple of weeks ago, then, and we had the final opportunity at the Public Accounts and Estimates Committee (PAEC) hearing – a joyful experience for those that were there, I am sure – to be able to question the Treasurer directly and again his most senior bureaucrats in the room. While they were keen not to answer the questions, what they actually revealed to everyone is they knew less than the people at the bill briefing a week prior. In fact they were more keen to move on very quickly from this issue entirely, because not only could they not remember simple acronyms when it came to the education sector, which was terribly embarrassing, because they were using this, they tell us, as the basis to distinguish what they thought a so-called elite school was – that is, a school that had fees in the order of \$7500 – but they could not even tell us, again, how the indexing arrangements had been arrived at. In fact what they did and what the Treasurer did was go around and around in a circle and, unfortunately, look at each other for answers that ultimately they would say rest with the Minister for Education. This was like an episode of *Yes Minister* at this point.

The sad reality is Victorians, one and all, who had the audacity, and I say the audacity, to put their hand in their own pocket and pay for their kids' education now – and we know this because, as Dr Bach said, we took the time to speak to principals and teachers right across the state – as a consequence of this massive tax, this half-billion-dollar tax, are going to have higher fees. There is no other reality. Even if you reduce the amount of schools that you impact by this, even if you get it down to 50, you can imagine the burden on those 50 when they are hit with a half-billion-dollar tax. It is absolutely sinister.

I think what is even more concerning about this whole episode, this whole unsightly stuff-up of an episode, is that it actually pits one lot of Victorian children against the other. It actually unleashes class warfare, which I have had no appetite for in my entire public life and I will continue to have no appetite for. The Premier perpetuates this sort of warfare. He did it at PAEC again when he talked about the greedy private sector when he talked about the delivery of health care. It is the same sector that he relied upon, his government relied upon and we all relied upon to assist us throughout the COVID pandemic, yet he was quite happy to go there, talk the talk and demonise them. This perpetual

demonisation of those who actually put their hand in their own pocket and pay for their own kids' education has to stop one way or the other.

Council divided on motion:

Ayes (14): Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Nicholas McGowan, Rikkie-Lee Tyrrell

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Motion negatived.

Mental health

Debate resumed on motion of Georgie Crozier:

That this house:

- (1) condemns the Andrews–Allan government for failing to:
 - (a) act on independent advice on trauma caused by the mental health system, published in the report commissioned by the Andrews government *Not Before Time: Lived Experience-Led Justice and Repair* (the report);
 - (b) implement the report's recommendations to:
 - (i) undertake a truth and reconciliation process;
 - (ii) apologise to the communities identified through a restorative justice process;
- (2) notes that the author of the report claims that:
 - (a) senior bureaucrats interfered and pressured the author to amend the report;
 - (b) senior bureaucrats in the Department of Health (DH) repeatedly attempted to alter the report's scope, including forcing authors to provide recommendations to the DH rather than to the then responsible Minister for Mental Health;
 - (c) the Andrews government attempted to ban the author from making the report public, including threatening the author's future employment opportunities with the government if they published the report;
- (3) further notes that these interactions indicate a failure by the Minister for Mental Health to avoid discrimination in the workplace on the basis of mental health and victimisation of a person with disclosed mental ill health, which would constitute a breach of the Equal Opportunity Act 2010;
- (4) requests the Minister for Mental Health to provide to the house a full and proper account of the actions taken by senior bureaucrats in DH in relation to the handling of the report; and
- (5) requests that the Victorian equal opportunity and human rights commissioner urgently investigate these matters.

Ryan BATCHELOR (Southern Metropolitan) (16:40): I am pleased to rise to contribute further to the motion from Ms Crozier in relation to mental health. The debate on this motion commenced earlier today, and then we took a slight break for other proceedings and are now coming back to it. Essentially Ms Crozier's motion in relation to mental health seeks to make some reasonably significant claims about a recent harm reduction report, *Not Before Time*, which was the subject of some coverage in the newspapers.

Others, in contributing to this debate, have reflected on the importance of work like this. I think it is important to say at the start of this debate that it is an important part of the policymaking process in the state of Victoria that our public service, in this case the Department of Health –

Members interjecting.

MOTIONS

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Legislative Council

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Harriet Shing: On a point of order, President, Mr Batchelor is making a really significant contribution. He is quite literally sitting directly behind me, and I cannot hear him.

The PRESIDENT: I uphold the point of order, and I ask the chamber if we could be quiet for Mr Batchelor's contribution. He can decide whether he would like to go from the top.

Ryan BATCHELOR: I think I will continue from where I am, thank you, President.

As I was saying, an important part of the policy development process and the policy implementation process in the state of Victoria is that departments – in this case the Department of Health is the lead agency – routinely engage external parties to conduct research and consultation. In many cases that occurs independently of the considerations of ministers. It is often an important and best-practice part of program implementation that such material is commissioned to help inform both the department's understanding of issues and the broader policy development process. The report which is the subject of today's motion from Ms Crozier is an important and meaningful piece of work, and a lot of important and meaningful work went into the preparation of the acknowledgement of harm report *Not Before Time*. It was indeed commissioned by the Department of Health to inform their policy development and the understanding of issues relevant to mental health and mental health reform here in Victoria. This is a standard and routine part of the practice of good governing and good government in Victoria.

The government does value these contributions. We value the work that was undertaken. It is important, and we greatly appreciate the work of those Victorians with lived experience of mental health and those others who volunteered their time to share their experiences so that our mental health system can be improved in line with the very important recommendations that were made by the Royal Commission into Victoria's Mental Health System – the royal commission, I might add, that was established by this government as a key election commitment, that was delivered by this government and whose recommendations are being implemented by this government. No-one should doubt this government's commitment to mental health and to building the mental health system from the ground up. This report, in its commissioning by the department to help guide its internal development processes, is a very important part of that.

The challenge we have before us today is that the terms of Ms Crozier's motion attempt to make something out of the development and commissioning process of this report but in a little bit of a sloppy way, because the entire motion and what it details in its contents are riddled with a range of inaccuracies and conflate many issues. I think probably, in deciding who has a better understanding of the things that have happened here, it is important to read into the record the words of the author of the *Not Before Time* report, Mr Katterl, who obviously has made a range of public comments. He said earlier:

I don't support that motion from the opposition but accept I don't have control.

I think there is probably a moment for us to reflect on the words of the author of the report, the 87-page report which has made an in-depth and worthy discussion of the issues of lived experience. He has said quite, I think, succinctly and clearly, that he does not support the motion from the opposition and accepts that he does not have control. I think the next piece of his comment is also important to read. It is:

I just hope that you take the time to read our report ...

I think that is a worthy sentiment, and I think it is something that all of us who are contributing to the debate reflect on. I have had the chance to read the report – not fully, I have not got through all 87 pages yet, but the report clearly does a thoughtful task of acknowledging the harm that is caused by those who have lived experience of mental health here in Victoria, the consumers of our mental health services and the mental health system, and obviously makes some recommendations to government about the matters before it, because it is an important task the government is undertaking to fix the broken mental health system that has existed in Victoria for far too long. We know and we understand

that just tinkering around the edges is not going to deliver the sort of change that Victorians need from the mental health system. That fundamentally was why we as a government made the commitment to holding the mental health royal commission, and that is why as a government we committed to implementing all 74 recommendations that that royal commission made. It is not a simple task and it is not a quick task, but it is a serious task and a task that all members of the government, led by the Minister for Mental Health, are taking exceptionally seriously.

The royal commission gave us a 10-year blueprint to rebuild the mental health and wellbeing system here in Victoria, and in the two years since that royal commission delivered its road map to the government we have backed in our commitment to implementing the recommendations with serious funding, serious policy reform and serious systems reform. Six billion dollars has been invested over the last couple of years to realise the vision of a better mental health system here in Victoria, and it is the largest investment that has been made in mental health in Australia's history.

The royal commission's process provided an important opportunity for Victorians with lived and living experience of mental ill health to tell their story and be heard and to incorporate their experiences into the reform directions of the mental health system. Those lived and living experiences of mental ill health are an important part of the forward reform journey.

Some of the most powerful contributions that were made to the mental health royal commission were from people with lived experience, and it is important that these people came forward as part of this process. I personally want to thank those who made those contributions – those who stepped forward as part of the royal commission's processes and as part of these more recent processes initiated by the Department of Health to make sure those lived-experience voices are considered. The work of the acknowledgement-of-harm report *Not Before Time* is an important part of this debate and an important part of our reform journey going forward. I am very glad this government is so committed to mental health reform in Victoria.

Melina BATH (Eastern Victoria) (16:51): I rise this afternoon to make a contribution on motion 123 in the name of Ms Crozier. In doing so, I want to express my thanks to those who have been prepared to provide an insight into the lived experience of those who have survived abuse in the mental health space or survived a condition that leads them into a better place – those who are still in a very confronting and life-diminishing space but also those who have had to weather far less than perfect interactions with either government staff or the system. I will just call it the system.

I would like to thank Mr Katterl for his commissioned report, *Not Before Time*. The state government requested that he investigate certain areas. I would like to thank him for his investigations and speak to some of those investigations. He found that people with mental illness were subjected to – this has been stated a lot in media and also in the report – compulsory treatments, including seclusion, restraint and the use of induced comas. There were extreme levels of intervention. Were they the best levels for the wellbeing of the person? Were they the best levels for the safety of the community? These are the questions.

The report is being treated, to my mind, a bit like a hot potato now that the government has it in their hands. We have seen through reporting in the *Age* newspaper recently that the Premier has not read it. The Minister for Mental Health is getting questions in relation to this report, but nobody in particular wants to embrace it or adopt what is within it.

The report was produced in response to the Royal Commission into Victoria's Mental Health System to investigate and to provide the minister with an options paper for acknowledging the harm reflected in the views of the lived-experience community and also to produce best-practice evidence. What was the status quo for those who lived through it – those on the inside? *Not Before Time* certainly acknowledges that Victoria's mental health system was built on imperfect foundations and was designed without the input or expertise of people with lived experience.

The reference group that was established produced recommendations for the minister. Seven of the members were identified as speaking from a survivor perspective – those with lived experience – and three of the members spoke from the family or supporter and carer point of view. I certainly know that sometimes people with lived experience, people who have lived through the system, can have different views to their families or carer supporters, or they can have very much a similar point of view. In many cases reliving those experiences can cause very deep and painful distress to people, and I appreciate them having to delve into them on behalf of the investigations to produce this report.

In terms of recommendations, the *Not Before Time* report looked at six major recommendations: truth and reconciliation processes; public apologies; individual reparations; collective reparations; symbolic reparations; and guarantees of non-repetition. When we look at that first recommendation and delve into it in slightly greater detail, truth and reconciliation is part of that restorative process. If one feels valued about the truth that is being told and believed and respected, then acknowledge the harms that have been done. It can certainly start to improve relationships and create that level of understanding and hopefully, in this report, reduce the prevalence of human rights violations.

The report goes to three particular aims: that the state government should hear and acknowledge the harms of the mental health system; formally document these harms for the public record – so not only should they be listened to but they should be documented for the public record for people to see; and, where possible, there should be reconciliation. That is reconciliation between the consumer, the survivors, the families, the carers, the supporters and, where possible, reconciliation between mental health practitioners and the Victorian government. That can be a considerable can of worms. The restorative justice process should be led by lived experience and commissioners with the Mental Health and Wellbeing Commission interlocked, so a general understanding. It is really challenging, and we need to ensure that everybody who has suffered any mental harm within the mental health system has their voice heard and respected and that recommendations are fully enacted by government. It has been really quite frustrating, I am sure, that someone produces this report in good faith and then it is seen as something that needs to gather dust rather than be enacted.

Mental health in my region is a significant issue for families across the socio-economic divide. The *Gippsland Mental Health and Suicide Prevention: Foundational Plan* provides an estimate that for 2019–22 almost a quarter of the Gippsland population could be categorised as at risk. A quarter of those people had either a mild, moderate or severe mental illness. It is a considerable concern. I know I have spoken about in this place before that the services are just not there or they are on the never-never, and I will give you an example. A Moe mother's 17-year-old son was identified in the school as having a major mental condition, compromised mental health, and was told there were no mental health beds in the local Latrobe Regional Hospital available for that young person. They could go into the adult ward or they could go all the way to Melbourne. The mother said to me she was not driving at the time, so she said it was not an option to go to a youth mental health service, a youth mental health bed; they had to go into the adult service. This might be an anomaly, but I tend to think that the constrained services are there on a regular basis. The next part was that follow-up service, and literally when they rang the youth space service they said it would be months and months, just again showing that big concern that they have.

It is also very disappointing to see that a really great space that we have in the Latrobe Valley – and indeed I will give the acknowledgement where it is due: Latrobe Youth Space was set up during COVID, in May 2021 – has now had its funding removed. I concur with my colleague Mr Martin Cameron, who has visited the youth space. He is really concerned because they are really concerned about how they will provide that support, often at the front of house. It is a place where people can go in and have a shower, have a meal, sit down, communicate and reset their mental health from sometimes a very vulnerable space. That will be closed. That funding is withdrawn. So unless there can be some manna from heaven – and I am more than happy to thank the government if there is manna from heaven – that youth space will be closed in the very near future.

I thank Mr Katterl for the work that he has done, and I am sorry that he had a very unfortunate experience. I urge the government to accept the recommendations and to act upon them immediately.

Michael GALEA (South-Eastern Metropolitan) (17:01): I rise to speak on the motion moved by Ms Crozier. Mental health is an undeniably important issue. There can be no doubt that historically mental health has taken a back seat. The approach of successive governments in successive jurisdictions has been seriously lacking. I thank Ms Crozier for bringing this issue before the house. Whilst I am glad for the opportunity to discuss the importance of addressing the need for well-funded mental health services and support across the state, it is nevertheless disappointing that rather than focusing on the substantive issue and the substantive policy of what we can actually achieve, the opposition has once again sought to politicise an issue, this time in the mental health space and this time in relation to the author of the aforementioned report that many speakers have referred to, *Not Before Time*.

I note that the author of that report actually came out today and said that he does not support the opposition's motion. It is just disappointing, I guess, to see time and time again an opposition more interested in scoring cheap political points over the government than working on substantive policy reform – not to mention that the motion is also riddled with factual inaccuracies and conflates several issues. The report in question was commissioned by the Department of Health to inform its policy development and understanding of an array of issues, and it forms a component of a broader suite of work. Out of respect for what happened to the author and for his wishes, whilst remaining relevant to the subject area of mental health I will concentrate my remarks on the actual policy work that has been done and not get into this game of back and forth that Ms Crozier seems more interested in playing.

The Andrews Labor government has taken up the challenge and the duty of comprehensive reform of our mental health services. There has been a real commitment to providing the much-needed funding within this sector. Much was done during the previous term of Parliament of course too. That commitment towards addressing the need for reform and funding towards mental health continues under the Andrews Labor government in this term, in the 60th Parliament, as well. The record levels of investment, including the substantial boost to mental health funding in the 2023–24 state budget, are a testament to this government's ongoing commitment to doing the right thing when it comes to mental health funding. We are committed to building our mental health system – rebuilding it, in fact – from the ground up, implementing every single recommendation of the royal commission. \$5.7 billion across three budgets has been invested in transforming our mental health system as part of our 10-year overhaul of how we address mental health in Victoria.

In the 2023–24 state budget we also invested a further \$776 million for critical bed-based services, alcohol and other drug services, infrastructure, earlier support in community mental health services and the rollout of the Mental Health and Wellbeing Act 2022, which I will go into in a little bit more detail later on. I would also like to note we have invested in a number of wellbeing locals too, including three more in this budget, one of which is in Narre Warren in the South-Eastern Metropolitan Region, which has been absolutely fantastic – that is going to make a huge difference to my community – in addition to which there is also planning funding for some further mental health locals in and across the south-east, including in that outer south-east area in Officer and in Cranbourne.

We have established a dedicated capital investment fund to provide Victorians with mental health infrastructure. The Mental Health Capital Fund is investing \$10 million this year to upgrade infrastructure across a range of health services to keep delivering the services Victorians need most in their local communities, with over \$1.5 billion invested in mental health infrastructure to meet the recommendation of the royal commission and build the mental health system that our state needs.

Going back to these mental health and wellbeing locals, the royal commission told us that these local services are a critical step in assisting people to find the mental health care and support that they need. As part of this we invested \$264 million in local care to focus on early intervention and ensure Victorians get the care they need much sooner and closer to their families and communities. I think it

is just really important, and I am sure we can all understand as members that it is one thing to have a great new service – it might be at the Monash Medical Centre, and if you are in that part of the south-east that is absolutely fantastic, but if you are in Pakenham or if you are in Clyde North or if you are in Frankston, that is not quite so convenient, and every little further kilometre can be an added deterrent to seeking support. That is what these mental health and wellbeing locals will seek to address, and it is good to see that six of these mental health locals are already in fact open. There are 21, including all those under planning at the moment, which are on the way and funded as well.

The royal commission recommended we replace the former Mental Health Act 2014 with a new fit-for-purpose mental health and wellbeing act that serves as the foundation for a world-class mental health system. The Andrews Labor government acted on this key recommendation, and the Mental Health and Wellbeing Act 2022 has already been legislated. The reforms that this act instituted puts people, their families, carers and supporters with lived experience of mental illness and psychological distress at the centre of our system. It does this by establishing rights-based objectives and principles and including designated lived-experience roles at the highest levels of new and existing governance and oversight entities. The act establishes critical new elements of the system architecture, including the chief officer for mental health and wellbeing's role, statutory regional mental health and wellbeing boards to provide advice on the planning and commissioning of services at the local level and the new Mental Health and Wellbeing Commission as well. Youth Mental Health and Wellbeing Victoria, which will provide systemic leadership in youth mental health, is an essential measure in acknowledging the disproportionate impact that the pandemic had on young people.

The importance of these measures is not just in addressing a historical lack of focus towards the mental health system in Victoria, which undeniably has meant that many people have been unable to access the care that they have needed. The new system's framework will ensure a connected and coordinated system that does not let people fall through the cracks. The mechanisms in the Mental Health and Wellbeing Act will focus on ensuring people receive the treatment, support and care that they need and deserve.

The previous act, the 2014 one, had many shortfalls highlighted by the royal commission which are addressed under the new act. The old act focused on people who appear to have mental illness and compulsory treatment. There was a distinct lack of focus on wellbeing. There is a reason that the royal commission recommended that this new legislation come into effect: to rectify the flaws in the system that meant that the mental health system in Victoria did not meet the expectations that we would have for it. In meeting this challenge of rebuilding the system we have also established a stronger focus on the protection of rights, including introducing an opt-out mental health advocacy service. We are focusing on moving towards eliminating restrictive interventions, reducing the use of compulsory treatments and chemical restraints, and introducing a health-led response to the mental health crisis. These and other changes will support a health-led response to mental health crises, and the royal commission recommended that, wherever possible, emergency service responses to people experiencing a time-critical mental health crisis are led by health professionals rather than by police.

There is still much more to be done and more work that this government will continue to do to achieve the mental health infrastructure, responses, supports and overall health system that Victorians expect and that our communities deserve. Actions speak louder than words. I support and commend the Andrews Labor government's ongoing commitment to implementing the key recommendations of the royal commission. This government is delivering the funding and reforms that are transforming Victoria's mental health system into one that delivers the care, the wellbeing and the support that is needed.

Council divided on motion:

Ayes (12): Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Motion negatived.

Business interrupted pursuant to sessional orders.

Statements on tabled papers and petitions

Victorian Electoral Commission

Report 2021–22

John BERGER (Southern Metropolitan) (17:17): Tonight I rise to speak on the Victorian Electoral Commission's 2021–22 annual report, 'Sharpening our focus', and in doing so I want to pay tribute to the thousands of hardworking men and women of the Victorian Electoral Commission. These workers are not celebrated by the wider public – most people do not even know their names – but it is these people that keep our democracy alive. The VEC has set aims: they maintain the register of electors; they conduct the state and local government elections, statutory elections and polls, and paid services elections; and they administer political funding and donation disclosure laws. Tonight I want to talk about two of these aims and the report's deliverables.

I want you to cast your mind back to the challenges that all Victorians faced during the COVID-19 pandemic. I was made aware about the struggle of scrutineering in the Victorian local council elections in 2020. It was hard, stressful and difficult work. This report touches upon the overhaul of the election services that needed to be made to conduct local government by-elections, countbacks and more under COVID-19 restrictions, and I thank the staff for their efforts.

A key objective of the VEC is to maintain the accuracy and integrity of the register of electors, which is aimed towards increasing the proportion of eligible electors that are enrolled to above the national average. I am happy to note that the number of Victorians from 2021 to 2022 that were enrolled to vote rose by 1.4 per cent. That means an estimated 97.8 per cent of Victorians are enrolled, which is above the national enrolment rate of 97.1 per cent. That is not a bad effort.

Another key aim of the VEC is to communicate with the public. This ensures that the community feels engaged and consulted while providing important education or news-related information about electoral events. This is particularly vital in an era of fake news, misinformation and bad actors who seek to undermine democracy. It is vital to the VEC's fight against this. I would like to take the opportunity to thank our former chair of the Electoral Matters Committee, member for South-Eastern Metropolitan Mr Tarlamis, for leading the important work of inquiring into the impact of social media on elections and electoral administration, and of course fellow committee members who have contributed to that process.

To ensure the integrity of Victoria's electoral system, the VEC also provides oversight of the state's political funding and donation disclosure laws. Thanks to the Andrews Labor government's 2018 electoral reforms, we have seen Victoria become the jurisdiction with the toughest donation laws in the nation. The government has announced an expert panel review into the 2018 reforms, led by a former deputy commissioner of the Victorian Electoral Commission Ms Elizabeth Williams. We look forward to further improvements.

We know the saying that the work of the next election begins the day after the previous election ends. I want to commend the VEC for their work in ensuring their draft service plan and being at the planning of the implementation stage of the state election deliverables as early as December 2021. The VEC's task is massive. On election day almost 17,500 casual staff across more than 1800 voting centres work

to safeguard our democracy. And for some they have spent weeks at pre-poll sorting and issuing enormous numbers of ballots.

Come rain, hail or shine these workers are also on the front line of abuse from members of the public. I have seen firsthand the abuse that members of the public dish out to these workers. I remember seeing a volunteer using inappropriate language and being disruptive, others encroached on the do-not-pass zones and others harassed voters. These workers must endure this shameful and rude behaviour. All workers deserve a safe work environment, particularly those safeguarding our democracy, so tonight I thank the VEC for their work in ensuring this place and the state of Victoria remain of the people and by the people. I commend the report the house.

Remembrance Parks Central Victoria

Report 2021–22

Wendy LOVELL (Northern Victoria) (17:21): I rise to speak on the Remembrance Parks Central Victoria (RPCV) annual report for 2021–22, which was tabled on 20 December 2022. What I want to highlight is another governance failure by the chair and board members of the Remembrance Park Central Victoria trust.

In 2017–18 the board held their annual meeting on 26 November 2018, which was in line with what is outlined in the legislation, which says a class A cemetery trust must hold its annual meeting before 30 December in each calendar year. It also complied in that the invite that was issued to that meeting gave adequate notice and a report of it was included in the annual report for 2018–19. There is still an invite on the website for that meeting. In 2018–19 the board held their annual meeting on 25 November 2019 in line with the requirements of the act. That invite can still be found on the Remembrance Parks Central Victoria website. The annual report for 2019–20 carried a report of the annual meeting as having been held on 25 November 2019.

Then you get to 2019–20, and two things happened in 2019–20. Of course we had COVID, but we also had a change of board chair at RPCV, and the meeting was not held by the end of the year, which was not in line with the act. Of course there may have been concessions given due to COVID. It was actually held on 24 February 2022. As I said, that was possibly an extension due to COVID. It was mentioned in the annual report for the following year that it was held online, so I am quite happy with that. But in 2020–21 there was no mention of any annual meeting ever being held – no mention anywhere. There is no notice or invite on the website, no mention of it in the 2021–22 annual report.

This year we see further governance failure with the annual meeting for 2021–22 only now being advertised that it will be held next week – six months beyond the time line for holding the annual meeting. It was advertised last Friday, on 16 June, to be held on 27 June. The RSVP for it – you have to register because it is going to be online – closes tomorrow, on 22 June. That is six days that people had to register. I do not feel that is adequate notice as is required under the act. It is less than two weeks notice; in fact it is less than a week's notice. It should also have been advertised. Given that the meeting is held online, it should be advertised everywhere, but it should at least be advertised in the communities where this trust manages cemeteries. Other than Bendigo, they also manage cemeteries in Shepparton, Sunbury, Donnybrook and Heathcote.

To be fair to everyone involved in the cemeteries that are managed by the trust, it should have been advertised in their local paper. This is a further governance failure under the current chair. We have had the price review debacle, we have had the ornaments and monuments debacle that resulted in graves being desecrated and now we have a failure to hold an annual meeting within the legislated time frame – and we question whether last year's happened at all. This year's is six months late, there is inadequate notice and other communities have not even been notified of it at all.

The website for RPCV also has Shepparton spelled 'Shepperton'. That is Shepperton in the UK, not Shepparton in Victoria – it is 'arton'. This shows how much this board actually cares about the

community of Shepparton. This board is incompetent and the chair is incompetent, and the minister should sack the board and the chair immediately. It is an insult to people who have loved ones interred at these cemeteries to have incompetent people and people who are not compassionate managing these cemeteries.

Chisholm Institute of TAFE

Report 2022

Michael GALEA (South-Eastern Metropolitan) (17:26): I am pleased to speak on the Chisholm Institute annual report 2022. Such an optimistic and broadly positive report from the Chisholm Institute is good to see. These achievements translate to more people getting essential and valuable skills that will allow them to work in their desired fields. It also means that graduates in critical areas will provide the skills that our economy and our communities need. Most of the Chisholm Institute's campuses are in my electorate of the South-Eastern Metropolitan Region: Springvale, Dandenong, Berwick, Cranbourne and Frankston. Thousands of students attend TAFE at Chisholm on these five campuses, many if not most of whom are from the south-east. TAFE students receive the training and skills that set them up for success. In addition, many TAFE students receive training in high-demand sectors where their contributions will benefit our local communities, service delivery and the economy.

The Andrews Labor government has transformed training and TAFE throughout the last nine years. The record investment in TAFE is in stark contrast to the four years of cuts under the coalition. The government's free TAFE initiative has provided access to priority training and vocational education for more than 137,000 students in Victoria, saving them more than \$340 million in student fees. Removing the barriers to training enables more Victorians to get the skills needed to build our state. Free TAFE has changed lives since it was established in 2019, and it is ensuring that we meet the skills and workforce needs of the future in areas such as nursing, construction and early childhood education. I know education is particularly exciting to you, Mr McCracken. There has never been a better time to train for a job, with an expansion of the Victorian government's free TAFE initiative putting more courses at people's fingertips than ever before. Free TAFE has increased access for women, unemployed people and students with a disability. Everyone has the right to access training that leads to a good job and a great career.

The Chisholm Institute is delivering various subsidised and free TAFE courses as part of its program. Students across the south-east have benefited from the transformational initiatives of the Andrews Labor government. These courses include but are not limited to early childhood education and care as I mentioned, hospitality, ageing support, home and community care, information technology, allied health assistance, building and construction, mental health, plumbing and services, youth work and nursing. These are skills that are in demand across Victoria and in my patch of the south-east. Providing greater access to education in these job-ready, critical and highly beneficial sectors is a crucial objective of the Andrews Labor government in creating the free TAFE program.

One cannot discuss the report on the Chisholm Institute of TAFE without discussing the funding support the Andrews Labor government has provided to help campuses in the south-east deliver on the objectives set out in this report. \$10 million has been invested towards the health training facility at the Chisholm Institute Berwick campus, which features nurse training and simulation laboratories, learning areas and staff accommodation to help meet the growing demand for skilled health workers in Melbourne's south-east. \$67.6 million has also been invested in delivering stage 2 of the redevelopment project for the Chisholm TAFE Frankston campus, providing students with a new, modern, cutting-edge, multilevel training facility.

I am glad to see the contributions that free TAFE and the funding to deliver new facilities are making towards student success at the Chisholm Institute, and I congratulate all their graduates. The Andrews Labor government is supporting students across the south-east to get the skills they need for the jobs they want.

Department of Treasury and Finance*Budget papers 2023–24*

Georgie CROZIER (Southern Metropolitan) (17:30): I would like to make a short statement – it will not be the first – on the 2023–24 Victorian budget. As we know, the budget had some absolute shockers in it, and there were many broken promises. But what Victorians are very concerned about is the increasing debt level of the Andrews Labor government. It is projected to be \$171 billion in just a few years time, and in 10 years time the Parliamentary Budget Office is saying that it could be up to \$300 billion. That is an extraordinary amount of money that Victorians are expected to pay down. The government in their budget papers have a lot of information, but they are not talking about what it actually will mean to the lives of every single Victorian. We know that it is a budget that is burdening every single Victorian because of that increasing debt.

There are more taxes and there are cuts. There are cuts across the budget. This government for years has spoken about not cutting budgets, and I have to say that the one budget statement that comes to mind is from last year when we pointed out the \$2 billion cut in health, including \$107 million in community health being cut. It was denied by the Premier, who said, ‘These are not cuts,’ and then this year, when the community health budget came out and there was a \$100 million cut in it, the Premier came out and said, ‘This was identified in last year’s budget.’ You cannot believe a word this man says when it comes to good economic management.

In fact there are a lot of things you cannot believe. We have just gone through a debate today. In circumstances previously he supported legislation to keep people behind bars, and today for whatever reason the government did not support a very sensible, reasonable bill that would have put to rest so much concern for so many people. Nevertheless, I digress slightly. I want to get back to what I am talking about, which is the budget, and I will have, as I said, more to say on it.

This budget is premised on division and class warfare. We have seen that with the schools tax and the government just again voting against a very sensible motion to highlight these issues. Mr McCracken knows, as a former principal, the importance of education.

Joe McCracken: Teacher.

Georgie CROZIER: Teacher, beg your pardon. Dr Bach was a principal.

Melina Bath: Give him time.

Georgie CROZIER: Give him time; that is quite right. I am elevating you. Nevertheless, you have actually got experience in the field of education and you understand the importance of education, and the point is that so many children are now going to miss out because of this divisive schools tax and so many Victorian parents who want to have choice – they want to be able to send their kids to independent schools – are going to have to choose between what they can manage in their own households. The government does not seem to understand that. They are going after people who just want to have a fair go. This budget taxes aspiration and it targets people that least can afford it. Those that are extremely wealthy, those like the Premier’s mates when he is down at Portsea on the cliff top with the Foxes, this budget will never affect. But it is the middlemen, the middle Victorians, who are absolutely going to be smashed by this budget, and it is their children and their grandchildren who will be paying for this government’s appalling debt, where we are paying \$10 million a day in interest repayments alone, rising to \$22 million in just a few years time. That is the legacy of this Andrews Labor government. I will leave it there because I have much more to say on the 2023–24 budget.

Department of Treasury and Finance*Budget papers 2023–24*

Melina BATH (Eastern Victoria) (17:34): This afternoon I would like to return my attention to budget paper 3, page 30, in relation to the government’s flawed disentanglement of the native timber

industry, and indeed their budget paper looks at a transition. One of the things that is so evident when you talk to people in my electorate who are in the industry, or people in towns and communities in Eastern Victoria Region and particularly in Gippsland and far East Gippsland, is the loss that this will be for those communities. It is not just those working directly in haulage and harvest, it is absolutely the communities, the mechanics, the local IGAs, the hospitals, the schools and the bakeries that are going to be affected by this decision.

What we see from the Andrews government is that over the past eight years of mismanagement it has turned its own wing, its own body, VicForests – a once-profitable business – into a loss maker. Now, that is because of a whole raft of reasons. Some of them are at the government's levers. Some of them could have been that the government chose to close loopholes in the timber code of practice. We saw during the Public Accounts and Estimates Committee hearings that the Premier actually said, 'Oh, we have had information from lawyers, from the legal profession et cetera, that it is not going to work,' yet the Premier also still refused to provide this information. What we often hear about – I hear it regularly from the Greens; it is frustrating and my blood boils – is that the majority of the sawlog or the harvested native timber ends up as pulp. This is just not the case. Victorian appearance-grade sawn timber accounts for about 60 per cent of hardwood sawmill timber output. For our largest mill, ASH in Heyfield, 100 per cent of its output is in appearance-grade and further manufactured timber products, and it absolutely exposes the natural beauty of those products.

I was in Collingwood only last week, where there is a 15-storey building. The first five storeys are concrete and the next 10 are cross-laminated, engineered timber. The floors are actually pine from western Victoria, but the structural beams and columns are from ASH timber, and they are magnificent. They feel beautiful. You walk up and you want to touch them. There has been huge evidence around the importance of having wood in our lives. This is a natural product. For Heyfield, 100 per cent of its output is high-quality sawlog. They are called Masslam timber beams. It is magnificent, and we are going to see the last of it.

I know that ASH timber, Australian Sustainable Hardwoods, are going to fight like the devil to keep their mill open and import from Tasmania, New South Wales or America if they have to to keep this going. They have been exemplars in pivoting and retooling and manufacturing. We often hear, as I say, from a variety of people – the Greens being some of them – that it goes to pulp, but so much of our wood is used for very high-intensity purposes. Other wood, if it is a lower grade, an F grade, is actually used for pallets. We are going to have a pallet shortage in Victoria – hardwood pallets which hold those structural, heavy pallet loads in terms of our freight and logistics – because of this closure.

I just want to put on record that VicForests, I believe, has been the meat in the sandwich in this. They have worked very hard to try and provide coupes for the contractors. I know the contractors have been completely frustrated at times, but their hands have been tied. We have seen litigation, and we have seen the government in previous budgets say that they are going to be model litigants and not go and challenge and try and recoup those funds from those third-party litigators who lost court cases. But they throw their hands up and walk away. Why? Because they are in bed together.

Adjournment

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (17:40): I move:

That the house do now adjourn.

Beaconsfield level crossing removal

Michael GALEA (South-Eastern Metropolitan) (17:40): (299) I raise a matter for the Minister for Transport and Infrastructure, and the action that I seek is that the minister update the house as to how the local Beaconsfield community will be supported during construction and how the potential impacts will be managed during the removal of the level crossing at Station Street, Beaconsfield. This level crossing project will be one of 22 along the Pakenham line that will ensure the entirety of this line is

level crossing free by the end of the decade. A road bridge will be built over Station Street in Beaconsfield that will remove the need for vehicles to cross at the crossing. This project will ensure the safety of motorists and pedestrians into the future and reduce the congestion that currently exists at peak times. I had the pleasure of working with the Beaconsfield community earlier this year in campaigning to save the historic railway house and the precious Indigenous bunya-bunya tree, and I am delighted to have the minister's commitment to protecting and preserving these two valuable local historic amenities as part of this project.

Since then the Level Crossing Removal Project has undertaken further community consultation, and as a result surveys have found valuable feedback from residents in terms of the nature, the design and the operation of this new road bridge. There have been some concerns raised with the project team and with me. Some of these concerns surround the safety of students walking from Beaconsfield station to St Francis Xavier school, the potential for increased traffic entering and exiting Goff Street, the temporary closures of train station parking and impacted driveway access. Beaconsfield is a close-knit town. With this investment in the town, the thought of potential disruption can be a bit overwhelming, and we understand this. The timing of the project is still important given the significant growth in housing in Beaconsfield South, and I would like to raise these concerns as potential impacts with the minister so that she can ensure that our residents are heard and supported during the construction of this project.

Chewton speed limits

Wendy LOVELL (Northern Victoria) (17:42): (300) My adjournment matter is for the Minister for Roads and Road Safety, and it concerns the designated speed limits on the Pyrenees Highway for westbound traffic entering Chewton. The action that I seek is for the minister to ensure a safety audit is completed at the Pyrenees Highway at Chewton between White Gum Track and Railway Street, specifically regarding the speed signs on this stretch of road, with a view to extending the 60-kilometre zone eastward to commence at White Gum Track and be applicable to motorists travelling in a westerly direction into Chewton.

The Pyrenees Highway is the main thoroughfare from the Calder Highway to Castlemaine and travels through the small township of Chewton. The Pyrenees Highway forms the main street of Chewton and becomes Main Road for a short distance through the town. As the Pyrenees is a major highway, the residents of Chewton experience a steady flow of traffic through the town each day, including many heavy vehicles, with the speed limit through the town being 50 kilometres an hour. Chewton is an old gold rush town and as such contains many heritage buildings and houses located very close to the busy roadway. As such, there are concerns that the current speed zones on the east side of Chewton for the westbound traffic entering the township are not appropriate and make the road unsafe for motorists and residents.

I was recently contacted by a constituent who lives on the eastern side of Chewton, where the speed limit for the traffic on the Pyrenees Highway entering the town goes from 80 kilometres to 60 kilometres and then to 50 kilometres within approximately 550 metres. My constituent informs me that motorists regularly continue to drive at 80 kilometres until reaching the 50-kilometre zone in the township, ignoring the 60-k zone altogether. The constituent states that, with many residences constructed so close to the roadway and with the numerous properties also having concealed driveways, the current speed zone could be a contributing factor to a major traffic collision. It has been suggested by my constituent that the 60-kilometre zone be extended in an easterly direction to at least White Gum Track to improve driver behaviour on the stretch of road.

The constituent has been in contact with the Department of Transport and Planning regarding the speed zones and also informs me that he has spoken to the local police, who, I have been informed, agree that action needs to be taken to slow motorists down. The suggestion by my constituent to extend the 60-kilometre zone applicable to westbound traffic seems to have merit, and I call on the minister to direct a safety audit be conducted on this stretch of road to make it safer for residents and motorists.

Public housing

Aiv PUGLIELLI (North-Eastern Metropolitan) (17:45): (301) My adjournment matter tonight is to the Minister for Housing. Minister, I call on you to commit to building true public housing and the premise that housing is a human right. Federally your counterparts have a housing plan that is primarily a gamble on the stock market, with some improvements in actual funds now committed thanks to the work of the Greens. We have seen Labor's proposed federal policy platform seek to remove the acknowledgement that housing is a human right – baffling – while at the Victorian Labor conference you were trying to include more frankly Green policies: regulating Airbnb, inclusion rezoning, affordable housing for young people, anyone. It feels like the Labor government has lost its ambition when it comes to housing. Here in Victoria Labor is walking – almost running – away from public housing. They most of the time refuse to even use that term now and are instead going into business with private developers and organisations to deliver housing as a commodity rather than a human necessity, and all this at a time when there is no doubt that we are in a housing crisis.

Victorians need this Labor government to step up and take action to address this crisis, and I know they will tell anyone that listens about the money they have invested as part of their big build. But this big build by name has mainly just delivered big contracts to private companies. As far as new housing goes, we have only had a net increase of 74 social homes over the last four years. What an embarrassment. People are struggling, the public housing waiting list is ever increasing and more and more people are sleeping rough, couch surfing or living in their cars. We all know that renting is cooked. Just this week we have seen the Labor government dragged kicking and screaming to set up a housing task force after negotiating with the Greens to pass legislation. We are happy to hold you to account but, please, it should not be this difficult. Labor, Victorians need you to do better. People need access to safe, secure and affordable housing. We need you to commit to housing as a human right. Please and thank you.

Anti-vilification legislation

John BERGER (Southern Metropolitan) (17:47): (302) My adjournment is to the Attorney-General, and in making this adjournment tonight I rise to speak on the Victorian government's response to the recommendations of the Legislative Assembly Legal and Social Issues Committee's inquiry into anti-vilification protections. In Victoria equality is not negotiable, nor should it be. Vilification is behaviour that incites and encourages hatred, serious contempt or ridicule because of a person's race or religion. It can be against a person or a group of people, and we saw it here recently on the steps of Parliament, where bigots marched and spouted their hate. That is why I am proud that in response to recommendation 24 of the report the Andrews Labor government introduced the Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022 to ban the public display of Nazi symbols. There is no place in Victoria for this glorification of the hateful and bigoted ideology of the Nazis. I note that the Victorian government has responded to the report's recommendations. I am proud that the Andrews Labor government supports or supports in principle 34 of the report's 36 recommendations.

I understand that our government is now getting on with that work, planning the best way to make the changes and implement what our community needs. We will of course carefully consider human rights. We will consider not just what is popular but what is right, and we will need to consult with the Victorian community. I want to say that I fully support Premier Daniel Andrews's comments about getting this done right. I note the Attorney-General has set a time line for the new legislation. I commend her work. I will be doing my part by adding a survey on my website, which you can visit to have your say on the issue, and the government will consult with community groups.

I note the interest Mayor Jami Klisaris and the Stonnington City Council in my community of Southern Metro have in strengthening anti-vilification laws. I look forward to working collaboratively with Mayor Klisaris and her team on these important laws. That is why the action I seek is for the Attorney-General to consider Mayor Klisaris's and Stonnington council's views on the anti-vilification laws.

We know that this is important work, and my community knows that it must be done properly. We only get one shot to make it right. I proudly represent the largest Jewish population in Australia, and I look forward to hearing, listening to and working with them on the development of these laws.

Housing affordability

Joe McCRACKEN (Western Victoria) (17:50): (303) My adjournment matter is to the Minister for Housing as well, and it also relates to the housing crisis that Victorians are facing, particularly in regional Victoria. I acknowledge my colleague from the Greens mentioned this tonight as well, and I think we have the same concern. We might come at it from different angles, but that is okay. The action that I seek is that the minister immediately moves to (1) work with the Minister for Planning to increase zoning of suitable land for housing, increasing land supply; (2) work with the Treasurer to abolish the failed windfall gains tax, which is a disincentive to developers and reduces land supply; and (3) work with the Treasurer to give stamp duty relief to thousands of regional Victorians, particularly the many in my electorate.

The great Australian dream was to own your own home, to own your own part of this wonderful country, to simply call it your own. It seems as though that dream is almost unachievable. My generation, gen Y, and those after me, gen Z and others, are increasingly seeing this dream as unachievable. There used to be a time when there was hope – hope to live independently, hope to live without the need to rent someone else’s property, hope to own your very own piece of earth, a hope that our income, our savings and our work would be enough to provide a roof over our head, one that we could own ourselves. Well, that hope has been brutally crushed. My hope, my aspiration, my vision is that we can once again be a state where that could be possible. The great Victorian dream – to own your own home, your own land, and to be the master of your own destiny – is what we should aspire to. But sadly that is just not a reality, and we have got the government hell-bent on ensuring that people do not own their own property and that future generations never own their own property. Stamp duty, land tax and windfall gains tax are all barriers. If you are fortunate enough to have worked hard, invested wisely and saved to purchase a second home, why on earth would you want to rent it out? The state’s rental laws do not encourage property owners to rent out their properties. A renter can paint walls without the landlord’s consent. What if we applied that same standard to bikes or cars? Would anyone want to rent those out? Probably not.

And land tax, one of the cruellest moves in the last state budget, is a massive slug on property ownership and is part of a broader ideological move to reduce private property ownership. Because of this, nobody actually wants to put their house out for rent and the market is suffering. In Ballarat the rental vacancy is 0.7 per cent; in Bacchus Marsh, 0.98 per cent; in Ararat, 0.72 per cent; and in Maryborough, 0.64 per cent. People are suffering, and it is about time that the government stopped ignoring the problem.

Cannabis law reform

Rachel PAYNE (South-Eastern Metropolitan) (17:53): (304) My adjournment matter is for Treasurer Pallas. A cornerstone of this year’s budget was fiscal recovery and the challenge of delivering a balanced budget following the difficulties of the COVID pandemic. At a time when this government is looking for every conceivable way to implement budget savings, we would be remiss not to suggest that there is a place for cannabis in this discussion. Victoria spends millions of dollars every year criminalising cannabis. This is taxpayer money wasted imprisoning people and many other associated costs, including half a billion dollars on cannabis policing. At the same time, there is an immense social cost to this approach. We are arbitrarily limiting the opportunities in the life of Victorians to contribute to our economy by burdening them with criminal records – yet another waste. When we criminalise cannabis, criminal organisations become best positioned to make millions of dollars in cultivation and sale of cannabis in Victoria. These funds are then funnelled into further criminal activity instead of being directed into the Victorian economy. The regulation of cannabis could save Victorians hundreds of millions of dollars every year. It would create thousands of secure

jobs, reduce unnecessary law enforcement costs, empower people with the tools to manage their health and generate greater investment opportunities. It all adds up. But so long as this government continues to allow cannabis to be criminalised in Victoria, we are missing an untapped opportunity to help stabilise our state's budget. It is time to listen to the evidence, experts and community sentiment on this issue. So the action I seek is that the Treasurer weigh the potential financial benefit to our state budget's bottom line if cannabis were to be regulated.

Agriculture training

Melina BATH (Eastern Victoria) (17:55): (305) My adjournment matter this evening is for the Minister for Education. We know that modern agriculture in Victoria is a sunrise industry – certainly not a sunset one. It requires a diversity of roles and careers, and it is now time to be on the front foot about educating our future workforce. The action I seek is for the minister to provide a direct funding stream to establish or re-establish agricultural livestock farms, including aquaculture and horticulture facilities, in our state schools or our independent schools to increase participation in the agricultural and horticultural curriculums. We need to get more students in front of classes with real hands-on experience so that they can be paddock-ready to go on to their next stage of learning. We know that Victoria's agricultural sector is predicted by 2030 to be worth up to \$100 billion, and we also know right now that about 30 per cent of our food and beverage sector supplies the nation's products. We also know that we are home to 25 per cent of farm businesses. But we also know that the farms are getting larger, and where there would have been a natural flow-on of youth coming off the farm and going into the family business, we need to be looking at a diversity of townies as well as farm students to go into this sector.

Workforce shortages are a problem, and we need to be, as I said, on the front foot. During COVID we saw that livestock ag schools, so the normal schools that had animals, were actually shut down and were forced to sell stock. I know that from speaking with Woodleigh secondary college down at Langwarrin South, where the teacher there said she had been breeding her fantastic Angora goats and sheep and the like and had had to actually sell off that genetic stock that they had been breeding for years. This was a simulation – students actually took them to shows and really got engaged in the education system. We also know that in 2022 of the 600 secondary schools in Victoria, only 35 – that is about 6 per cent – offered units 1 and 2 in ag and horticulture at year 11; and 26, about 4 per cent, offered units 3 and 4 in ag and horticulture in year 12. So we need to grow this sector. It is an inspirational sector. There is a diversity of career opportunities, but our schools post COVID and COVID lockdowns, with the sell-off of assets and stock, need to be reinvigorated. That is why I have called for this action from the minister.

Upfield train line extension

Evan MULHOLLAND (Northern Metropolitan) (17:58): (306) My adjournment tonight is directed towards the Minister for Public Transport, and the action I seek from the minister is to investigate options to complete the long campaigned for reinstatement of the Somerton to Upfield link on the northern loop line. It is not a new idea. In fact it was an idea laid out in 2012 by our visionary forefather the Honourable Terry Mulder, Liberal Minister for Public Transport from 2010 to 2014 – the founder of Mulderism, the network development plan in metropolitan rail, a practical philosophy that focused on pragmatic and efficient improvements to public transport infrastructure. It contrasts with the current theory of let us call it Allanism, a strategy based on Big Build infrastructure, flashy press conferences and big cost overruns – \$30 billion, I believe – at the expense of significant network, service and timetable reform.

Fast-forward 11 years, and we are exactly where the Liberal government foresaw we would be but without network reform. The Craigieburn line is now over capacity in peak periods, and there is a serious bottleneck for Seymour services. Commuters to Donnybrook and Wallan are constantly beset by delays and cancellations. The Craigieburn and Upfield corridors need to be reconnected for passenger services at the northern end. This would allow more services to run on the Upfield line. It

would allow the Upfield line to be extended to Wallan and serve new areas of Craigieburn, and it would allow Seymour services to travel on the Upfield line. To support the new connection a new track pier should be constructed up to Roxburgh Park and the line between Gowrie and Upfield should be duplicated. These improvements would deliver serious results for the northern suburbs. They would allow travel times on Seymour regional trains to be reduced and would greatly benefit Wallan and Donnybrook in my electorate. They would reduce the extreme capacity pressure on the Craigieburn line, and they would enable dedicated services to Wallan – electrified – to cater for patronage growth in the northern suburbs.

We even had back in 2014 or 2015 an *Age* article mused from a government source that this northern loop line connecting the Upfield line and the Craigieburn line could open in the year that the new Metro is due to be completed, so 2024. I do not believe that has happened, because the Labor Party somewhat forgets the northern suburbs. We have not seen any investment in these kinds of plans. It has been basically swept under the desk with the \$30 billion of cost overruns. So I seek the minister's action to investigate these proposals, dust off the wisdoms of transport ministers past and set out a plan for rail transport in the northern suburbs.

Docklands Primary School

Sheena WATT (Northern Metropolitan) (18:01): (307) My adjournment matter is directed to the Minister for Education in the other place, the Honourable Natalie Hutchins. Recently I had the privilege of visiting District Docklands with Susan, Mary and Rakhi from Docklands Primary School council to deliver the exciting news that works on a new campus are underway, starting soon. This campus will offer Docklands Primary School students seven – let me say that again: seven – new classrooms as well as an incredible internal play space with a small sports court, climbing walls and a room for free play, my goodness, which I have been told the kids are especially excited about. I cannot tell you the excitement that will be building when we hear that they will also have the ice-skating rink not too far from the classroom. So how good is that.

Since then I have been absolutely inundated with messages from members of the school community sharing their appreciation and excitement for this much-anticipated upgrade, which is set to finish in time for term 3. I cannot wait to join the school community at their assembly on Friday to formally celebrate this achievement and to highlight what an incredible addition this new campus will be to the Docklands area. The teachers and families of Docklands Primary have been tirelessly campaigning for a new campus, and I for one am proud to have been able to deliver on their hard work with this upgrade, announced in recent times. Having access to high-quality school facilities close to home is so important to creating a vibrant, integrated local community and ensuring that our next generation can develop the life skills they need to be the best that they can be. I am proud to note that Docklands Primary School is the latest to join the more than 1850 Victorian schools that have been upgraded by the Andrews Labor government since 2014, creating jobs and giving even more Victorian kids access to great local education.

My question to the Minister for Education, Minister Hutchins, is to ask if she could kindly update me on how Docklands Primary School and their new campus will benefit students, teachers and families of the Northern Metropolitan Region.

Housing affordability

Ryan BATCHELOR (Southern Metropolitan) (18:04): (308) My adjournment matter is to the Treasurer, and I am seeking an update on the ambitious build-to-rent program initiated by the Andrews Labor government. Specifically, I am interested in the progress of developments in the Southern Metropolitan Region. Labor is building more houses for Victorians in every corner of the state because right now this country is facing probably one of the biggest housing crises in our history. We know the cost of living is skyrocketing, making it even more crucial that Australians have a secure roof over their heads.

Both the Andrews Labor government here in Victoria and the Albanese Labor government in Canberra know that a secure home provides a foundation for a better future for every Australian. Just on the weekend we saw the Albanese Labor government announce a new \$2 billion social housing accelerator which is going to provide half a billion dollars for social and affordable housing to be built or purchased here in Victoria in the next two years. Those extra funds are on top of the historic \$5.3 billion the state Labor government has committed to the Big Housing Build here in Victoria.

Whilst we are investing in building more homes, we know that our colleagues on the crossbench – the Greens – are campaigning against building more homes. They come into the Parliament here campaigning against Big Housing Build developments and new social housing. Last night in the City of Yarra the Greens voted down a motion to seek support from the social housing accelerator to support funding for a new social housing development in their local community, a development they have opposed before. They are still opposed today. And they still come in here and campaign against social housing developments across Melbourne.

This government is taking action to make sure that every Victorian has access to a safe and secure home. We are building thousands of new homes right across the state. We are improving the mix and diversity of housing. Part of that is the build-to-rent program. There is a great new build-to-rent development. It is being built in Caulfield, right next to the train station that is going to be a huge beneficiary of the new Metro Tunnel. When that tunnel opens, trains from that station will be going into the city every couple of minutes during peak hour. It is exactly the kind of development we need, right in the location we want to take advantage of the infrastructure investments that this state government is making. We are committed to making sure that more Victorians have a place to call home.

Responses

Harriet SHING (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (18:07): This evening there have been 10 matters raised for the attention of various ministers. I am somewhat crestfallen that I am not one of them. I will, however, make sure that we refer them on for responses from the relevant ministers and their portfolios.

The PRESIDENT: The house stands adjourned.

House adjourned 6:07 pm.