



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Tuesday 16 May 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 <sup>1</sup>	Western Metropolitan	IndLib	Ratnam, Samantha	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem	Northern Metropolitan	DLP
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Heath, Renee	Eastern Victoria	Lib	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tierney, Gayle	Western Victoria	ALP
Limbrick, David	South-Eastern Metropolitan	LDP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Lovell, Wendy	Northern Victoria	Lib	Watt, Sheena	Northern Metropolitan	ALP

<sup>1</sup> 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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**Tuesday 16 May 2023**

**The PRESIDENT (Shaun Leane) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.**

*Bills*

**Statute Law Amendment Bill 2022**

*Royal assent*

**The PRESIDENT (12:05):** I have a message from the Lieutenant-Governor, dated 9 May:

The Lieutenant-Governor, as the Governor's deputy, informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to him by the Clerk of the Parliaments:

**6/2023** Statute Law Amendment Act 2023

**Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023**

**Human Source Management Bill 2023**

*Royal assent*

**The PRESIDENT (12:05):** I have a further message, from the Governor, dated 16 May:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Acts of the present Session presented to her by the Clerk of the Parliaments:

**7/2023** Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Act 2023

**8/2023** Human Source Management Act 2023

*Address to His Majesty the King*

**Coronation of His Majesty King Charles III**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:06):  
I move, by leave:

That:

- (1) the following resolution be agreed to by this house:

His Majesty King Charles III:

We, the Legislative Council of Victoria, in Parliament assembled, extend our sincere congratulations to Your Majesty on the occasion of Your Coronation and express our wishes that your reign is a long and happy one.

- (2) the following address to the Governor be agreed to by this house:

Governor:

We, the members of the Legislative Council of Victoria, in Parliament assembled, respectfully request that you communicate the accompanying resolution to His Majesty King Charles III.

I will just make a few remarks on behalf of the government in relation to the motion. His Majesty, of course now the King, has been connected to Victoria for many years. He spent two terms in 1966 boarding at the remote campus of Geelong Grammar known as Timbertop, located in northern Victoria, so it is very familiar to members of the chamber from that region. Timbertop is near Mansfield. It gives students the opportunity to combine their academic studies with outdoor pursuits in Victoria's High Country, such as hikes and walking trails, and creates an escape from public life and the worries of the world – something that I am sure His Majesty enjoyed. He has said on several occasions that he cherished his time there, describing Timbertop as the most enjoyable time of his

education. He is said to have particularly enjoyed the pursuits of cross-country running, playing tug of war and chopping wood for hot water. It is also notable that the Timbertop campus, which was established in 1953, is celebrating 70 years of operation this year. His Majesty did not forget his time at Timbertop of course, because he returned to Geelong Grammar in 2005 to mark the 150th anniversary of the school.

His Majesty has made several other trips to Victoria throughout his lifetime, the most significant of which was the six-week-long royal tour undertaken with Princess Diana in 1983. The couple visited the Cockatoo Kindergarten, incredibly, a little over a month following the devastating Ash Wednesday bushfires. The royal visit was appreciated by the Cockatoo community, which had been shattered by the events of the previous weeks when, as we know, over 1800 hectares were burnt and six lives were sadly lost. The royals planted a eucalyptus tree in the grounds of the kindergarten, which still stands today.

I would like to acknowledge and thank the Victorian Governor the Honourable Linda Dessau AC CVO as our representative for His Majesty for making the official trip to the UK on behalf of the Victorian government, firstly to attend the coronation and represent Victoria along with other Australian state governors but also to maintain the important relationship Victoria enjoys with the United Kingdom through education, industry and sporting ties. I am told the Governor undertook several activities to support these ties during her official visit. They included a visit to Oxford University to engage and learn more about innovations in medical research and investment in university spin-outs – that is, companies formed based on academic research conducted by and owned by the university. In her role as chair of the Victorian Rhodes scholar selection committee she also met with Victorian Rhodes scholars who are currently completing their studies there. Additionally, I understand the Governor met with the Secretary-General to discuss Victoria's upcoming hosting of the 2026 Commonwealth Games and met with members of the Duchy of Cornwall, one of the establishments which funds the charitable activities of the royal family.

His Majesty is well known for his commitment to volunteerism through his considerable efforts in setting up organisations to help those in need, such as the Prince's Trust, which runs programs to support young people with opportunities in education, training and employment. Several schools in Victoria took part in a two-day online series last year. He and the Queen have previously given donations to support the victims of the October 2022 flood and also the 2020 Black Summer bushfires.

I would like to acknowledge some of the notable Victorians who were also invited by the Commonwealth government to represent our country at the coronation: Nick Cave AO, the singer, songwriter and actor, also composer, who currently lives in Britain but hails from country Victoria; and Yasmin Poole, who grew up on a farm near Axedale. She is an award-winning speaker, writer and youth advocate and a champion young woman being heard in many political conversations.

Victorians marked the occasion of the coronation in several ways. Government House here in Melbourne was open to the public, who were invited to tour the rooms of the house and afforded the opportunity to write messages of congratulations to their majesties in commemorative books. Government House and other Melbourne landmarks were also lit up in purple to mark the coronation.

On behalf of the government I would like to congratulate His Majesty King Charles III on his ascension to the throne and subsequent coronation and offer the same congratulations to Her Majesty the Queen. I would like to finish my contribution by bringing the chamber's attention to the Victorian state motto, which appears on the Victorian coat of arms, and the motto quite simply calls for 'Peace and prosperity'. But I do like the quote from the Victorian Governor's interpretation of this motto, which is often included in a speech given at citizenship ceremonies:

'Peace' comes to us, not just because we don't fight with each other, but also when we each have a sense of belonging, of being respected and valued.

And 'prosperity' does not relate just to wealth, but to the opportunity – for ourselves and our families – to 'prosper' by a fair go, whether that is in terms of employment or study, or general well-being.



And so I wish for you, as I do for all Victorians, the courage to combine with your fellow Australian citizens, and I wish you all peace and prosperity.

Once again, congratulations to His Majesty King Charles III, and I am sure that the Governor will be pleased to receive this motion once it passes the chamber this morning.

**Georgie CROZIER** (Southern Metropolitan) (12:12): I am very pleased to be able to rise and speak in support of the government's motion congratulating King Charles III. I would like to make a few remarks in relation to the role he has played and the very significant and close relationships he has had with Australia and indeed Victoria, and the Leader of the Government touched on some of those associations here in Victoria. I am just reflecting, President, as you are sitting here, on the wonderful image of the late Queen, who soon after her coronation opened this Parliament and sat in that very chair in this chamber in February 1954, and the history of what is so profound in this place and how we are here and what we do I think cannot be underestimated.

Really the coronation was that extraordinary, very important moment in terms of Australia's relationship and the ongoing relationship we have with the monarch or the head of the state, with the King now, with the coronation that occurred on 6 May. Of course many people watched it. I did. I loved every second, I have got to say. I just thought the extraordinary pomp and ceremony that the British do so well was on display. Others will have a contrary view. But it just demonstrated the hundreds of years of history that are so steeped, and it came out in so many wonderful ways in the extraordinary contributions by so many across Britain to mark the occasion from a whole range of services and people involved in that moment. I thought it was just extraordinary. But of course that ceremony does have its origins in a very deep celebratory and deep religious occasion, which confirmed the role of the King, that very important constitutional role, and I think that was the whole point. So looking upon it was very foreign for some, but it was steeped in lots of tradition and very important.

I do want to make some comments around that close association that the King does have with Victoria – in fact I think the King has made 15 official visits to Australia either with the late Queen Elizabeth II or representing her – and indeed some of those visits that the Leader of the Government spoke about here in Victoria and the very heartfelt moments when he was understanding some of the issues that had arisen following the bushfires or other important events.

The King has also been involved in and supported some Australian charities. They include a number of organisations: the Australian Football League Europe; the Australian Wildlife Conservancy; the Australian Music Foundation; the Australian Stock Horse Society; the Australian Stockman's Hall of Fame and Outback Heritage Centre; the Prince's Trust Australia; the Returned and Services League of Australia Limited; the Royal Australian Armoured Corps; the Royal Flying Doctor Service of Australia, Friends in the United Kingdom; and Variety Australia. That shows the depth of the involvement, and of course it includes the Prince's Trust. I know when the King was out in 2015 he attended the National Museum of Australia, and he looked at a number of exhibitions including the exhibition *Encounters: Revealing Stories of Aboriginal and Torres Strait Islander Objects from the British Museum*. So there is a deep understanding of the history of Australia. The King has a great understanding of the importance for all Australians of those ties, whether they be First Nations people or immigrants who have arrived more recently.

On a personal note, I just wanted to make some commentary around what the Leader of the Government also spoke about: the King's attendance, when he was a young Prince, at Timbertop. I was very fortunate to attend Timbertop, and it was always a great thrill to see the Prince's pictures around the school – yes, there were many, many things that we were very proud of. The one person who I have to mention, who is very well known to many people that attended Geelong Grammar, is the late Michael Collins Persse – an extraordinary teacher and an extraordinary person who became a teacher and guardian for the now King. The relationship that Michael had with the King was extraordinary. It was indeed very close, and there is a lot written about that. Michael Collins Persse

was an extraordinary man. Any of us who had any dealings with him understand the amazing educational opportunities that he provided, and he gave those to the King when he was at Timbertop, providing him with that support and enabling, as the Leader of the Government described, many things – some of the happiest years of his life and a very important aspect. I just wanted to make note of the late Michael Collins Persse, because I know that was a very strong relationship between the King and Michael when he was alive. They had a close relationship.

Can I again on behalf of the Liberals and Nationals lend our support to the government's motion. This is an important part of this country's history. I commend the motion.

**Jeff BOURMAN** (Eastern Victoria) (12:18): I just wish to congratulate King Charles III on his coronation. We did cross paths many, many years ago: I was in grade 1 and he was driving by. That is as close as we got, but we did cross paths. Congratulations to the King.

**David DAVIS** (Southern Metropolitan) (12:18): I want to make a few reflections to welcome this motion and to welcome the new King. King Charles III will be a good king, I hope – there is every chance that that will be the case. As has been pointed out, there is a strong relationship between him and Australia but Victoria in particular. The link with Timbertop has been outlined by Ms Crozier. Also, I might add, there is the very close relationship that seems to have developed quickly with our Governor, Linda Dessau. I put on record the fact that she has been given an award by the King, and I welcome that closeness.

On that day many of us monarchists, including me, were very happy to see the pomp and circumstance and the recognition of a long history of more than 1000 years. A group of us celebrated at Maling Road at Chapter Three – a small restaurant. Certainly some of us were at Evensong at St Paul's the next day, and as Ms Crozier outlined, many of us did watch the proceedings.

The proceedings, I think, are important – to recognise that the ancient rituals are just that, rituals, but at the same time they signify important aspects. I note the religious aspect does place a new sovereign in a zone where they need to recognise their mortality and the fact that they are part of a broader picture. In a sense it is an ancient way, with the anointment and so forth, of indicating clearly to a sovereign that they are not beyond control and impact. Certainly the oath that the King swore and that previous monarchs have sworn has a long and ancient history, which I think is actually important to indicate: that whilst the King is a hereditary monarch and whilst we may well see value in all of that, he is there at the behest of the people. That is an incredibly important point, and that has been throughout English – and I say, very pointedly, English – constitutional history. Those points have been reinforced time and again, even in the last century with the effective removal of a king by the decisions of not just the British but those across, as it was then, the Empire. So I think it is actually important to note that the King is there under an oath to serve and to work within the laws and customs of his realms, and he did swear to that effect. I personally would have liked a mention, I might say, of each of the clear parts of the Commonwealth, but nonetheless the essence and the legal effect was very clear.

It is more than a thousand years of history – Anglo-Saxon history, I might say. Some of us are proud of that, and we see that we are heirs to a long and noble tradition that actually has limited government, parliamentary government, democracy and all of those key aspects – and they are signified, perhaps paradoxically, in the coronation as well. I do even note the Kentish Bible that came to the fore in the service, and I do pay tribute to King Charles for his attempt to widen the inclusion that is part of our society now but certainly British society as well. I think whilst recognising the need to preserve the deep traditions, he did recognise also the need to widen and to recognise the multicultural nature of the parts of the Commonwealth, including Australia. So I say God save the King, and I join in this motion very willingly.

**Bev McARTHUR** (Western Victoria) (12:23): I rise to add my congratulations to the new King, Charles III, crowned last week in a service which combined solemnity and celebration and which

demonstrated the extraordinary reach and diversity of the modern monarchy's role. I was struck by the support shown for the King by the assembled crowds from every walk of life and every part of the world and by the global media presence. Guests in the abbey came from across the Commonwealth and across the world: heads of state and diplomats, representatives of the armed forces and of charities, honours recipients and ordinary citizens. The participants too demonstrated diversity, from the nations and faiths taking part in the service itself to the Commonwealth service men and women policing and parading the streets.

We celebrated in Australia too. I was delighted to be at the Kelvin Club with the Australian Monarchist League to watch the proceedings and enjoy the evening. Fortunately, we watched the BBC live stream and not the appallingly opinionated taxpayer-funded version, for which ABC management should be sacked. I was so pleased that we could take the time, as like-minded supporters of constitutional monarchy, to celebrate this great occasion. Too often, in my view, those who believe in our system are maligned and intimidated into silence. Not me.

I am a strong supporter of constitutional monarchy, and I am always happy to make a case for it. And I can do so today, unlike my colleagues in the green chamber, who have been denied a similar opportunity. Clearly, this is a better place. Last week I took part in a debate at the Robert Menzies Institute on the motion that Australia should become a republic. I opposed this, naturally – you will not be surprised – with fellow speakers Jeremy Mann and Michael Gronow KC, and I am delighted to report to you, President and members, that the negative team defeated the motion in both the audience vote and the official adjudication. The deputy lord mayor of Melbourne Nicholas Reece, a great Labor man; law professor William Partlett; and the former convener of the Victorian branch of the Australian Republic Movement – I think Mr Bach knows something about him – Tristan Layton could not muster a coherent argument to win the day. We won resoundingly; however, it was refreshing to take part in a debate conducted in such good spirits. There were a few protesters I might add, but they were protesting against Nicholas. It was a debate where ideas mattered and where both sides had respect for their opponents, as we all do here. We have great respect for each other.

I do not propose to rehearse all the arguments in this motion of congratulations, but I will briefly comment on why I believe this house is right to extend its support to the King and to affirm the success of our existing constitutional arrangements. Constitutional monarchy works. It survives and thrives not just here but across the world – and not just in times of peace and plenty but under the stresses of economic crises, war and other unforeseen emergencies which cause many other forms of constitution to collapse or to morph into authoritarian rule, despotism or dictatorship. Of course it would never happen here.

It is not just Australia. New Zealand, Canada, the UK, Belgium, Denmark, Japan, the Netherlands, Spain, Norway, Sweden and others support a constitutional monarchy, and they work very well. And it works not because the monarch exists above democracy, far less because he or she overrides it, but because an external figurehead provides a safeguard and a defensive mechanism which tempers the excesses of ego and demands for short-term expediency which electoral politics create. The stability which custom and convention enable does not constrain the ordinary operation of democracy but rather protects it from the excesses of individual power which have led to the downfall of so many previously legitimate governments. It is almost a paradox. It is in the lack of direct executive power that our ceremonial head of state strengthens our constitution. It underlines an essential part of the system. The point is that Parliament remains and retains the ultimate power. We have faith in the collective wisdom of MPs – the electorate might not think so sometimes, but anyway – of opposing parties, views and values, not in the individual ego of an elected head of state. Even if that elected head of state is supposed to be ceremonial, the very fact of their election would give them a personal mandate.

And who would seek that power? Politicians, naturally. We know the kind of names that would be floated – I will not go into it here. Worse still, we would be paying for the privilege. An election process costs, and the office of president or whatever we would be calling it costs even more. Contrast

this to our system of governors and governors-general, who fulfil the constitutional roles in our country and who offer their service. They are from diverse backgrounds, far more so than elected presidents and prime ministers. Victoria is a great example, with the last three holders of the office being immigrants and children of immigrants. Anyone can aspire to this. Our constitutional system is headed by a far more diverse and far more money-blind cohort than elected heads of state and, in our experience to date, by those of significantly higher calibre. The key point is that no individual is granted a position which undermines the legitimacy of Parliament or which undermines the collective wisdom of representatives elected directly by the people. That is just one of the arguments. If you want the full version, I can provide the live stream link.

I welcome King Charles because I am proud of the system, because it works and because I am proud of the independent, sovereign, successful Australia which a constitutional monarchy has created. We have always got more to do – I know that – but it is wrong to ignore what we have achieved. We are a great multicultural, multiracial nation, with the oldest continuing human culture on earth but also with continuing immigration and integration. Half of our current population was born overseas or has an overseas-born parent. We are defined not by race, religion or culture but by shared values of freedom, democracy, the rule of law and equality of opportunity – a fair go. And this successful, stable nation has not evolved by chance or by mistake; our current situation has evolved precisely because of our existing system. It works, and what is more, it works in an Australian way. Like us, it has inherited aspects, but time and experience have shaped it to fit like a glove. The fact is no political system is perfect – there is plenty more of that on the live stream – but our system is strong, stable, pragmatic and fair. It is uniquely Australian, and frankly, it is pretty bloody good.

To conclude, I will just say that King Charles has demonstrated in his life to date that he will fulfil the role we grant him with aplomb. The example of his mother the late Queen Elizabeth will guide him – and so too will his dedication to us. This is a King who has great love for our country. As was mentioned, he was educated here at Geelong Grammar School, a school based in my electorate. He lived here. He has been here 16 times. In fact we are reliably told he wanted to buy a property here but was advised it would demonstrate undue favouritism towards us over his other Commonwealth countries. King Charles will be a great representative of a great system, and so I offer the King my congratulations on his coronation, my best wishes for his service to us and my thanks for his assumption of all the constraints, the challenges and the constant obligation his role will place upon him. Long live the King.

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:33): On behalf of One Nation Victoria I would like to formally congratulate His Majesty King Charles III for his successful coronation on 6 May. I personally sat up and watched the entire coronation ceremony live and was honoured to be able to witness our new King pledging his service to his people before God and country. As I swore to do in my own swearing-in ceremony on 20 December, I will continue to serve the King, his heirs and his successors through my work as an elected member of Parliament in the Parliament of Victoria. Long live the King.

**Wendy LOVELL** (Northern Victoria) (12:33): I rise to associate myself with this motion, and I would like to congratulate King Charles III and also his Queen Camilla on their coronation. The King, as many members have mentioned already, was educated in my electorate at Timbertop in the High Country around Mansfield, and from all reports he enjoyed that time very much. In fact he has said it was the most enjoyable part of his education. We here in Victoria feel a special affinity with our new King because of that time that he spent as one of us.

I was fortunate to actually meet and to speak with the new King many years ago when he, as the Prince of Wales, and the Princess of Wales Princess Diana visited Shepparton. They visited the Driver Education Centre of Australia and rode in our Careful Cobbers around the area. Lots of schoolchildren were also there on the day. As part of the Rotaract club of Shepparton we were doing the marshalling and we actually got to meet and speak with the Prince of Wales and the Princess of Wales, and that was a highlight that I will remember all of my life.

My English family and, through my English family, our family have felt a very special affinity to the former Queen and also to the new King. My Uncle Leonard participated in the coronation of the Queen back in 1953 as a naval officer and my cousin Brian made sure that none of us forgot that. As we watched the coronation this year, he was posting pictures of Uncle Leonard participating in that coronation and also pictures of the invitations that my aunt and two cousins received to watch the parade for the then Queen. My cousin Jo, who now resides in Canberra, took her two daughters Isla and Isobel back to England to experience the coronation in depth as part of the British Empire. She wanted to ensure that they fully appreciated the importance of the coronation and the pomp and ceremony that goes with a coronation.

On behalf of the people of Northern Victoria, I would like to wish the new King a long and very successful reign.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:36): I am also happy to rise in support of the Governor's remarks and to speak on the King's coronation and in support of it. I wish to pay my respects and extend congratulations to His Royal Highness King Charles III on his recent coronation, and I also wish to extend congratulations on behalf of the people of the South-Eastern Metropolitan Region of Melbourne, Victoria, Australia, especially those that are monarchists. During my time of doorknocking, I found paraphernalia of the royal family in windows and on doors and in quite surprising places in some of our suburbs.

In accordance with tradition, as a member of Parliament in Victoria I, like my colleagues in this place, have taken an oath or affirmation of allegiance to the new monarch the King. It was wonderful to see, as many people have mentioned, the variety of people, of faiths and of communities of service who were represented at the coronation. As we know, King Charles spent two semesters of his school years in Victoria, at Geelong Grammar's Timbertop campus in the High Country. He was only 17 years old at that time, and he recalls having matured from a boy to a man during his time here. It is interesting to note that Timbertop will be celebrating 70 years, and likewise King Charles was the first in the line of succession for 70 years and had trained his whole life to be King. It is an honour both to acknowledge that King Charles has lived amongst us as fellow Victorians and also to acknowledge that the constitutional monarchy has served us well in this nation. May His Majesty live long and well and reign with wisdom and grace.

**Matthew BACH** (North-Eastern Metropolitan) (12:38): I am also incredibly pleased to rise in support of this motion, and I do thank the Attorney-General for bringing it forward. It is wonderful to have the opportunity. There has been some discussion during the debate on this motion about how fabulous our system is here in Australia, and I concur with those comments, especially the comments of Mrs McArthur. There are different views in the community, of course, about the institution of the monarchy, and oftentimes the criticisms of that institution revolve around the fact that in the eyes of some the institution is not modern enough, perhaps too stodgy or stuck in its ways.

I do think that the Attorney-General is right in saying that the reign of King Charles III will be a happy one, and principally in my view that is because of two particular character traits that our new King has – firstly, his extraordinary foresight for his entire life. Certainly for the period of his life that I can recall, he has been such a staunch advocate of environmentalism and he has campaigned on numerous causes, including sustainability, and there was a time when some people, perhaps many people, thought that his commitment to environmentalism and sustainability was a little odd. However, Prince Charles as he was then, King Charles now, has shown that his commitment to these causes demonstrated extraordinary foresight. I am sure that he will bring that same trait to his work now, finally as our King. Secondly, there is his remarkable lightness and sense of humour. Like others, I thought the coronation ceremony was quite fabulous – wedding great respect for tradition with elements, as Mr Davis said, regarding modern Britain, and in particular the wonderful diversity and multiculturalism of modern Britain, which in many respects is similar to our own here in Australia.

I was living in Europe, years ago now, when our late Queen celebrated her golden jubilee, and that celebration was organised by King Charles – Prince Charles at the time. It was interesting that those celebrations were in fact headlined by an Australian – we have talked about his respect for Australia, his love of Australia indeed: a certain housewife from Moonee Ponds. Many Europeans thought it was very strange that such august celebrations should be headlined by an Australian housewife from Moonee Ponds, who now sadly is deceased herself. However, of course that demonstrated I think something about Prince Charles, as he was then, who indeed referred to his mum as ‘Mummy’. I think King Charles will do a wonderful job. I also congratulate him, and I thank the Attorney-General for bringing this motion to the house.

**Samantha RATNAM** (Northern Metropolitan) (12:41): I rise to speak to this motion on behalf of the Greens and congratulate the new King on his coronation. With all due respect, I do so with the hope he will be the last King of Australia. It is time for Australia to define itself beyond its colonial past. It is time for a reckoning with this past; proper acknowledgement of the sovereignty of the First Nations of this land depends on it.

The spectacle of the coronation was so far removed from the lives of Australians. We are a multicultural nation for whom a monarch in a country on the other side of the world is anathema. Indeed for many of us it was a stark reminder of the British history of colonisation – a king bejewelled in the precious stones of the nations the British have invaded and plundered. This land we are on is Aboriginal land; sovereignty was never ceded to the British Crown.

Here in Victoria we have embarked on a treaty process, and the Yoorrook Justice Commission is hearing powerful evidence on the ongoing impacts of colonisation. We have heard how state-sponsored institutions have inflicted the gravest of trauma on First Nations people, for which they must say sorry – but we cannot stop at apologies. Our future requires an acknowledgement of our past and national treaties. Our future requires us also to recognise and celebrate new identities. But we cannot do that while we hold on to sentimental and symbolic attachments to bygone times and systems that once fundamentally suppressed us. It is time we took our future into our own hands. It is time to cut ties with our colonial monarch. It is time to embark upon a national treaty process. It is time for a republic.

**Nicholas McGOWAN** (North-Eastern Metropolitan) (12:43): Fawn maybe, but do not fall for it. Fawn over the Windsors and the crowning of King Charles III and Queen Camilla, but do not fall into the trap of thinking they or the Cambridges, with all their recently acquired titles, represent our nation’s future. They do not. The royals are part of our regal past, but Australia’s future rests squarely in a democratic republican embrace. Only with a republic can come an Australian residing at its apex. Right now the royals reign over this nation. It has worked until now, but time and tide tell us it has to change.

The birth of my own children brought the republican question firmly into focus. No matter how hard my children or any child of the Australian story might try, or what little Johnny or Jill might do to merit it, there is one job in this country of their birth they could never attain. None of our nation’s children will ever hold the highest office in the land. They can never be Australia’s head of state; our country’s constitution forbids it. With this forbiddance it becomes abundantly clear there is something incomplete with this nation we have created.

We need only to cast back into our country’s history and a clear picture and understanding quickly emerges. It is a picture of a nation built one brick at a time. Ours was not a nationhood overnight, rather nationhood by negotiation. The proud passage of our First Nations peoples’ story is well known. Colony is only a recent circumstance in which we find ourselves, and that began in 1788. Self-governance followed in 1901. We became our own realm with a shared Queen in 1927. We broke our judicial links with Britain with the Australia Act 1986, at the same time ending Britain’s ability to make laws for us.

Our incremental independence explains why in so many ways the canvas that is Australia remains incomplete. But like it or not, we are still governed in name and law by a foreign national. Do not get me wrong, I am not anti Queen Elizabeth nor anti King Charles III, nor am I anti the British monarchy or for that matter anti-British in any way. This is simply not true. I have a proud British heritage. My mother was a London-born British national and later became a very proud Australian national, and I believe the monarchy has served us well. It is just that I am unashamedly pro-Australian and fiercely pro-independence. I cannot wait for the day when an Australian-born child stands aloft and executes the position as our military's commander-in-chief and head of state. Leave us no doubt in our minds, our head of state should be an Australian by birth or by choice but not by royal inheritance.

For as long as I can recall the republic debate in this country has been divisive. It need not be. We need constitutional change in this country which builds on our Indigenous and settlement foundations and reinforces them. Becoming a republic will do precisely that. Those Australians who are uncertain or who resist becoming a republic have nothing to fear. We will not forget our past. Our history shows us that with each new generation we have continued to evolve, grow and prosper as a nation. To do nothing, to leave things as they are, would cause our country to stagnate, our nation's march to full independence to stall. Simply put, we honour our past by continuing to build our future – a future where we can all, republicans and monarchists, sons and daughters, Indigenous and non-Indigenous, embrace a new, renewed Australia, a uniquely republican, independent and democratic one, a republic where the president might very well lead their party, our Parliament and the Australian people.

Whatever the form our new republic takes, we must not shirk from the challenges simply because we fear moving forward or we cannot see the path to prosperity. Each step we have taken toward expanding nationhood has proven that we have the capacity to grow and prosper. Like all children, it is time for our nation to grow up and necessarily grow apart from its mother and father, and so we must. Our future lies beyond the vestiges of the royal house – once revered, still respected but now far removed. The question is: how much longer will Australians deny our children the right to run our own nation as Australians should? It is time we finished the Federation.

**Melina BATH** (Eastern Victoria) (12:47): I am really pleased to rise today. I thank the Leader of the Government for bringing this motion congratulating King Charles III, and I thank the leader of the Liberals and Nationals, Georgie Crozier, for her very personal comments as well. The King has had a long and deep relationship with Australia and indeed well into Gippsland in the past as well. I was out at a lovely little island, at Rotamah Island Bird Observatory, which is out on the Gippsland Lakes, this time last year, and I walked on the spot where I think Prince Charles, as he was then, took his bride for their honeymoon. It is the most beautiful and tranquil place.

King Charles was born into monarchy. None of us choose where we are born. King Charles was born into monarchy, and it is what we do with our life that we are given. Some are at a very high and elevated position and others are not, but it is what we do with our life. King Charles had an incredible mentor in his mother the late Queen. She committed her life at 21 to duty and service and humility and passion for her realm that she created, and I believe – and I think it was very evident in the ceremony – that he has that same desire. He has an earnest desire – and I think he is a man of faith – to bring people together, and it was interesting that he incorporated in the coronation ceremony leaders of many faiths and hymns and songs of different British languages. Women played an integral part in that ceremony, and I thought that reflected a very modern-thinking and sensitive King.

His life has also been under the most intense scrutiny, and I wonder how we would all hold up if every breath, moment, comment, statement and photo was displayed like this royal family's has been. That is I guess their lot, both good and bad.

But I also think that many of his achievements and good endeavours have gone along very quietly. We know of, and Ms Crozier read out, the many Australian charities that he has been associated with. He has also set up many British charities of course and the Prince's Trust – about young people and getting them jobs and education and training. One that I found quite important and interesting is the

Prince's Regeneration Trust, which looked at urban and rural regeneration in areas of social and economic deprivation, and there is also the Prince's Foundation, putting into place a sustainable approach to building communities. It has the motto 'Respecting the past and building the future'. I trust that King Charles will continue with this motto of respecting the past and building the future, and I wish him every success in his long reign.

**David ETTERSANK** (Western Metropolitan) (12:51): I rise to congratulate King Charles III on his coronation. Speaking at the funeral of Queen Elizabeth, David White, the Garter Principal King of Arms, captured a nation's aspirations when he said:

Let us humbly beseech Almighty God to bless with long life, health and honour, and all worldly happiness the Most High, Most Mighty and Most Excellent Monarch, our Sovereign Lord –

Charles III –

now, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of His other Realms and Territories King, Head of the Commonwealth, Defender of the Faith, and Sovereign of the Most Noble Order of the Garter.

What Australian in this richly multicultural nation could but relate to such a turn of phrase!

I hope and pray that history will be kind to King Charles III and that he successfully reconciles his long history of advocacy with the requisite impartiality of a constitutional monarch. That said, I hope and pray that history records King Charles's continued advocacy on environmental issues, particularly climate change, where he has called for bold action by governments for decades. I hope and pray that history records his continued advocacy for the importance of providing youth with access to skills and training. I hope and pray that history records his continued advocacy on the rights of asylum seekers and refugees. Finally, I hope and pray that history records him as the last King of Australia as it peacefully transitions to a republic and, further, that history records that this occurred but a few short years after this profoundly multicultural country constitutionally recognised 60,000 years of continuous Indigenous ownership by Voice, truth telling and treaty.

**Motion agreed to.**

### *Questions without notice and ministers statements*

#### **Maribyrnong River flood review**

**David DAVIS** (Southern Metropolitan) (12:53): (129) My question is to the Minister for Water. Minister, emails released to the *Age* under freedom of information show that on 7 February at 3:37 pm Melbourne Water emailed a minister's office to update a Melbourne Water statement 'for approval'. Minister, was it your office that was asked for approval on 7 February?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:54): Thank you, Mr Davis, for that question. Just to be really clear, I am not the decision-maker in relation to matters that are the subject of Melbourne Water's inquiry. Also to be clear, there is a regular process of engagement between authorities and organisations and my office, at least in the way in which it relates to the portfolios that I hold. And, again, I have not actually been part of any process of engaging with Melbourne Water on the way in which it responds to matters like this.

**David DAVIS** (Southern Metropolitan) (12:55): I think that means it was her office. Is it the practice of your office to vet, tamper or doctor the statements of Melbourne Water, legally an independent statutory authority but in effect your lapdog?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (12:55): Mr Davis, I would wholeheartedly reject the premise of your question and the way that you have couched it, so let us be really, really clear about that. The nature of the review that Melbourne Water is undertaking following



the October 2022 floods is a matter for it, and the way that it conducts that review and the processes that it undertakes, including the taking of submissions and the process by which the terms of reference are addressed, are matters for it. As I indicated in the answer to your substantive question, I routinely receive information, advice and updates from organisations, departments, agencies and community groups about the way in which the portfolios are discharged, including through authorities and catchment management authorities. It is a standard process for me to be apprised of detail, and indeed for that not to happen would amount to, in my view, a dereliction of my obligations as a minister.

#### **Animal welfare**

**Georgie PURCELL** (Northern Victoria) (12:56): (130) My question is for the Minister for Environment. Second-generation anticoagulant rodenticides, also known as SGARs, are widely used in Victoria to target rodents. They contain a blood-thinning chemical that can remain active for months, and animals that consume it suffer an excruciating death. Recently there has been an increase in small native animals consuming poisoned rodents, resulting in secondary poisoning. Jennifer, a baby ringtail possum I met in care at Waratah wildlife sanctuary last week, is one such victim. She became infected after consuming her now-deceased mother's milk. SGARs have been banned in many countries across the world but in Victoria are available for anyone to purchase in supermarkets and hardware stores. It has been argued these dangerous products should not be available for sale to the public or in use at all. Can the minister advise how many native animals are killed by SGARs each year in Victoria?

*Members interjecting.*

**The PRESIDENT:** The minister can answer as she sees fit.

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:57): Thank you, President. I thank Ms Purcell for her question and her advocacy in relation to these important matters. Just by way of background, I should indicate that in Victoria the Department of Energy, Environment and Climate Action regulates the use of agricultural and veterinary chemicals, so those particular aspects in relation to your question are probably better directed to the Minister for Agriculture, but I am happy to answer your question in relation to the impacts on wildlife. We are absolutely committed to making sure that we do whatever we can to improve the outcomes for and the protection of our precious threatened species. That is why we recently listed poisoning of native wildlife via this particular chemical as a potentially threatening process under the Flora and Fauna Guarantee Act, and that was following a recommendation that was made to me and the Minister for Agriculture from the scientific advisory committee, which is the normal process undertaken. The listing supports consideration of tighter regulations and management actions to reduce any kind of undesired impact of this particular pesticide on native wildlife.

**Georgie PURCELL** (Northern Victoria) (12:59): Thank you, Minister, for your response. My supplementary is in relation to regulation. Products that are considered dangerous are often sold behind the counter instead of off the shelf so that consumers can understand the serious impact that they can have. Wildlife advocates believe that moving second-generation anticoagulant rodenticides to behind the counter would help Victorians understand the impact they can have on wildlife and perhaps opt for alternatives. Has the minister considered implementing this change?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (12:59): I thank Ms Purcell for her supplementary question. Following that listing that I just described the process behind, the next step in the process is for my department to prepare an action statement, which would actually go to describing the potentially threatening process and outlining what actions need to be taken to mitigate it. That process only just commenced recently, and I am advised that there will be the development of this action statement and it will take approximately six months. But I am happy to keep you updated on the progress of that process.

**Ministers statements: National Volunteer Week**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:00): I am sure everyone knows that it is National Volunteer Week. Volunteer Week is a chance for us to celebrate and recognise the substantial contribution that volunteering Victorians make across our community and an opportunity to say thank you for this incredible contribution. I would like to particularly take the opportunity to pay tribute to some of those in the legal sector.

Our honorary justices provide more than 600,000 volunteer hours per year and help thousands upon thousands of people with document witnessing. In doing so they embody the theme of this year's Volunteer Week, 'the Change Makers', by ensuring that Victorians can deal with their legal matters effectively and with dedicated support from local justices of the peace. We are in the process of recruiting more than 800 new JPs, and we have reached 500 already. Further recruitment across multiple local government areas is going to take place this year.

Our bail justices perform such a critical service in contributing their time outside of business hours and on weekends to ensure that crucial bail hearings can be dealt with as soon as possible. As Attorney-General, I would personally like to thank them for their key contribution in creating a safe and fairer community for Victorians.

I also want to acknowledge the invaluable contribution of volunteers within the community legal sector. We know the important work that community legal centres provide to vulnerable Victorians in need of support, and I want to again extend my sincerest thanks to those who continue to ensure our justice system is accessible to everyone in the community.

It is also the Victoria Law Foundation's Victorian Law Week – a very full calendar this week in Victoria. This is an annual festival of events to help Victorians understand their rights, find answers to legal questions, know what help is available and learn how the legal system works. There are more than 200 events across metro and regional Victoria. Whether it is a tour of the Neighbourhood Justice Centre in Collingwood, webinars, in-person sessions to help prepare wills or a discussion on workplace discrimination, there is certainly an event for everyone and I encourage people to check it out.

**Maribyrnong River flood review**

**David DAVIS** (Southern Metropolitan) (13:02): (131) My question is again to the Minister for Water. Minister, isn't it a fact that your office edited the February Melbourne Water Wimbush statement, including by removing a reference to Nick Wimbush's resignation being in the 'best interests of the review and the community'?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:03): Mr Davis, as I have said, I am not the decision-maker when it comes to the work that Melbourne Water is undertaking as part of its independent review into matters that had a significant impact on the community during and after the October 2022 floods. There is, as I have said previously, a regular exchange of information which enables me to stay apprised of the work that is taking place within departments and indeed across agencies and organisations. As I have also indicated, I would be derelict in my duties if I did not take the opportunity to apprise myself of detail of the work being undertaken by agencies, organisations and departments. On that basis, Mr Davis, it is really important to note that the work of the independent review is independent and I am not the decision-maker in relation to any of those matters that Melbourne Water is working on and continues to work on at this point in time.

**David Davis:** On a point of order, President, the minister has not answered the very simple question of whether she changed the document.

**The PRESIDENT:** I do not uphold the point of order.

**David DAVIS** (Southern Metropolitan) (13:04): Minister, isn't it a fact that on 8 February in this place you denied your involvement in decisions concerning Mr Wimbush's clear conflict of interest and his sacking from the review, despite having received emails on 6 and 7 February, and that in fact you were up to your neck in the Wimbush saga?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:05): Thank you, Mr Davis. I have addressed this question on a number of occasions now, and to that end I would refer you to my previous answers.

**David Davis:** On a point of order, President, it was a very simple question about whether she was in fact involved on 8 February, stating her involvement in decisions here –

**The PRESIDENT:** Mr Davis, you have asked your question. You do not need to ask it again.

### Anti-vilification legislation

**Samantha RATNAM** (Northern Metropolitan) (13:05): (132) My question is for the Attorney-General. Attorney, as you know, recent events have demonstrated the increased vilification and hate members of Victoria's trans and gender-diverse communities face on a regular basis. We have seen hate spewed on the steps of this Parliament, neo-Nazis joining with anti-trans groups and far-right agitators crashing council meetings and intimidating communities. We were warned in last year's parliamentary inquiry into far-right extremism that this would happen – hate groups joining with each other to bolster each other's platforms. We were told by experts that it is important to act quickly when we see this occurring. Right now in Victoria there are things we can do to keep our communities safe from this harm, such as strengthening anti-vilification laws. My question, Attorney, is: when will these laws be strengthened to protect people from being able to be vilified on the basis of gender or sexuality?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:06): Whilst I concur with much of what Dr Ratnam has raised in the house today and there is certainly no place in Victoria for the types of behaviour that we have seen – we want a tolerant community, we want a safe community and we want anybody that feels scared or is part of a minority group that has been targeted by horrible people to feel protected – what we do not want is politicisation of this issue through press release and through media drops about how we are not working together in relation to dealing with this issue. You know, because I answered this question from Ms Payne – almost the exact question – last week, that the government is working on this. I have been on public record from before the election that anti-vilification reform is on the agenda. We are working on it. Last week I met with Equality Australia, the Pride lobby and the Jewish community. I have been in constant contact with the Islamic community. This is not an issue that can be fixed by just writing something on a piece of paper – just coming in here and creating a new law without proper consultation and doing the hard work.

I have been very disappointed in the Greens party effectively calling on me to develop policy with them through the media. I have never even spoken to your LGBTIQ+ spokesperson; I have never met her. She sent me an email this morning saying, 'Hey, come and sit at the table and talk to me about my laws.' You know that the government is doing it. We are doing the hard yards. We are speaking to people that have to implement the laws – the police, the courts, lawyers. It is really complex legislation. You do not want to capture people that you do not want to capture. You want to target the right people. You want to protect the right people. You want to educate the community in the process. You do not want to grandstand and say that the government are not acting because we could do things faster. Being invited to sit at the table to consult on a bill is actually distracting my office and the department's resources from the hard work that they need to do to get these laws right.

So I will not be accepting the invitation of your spokesperson to come and talk to her about her laws, because your party, and presumably that member of your party, knows that we are starting that

important work. We are talking to everyone about these laws. We are talking to the multicultural groups and, importantly, the LGBTIQ+ community. We need to work together to create proper laws that can work and be enforceable, and you cannot rush these things. It is incredibly complex. Rather than putting out a press release and inviting me to a table to do a consultation on your laws when you know that I am in the process, how about you come and work with me? The invitation is there for your spokesperson, for anybody in your party, frankly, and for anyone in here. I would think that we stand as a chamber of the Parliament against this behaviour, so I would prefer to work together on it rather than just throwing stones and saying ‘You’re not doing this, you’re not doing that’ when actually the work is being done, just not through press release.

**Samantha RATNAM** (Northern Metropolitan) (13:09): Thank you, Attorney. With all due respect, while we appreciate the complexity of consulting on and drafting of legislation, it has been four years since this place last contemplated anti-vilification laws and the need for them. A parliamentary inquiry has occurred since then. We have had legislation drafted by former crossbenchers in this place, and we are urging the government to get on with this important reform, understanding the process that is required. To follow up, last week Merri-bek council passed a motion that included that council will investigate how local laws could be amended to explicitly prohibit vilification in public places. I congratulate Merri-bek council for their support of the trans and gender-diverse community, and I ask, Attorney: will your office work with councils like Merri-bek and others, who want to explore how to protect the trans and gender-diverse community and prohibit vilification?

*Members interjecting.*

**The PRESIDENT:** Dr Ratnam, can you repeat the question – just the last bit.

**Samantha RATNAM:** If you were listening correctly, you would have heard that the question in fact was, Attorney: will your office work with councils like Merri-bek and others, who want to explore how to protect the trans and gender-diverse community and prohibit vilification?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:11): You have pretty much just confirmed the response I gave to your substantive question. These are complex issues, and you need to talk to a lot of people about getting it right. You want to bring about positive change through those consultations. In relation to speaking to councils, the Minister for Local Government is hugely involved in this issue. She has personally spoken to CEOs and mayors in relation to this concerning behaviour and has been updating me appropriately. I will speak to anyone about anti-vilification, including your party, because we want to get this right. We are working on this. It would be really good if we worked together, because I think that particularly the people that you are trying to represent – you have mentioned the LGBTIQ+ community – probably deserve an opportunity for people to be working together, not against one another, and I welcome that opportunity.

#### **Ministers statements: National Volunteer Week**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (13:12): I rise to update the house on the invaluable contribution volunteers make throughout our local communities. This week is National Volunteer Week, where we recognise the important impact that volunteers have on our state. This year, as the Attorney said, the theme of National Volunteer Week is ‘the Change Makers’, and this gives us the opportunity to celebrate volunteering’s power to drive important social change and support the inclusion of all members of the Victorian community. The Parliamentary Secretary for Volunteers Ms Watt, I and I am sure everyone in the house acknowledge volunteers for the invaluable work that they all do.

Every day across the state there are volunteers making a positive impact on people, communities and places. From cultural events to emergency management, environmental programs, health services, community sport and beyond, our volunteers support a wide variety of important services, causes and activities across Victoria. Volunteers come from all walks of life, and regardless of background, skills,

experience or the amount of time that they have to give, all contributions are incredibly valuable and make a real difference in communities right across Victoria. Each year more than 2 million Victorians volunteer with established organisations and programs, and many more volunteer informally in their communities. Our volunteers contribute to an estimated \$58 billion worth of economic, social and cultural benefits to Victoria.

This government is proud to support our volunteers, and that is why we developed the Victorian volunteer strategy in 2022, a five-year plan to revitalise, reimagine and strengthen volunteering in Victoria. In the first stage of the strategy we have invested \$1 million into the Emerging Stronger program, which has supported the delivery of 19 projects to re-engage volunteers and interest new people in volunteering within their local communities. We have developed a training and mentoring program in partnership with Volunteering Victoria that is helping to reimagine volunteering, and we have implemented the Ready to Volunteer communications campaign to inspire all to reconnect with their local communities through volunteering. This government has also committed more than \$3 million to local organisations to support vital volunteer-led programs. National Volunteer Week recognises the vital importance of volunteering for people, communities and places, something that this government does every day, and this government is honoured to recognise and celebrate the immense contribution of Victoria's volunteers.

#### **Maribyrnong River flood review**

**David DAVIS** (Southern Metropolitan) (13:14): (133) My question is for the Minister for Water. Minister, why wasn't the independent probity adviser's December 2022 advice that Mr Wimbush's conflict of interest be made public heeded by the government?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:14): Mr Davis, in your question you are referring to probity advice that was sought and received by Melbourne Water as part of an independent review. The answer to the question is based on what I have just said. It is an independent review, and therefore the work that Melbourne Water has done and is doing and will do is a matter for Melbourne Water, as it should be.

**David DAVIS** (Southern Metropolitan) (13:15): I note the minister has not answered the question again. It is a very simple question, and she can find the answer if she does not know it. But I say: when did you receive the advice from the independent probity adviser that there was a conflict of interest with Nick Wimbush's appointment to the Maribyrnong River flood inquiry?

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:15): Again, Mr Davis – and I have taken you through this detail on a number of occasions now – the appointment of Mr Wimbush and the cessation of Mr Wimbush's appointment are a matter for and have been a matter for and will remain a matter for Melbourne Water. Following receipt of media inquiries in relation to Mr Wimbush's appointment and the cessation of his appointment, I have sought and received information from Melbourne Water and from the department after in fact those decisions were taken, which is entirely as it should be.

**David Davis:** On a point of order, President, when? She did not answer it.

**The PRESIDENT:** I think she said after the decisions were made. You can bring up a point of order at the end of question time if you are not satisfied with the response.

**David DAVIS** (Southern Metropolitan) (13:16): I move:

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

**The PRESIDENT:** You can do this one – the current question. You cannot go back in time. The question is:

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

**Question agreed to.**

### **Medicinal cannabis**

**Rachel PAYNE** (South-Eastern Metropolitan) (13:16): (134) My question is for the Minister for Corrections Mr Erdogan. The rate of mental illness amongst people in the criminal justice system is much higher than in the general population. For people in jail it is higher still. A recent study by the Australian Institute of Health and Welfare found that approximately 40 per cent of people entering prison had experienced some form of mental illness, double the rate of people in the community. Antidepressants and benzodiazepines are prescribed to prisoners to manage conditions like anxiety and insomnia, again at a greater rate than they are for the general population. These can be highly addictive drugs. So I ask the minister: given medicinal cannabis is a lawful prescription medication used to treat a range of conditions, including anxiety, insomnia and post-traumatic stress disorder, what consideration has been given to allowing its prescription within the Victorian prison system?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (13:17): I thank Ms Payne for that question. It relates to my portfolio of responsibilities in corrections and obviously our adult custodial settings and the health and wellbeing of those in our custody. Broadly speaking, the treatment that people in our custody receive is different to what is available in the community for a number of reasons. One of the reasons is that the types of drugs that can be brought into that custodial setting need to be different, because obviously a lot of people inside are also receiving treatment for drug and alcohol addiction issues, so they are getting treated. In terms of your specific question, I would need to take that element of it on notice, because it has not been raised with me before and I have not been briefed on that perspective. Thank you for that question.

**Rachel PAYNE** (South-Eastern Metropolitan) (13:18): Thank you, Minister. I thank you for your response and taking that on notice. By way of supplementary I ask: given that medicinal cannabis is a lawful and relevant medicine, what other than stigma is preventing its use within the Victorian prison system?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (13:19): I thank Ms Payne for that supplementary question. As I stated in my substantive, I think the range of options for treatment in a custodial setting needs to be different for a variety of reasons. Obviously we consult with health professionals, and we have got Justice Health, which always provides us with advice about what is appropriate and what is not. But I will take those details on board and provide a response to you in a timely fashion.

### **Ministers statements: early childhood education**

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (13:19): It is Education Week, and I rise to update the house on how the Andrews Labor government is supporting children and families from diverse backgrounds to go to kindergarten. Since it was launched in 2021, our culturally and linguistically diverse outreach initiative has supported more than 2500 children to enrol in kindergarten.

Just last week I had the pleasure of joining the Premier at Springvale Service for Children to announce \$3.5 million in grants to 22 councils, helping even more children from diverse backgrounds to attend kinder. I had the opportunity to speak with local families who have benefited from these supports and to meet Vicky, a community engagement officer from the City of Greater Dandenong. Vicky told me how the initiative has helped almost 500 children and their families in her community to start their kindergarten journey by helping them to overcome common barriers to participation. She said that this

can involve helping families to access interpreting services, providing support to complete enrolment forms or organising information sessions.

Making sure all Victorian children can access the lifelong benefits of kinder is central to our \$14 billion Best Start, Best Life reforms, and it is why we have made kinder free right across Victoria, meaning families do not need to think about how the household budget will be balanced when deciding whether to send their children to kinder. By making sure all Victorian children can access high-quality preschool education, no matter their postcode, background or family circumstances, we are helping to give them the best possible start in life.

### **Ballarat car parking**

**Joe McCracken** (Western Victoria) (13:21): (135) My question is to Ms Shing in her capacity as Minister for Regional Development. On 2 May you provided a response to me regarding an adjournment matter concerning 1000 car parks that were promised for the Ballarat CBD, which was first announced in 2018. There are 113 car park spaces already constructed at White Flat oval and at Havelock Street, as you mentioned. You also announced another 400 car parks recently at the Ballarat Base Hospital. Additionally, you said 136 car parks are coming online in the next six months, some at Market Street in Ballarat and some at Maddingley Park in Bacchus Marsh. So, Minister, how do these extra, additional spaces at Bacchus Marsh help alleviate the parking concerns in Ballarat CBD when Bacchus Marsh is 45 minutes away?

**Harriet Shing** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:22): Thank you, Mr McCracken, for the opportunity to talk about regional car parking and the work that we are doing to alleviate the challenges of a rapidly growing rural and regional population. As you are aware, we are making sure that we are turning our minds actively to providing additional car parking to meet that demand now and into the future. And, as you correctly identified, part of that work is about making sure that we have spots in Ballarat, also across the Latrobe Valley – you should visit sometime; it is a little way away but has a lot to commend it – and then also Bacchus Marsh, which you also referred to and about which I answered in your previous question.

In Ballarat the 1000 new car spots are on top of the existing car parks, as they have been provided by the Ballarat GovHub and the Ballarat station precinct upgrades. Stage 1, as you are aware, comprises seven sites, and we have also talked through that detail, having currently delivered around 357 of those spots, with 113 across Ballarat CBD and 244 elsewhere. We have then got a stage 2 process, which is about making sure we move on to the remaining stage 2 sites to fulfil the commitment to deliver 2000 car parks, which as you are aware was the commitment.

When we talk about alleviating the pressure and the demands on regional cities, when you refer to the proximity of Bacchus Marsh and Ballarat, it is important to note that the delivery of car spots to Bacchus Marsh actually alleviates the pressure on car parking and capacity in Ballarat because people are not travelling to that hub in order to go elsewhere. It is also really important to note that we are continuing to partner with council and to work alongside the community to make sure that we are delivering these car parks alongside the additional work that is going on on the ground. This is about making sure that we partner with the hospital, that we partner with council and that we work to take the pressure off Ballarat, including through those sites elsewhere – and Bacchus Marsh, as I have identified, is one of those sites. We are really looking forward to making sure that those pressures are alleviated into the future as we co-design these opportunities for better connectivity.

**Joe McCracken** (Western Victoria) (13:24): As a supplementary, I appreciate that Ms Shing has upped the ante to 2000 car parks instead of 1000 –

**Harriet Shing**: Across the board.

**Joe McCracken:** Okay. Thank you for that. From my calculations I can only see that 113 car parks have actually been delivered as part of those 1000 car parks, and that has been over a five-year period from 2018. That is approximately 23 car parks per year. Going at that rate, to fulfil the 887 that are remaining, that is only 38 years to go. Can you please tell us when the 1000 car parks will be fulfilled for the Ballarat community? A specific time would be really good so that I can go back to the Ballarat community and say, 'This is when we can expect them to be done.'

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (13:25): Thank you, Mr McCracken, for that. Again, this is a challenge that nobody in Victoria or indeed around Australia or globally has been immune from. The way in which the pandemic has created all sorts of workforce and material challenges for the delivery of major projects is something that we are also still working our way through. Just to correct any misinformation earlier, it is 2000 across the sites within regional Victoria, with 1000 in Ballarat. This is about making sure that we have that free car parking commitment alongside the City of Ballarat, and we are working with the greatest level of urgency, including in partnership with the council, to deliver those spots. We are looking forward to making sure, for example, that we can have those spots at the base hospital completed in 2025 and that we can also make sure that we are delivering over and above the sites at Havelock Street and Market Street. I want to make sure that we also do this properly. It is a long-term proposition.

#### **Firewood collection**

**Rikkie-Lee TYRRELL** (Northern Victoria) (13:27): (136) My question is for the Minister for Environment. With skyrocketing power prices and winter on the way, many of my constituents in the north who primarily use woodfired heaters have no access to local fuel-laden state park areas, and they are being forced to pay up to \$160 per metre for wood. As access is based on area code, some local areas are covered. However, our biggest regional communities in Yarrawonga, Shepparton, Echuca, Swan Hill and Mildura are without any options. Can the minister open more areas for wood collection?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (13:27): I thank Mrs Tyrrell for her question. It is an important issue. I know that there are many Victorians, including in regional Victoria, who rely on firewood for heating. This is a matter that is obviously a limited, finite resource, so it is important that it is regulated appropriately. In relation to the specific parts of the state that you have cited in your question, I would be more than happy to take that aspect of your question on notice and see what detail I can provide to you via my department. But it is important that this resource is managed appropriately. We have a lot of regulation by the conservation regulator that is required because of some of the illegal activity that can occur throughout our public land estate. I am not for a moment suggesting that your question is about any of those activities, but we have had occasion to need to enforce the law in respect to some activities around firewood. But, Mrs Tyrrell, I am very happy to see what additional info I can get you on some of those parts of the state that you nominated in your question.

**Rikkie-Lee TYRRELL** (Northern Victoria) (13:29): Can the minister remove the postcode requirement for collection within these areas?

**Ingrid STITT** (Western Metropolitan – Minister for Early Childhood and Pre-Prep, Minister for Environment) (13:29): I thank Mrs Tyrrell for her supplementary question. These matters are the subject of legislative requirements and regulations, so it is not really appropriate for me to change those arrangements as minister. It is very important that we manage firewood in a sustainable way across the state, understanding of course that, like every natural resource, it is not an unlimited resource.

#### **Ministers statements: agriculture sector support**

**Gayle TIERNEY** (Western Victoria – Minister for Training and Skills, Minister for Higher Education, Minister for Agriculture) (13:30): I am pleased to inform the house that the government is



providing additional support for farmers impacted by the March hailstorm which impacted farmers in the City of Greater Shepparton and Yarra Ranges local government areas. This will help farmers recover from the devastating effects of the storm and get their businesses back on track.

New primary producer hailstorm concessional loans are now available for farmers impacted by the 23 March hailstorm. This will provide loans of up to \$250,000 to help farmers restore or replace damaged assets and meet general expenses which cannot be met due to loss of income. This is in addition to the range of supports already available, including the primary producer flood recovery grant, the rural landowner grant, the primary producer flood recovery transport support program and the primary producer flood recovery concessional loan. This means that farmers impacted by both the October 2022 through to January 2023 floods and storms and the 23 March hailstorm are eligible to apply for up to \$500,000 in concessional loans in addition to the \$75,000 in grants. Agriculture Victoria is also providing access to a range of advisory and technical support to help farmers make informed decisions about their businesses and recover as smoothly as possible. Farmers and their families and farm workers impacted by the floods and storms are also eligible for three free online psychological sessions and regionally specific support to help farmer businesses to respond to and recover from the impacts of floods and storm events.

This government is committed to supporting farmers in times of need, and we will continue to work closely with the agriculture sector to ensure that our farmers have the support that they need to recover and to get back to what they do best.

#### Written responses

**The PRESIDENT (13:32):** Minister Stitt is to get information, in line with the standing orders, for Ms Tyrrell's substantive question. Minister Erdogan, thank you for getting further information for Ms Payne's substantive and supplementary in line with the standing orders.

**David Davis:** On a point of order, President, just with respect to my questions – and I will take them one at a time – the first substantive question was a simple question: was it your office that was asked for approval on 7 February? The minister actually did not answer that. She answered in sort of a circular way but did not actually answer the substance of the simple question.

**The PRESIDENT:** I believe she did answer in terms of where she saw her responsibilities, but I am happy to review it and get back to the house later this day.

**David Davis:** Thank you, President. Question 2 was a very simple question about the removing of a reference to Mr Wimbush's resignation. I actually quoted the exact words that were removed, but the minister did not say whether it was her office or not that removed those words, and in consequence she simply did not answer the direct question.

**The PRESIDENT:** I am happy to review that as well. My understanding in real time was that the minister said it was not within her responsibility, it was within Melbourne Water's responsibility. But I will review that as well, Mr Davis.

**David Davis:** Just further to that, in reviewing that, President, I will make available to you material that shows that, in my view, the minister's office was involved, and to that extent –

**The PRESIDENT:** Mr Davis, if I require further information, I will ask for it, but I have got to go by what is in *Hansard*, on the record, when I am reviewing the answers and questions.

**David Davis:** Thank you, President. The third question was a simple question about the independent probity adviser's advice about Mr Wimbush's conflict of interest and why it was not released. The minister says that this is independent from her, but it is an entity within her portfolio responsibility under the administrative orders. Whether she made the decision herself or not is a separate point, but the fact is it is, in the administrative orders, in her responsibility. She can find the

answer. I understand she might not know it now, although I suspect she does, but if she does not, she can actually find it and consequently answer the question.

**The PRESIDENT:** Once again, I do not want to be asked to review every question every question time, but I am happy to review *Hansard*. I believe the minister in real time, as far as I can remember, said that it was not advice to her at the time. But I commit to reviewing those questions.

### *Constituency questions*

#### **Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (13:35): (156) My question is to the Minister for Veterans and relates to the veterans card: can the minister outline who in the Southern Metropolitan Region is eligible for the card and how they apply? Anzac Day every year is always an important reminder to all of us of the contribution that veterans make both while they are serving in uniform and once they transition back to civilian life. Victoria is home to more than 100,000 veterans, and it was a pleasure to meet so many at Anzac Day services in Southern Metro. I attended services in Beaumaris, Hampton and Elwood on and around Anzac Day. Our veterans give so much back to our community, from their service in the ADF to their volunteer work to getting involved in disaster relief efforts, particularly after the recent flooding that impacted our state. We know that veterans sometimes need support to continue to succeed, and the Andrews Labor government has committed to introducing a veterans card in July this year, the first of its kind in Australia. It is clearly going to assist many veterans throughout our community, and I look forward to finding out how it can help those in the Southern Metropolitan Region.

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

**Matthew BACH** (North-Eastern Metropolitan) (13:36): (157) I have a constituency question today for the Minister for Housing: is the minister intending to increase the provision of emergency accommodation and housing support in Monash, in my electorate, in the upcoming budget? I am regularly in communication with residents within Monash who are seeking support for emergency accommodation, and what so often strikes me is that the sorts of people who are contacting me are not the sorts of people who stereotypically, one might think, would normally want to be in receipt of these sorts of government services. We know that the cost-of-living crisis is biting, and it is difficult for the government at this time to commit to a further provision of emergency housing, because of course every single day the government spends \$10 million from the Victorian taxpayer seeking to service its own debt. So I understand this is difficult. This is not necessarily an expansion that I am advocating for, but I want to know: will the minister be providing more crisis accommodation within Monash, in my electorate, in the budget?

#### **Northern Victoria Region**

**Rikkie-Lee TYRRELL** (Northern Victoria) (13:37): (158) My question is for the Minister for Emergency Services. With the government's unquenchable thirst for renewable energy, proposed solar farms and storage cell batteries, it has been brought to my attention that local regional CFA brigades have had no initial training to extinguish these potentially hazardous blazes. The volunteers I spoke to said if a solar farm and its base components were to ignite during a bushfire, the potential for live power to create unnecessary risk will be the determining factor in their threat matrix and subsequent actions – those actions being that they are likely to let it burn. To mitigate the potential for an environmental disaster when the battery chemicals melt into the water catchment areas, when will the minister initiate a training package to be rolled out for the likely responding units?

#### **Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (13:38): (159) My constituency question is for the Minister for Environment. A mob of 40 kangaroos live on the Flora Hill site in Bendigo where the athletes village for the 2026 Commonwealth Games is set to be built. With work set to commence by

the end of this year, locals are desperately seeking answers on how native animals will be considered before their habitat is demolished. Representatives from Development Victoria claim they will not kill the kangaroos, but wildlife rescuers are not convinced of this. Instead they fear they will be herded across major roads into unsuitable bushland. Mismanaged relocations cause severe injury and stress in roos, which lead to accidental death or secondary lethal control. From development to logging, native animals and the dedicated volunteers who protect them are consistently overlooked. When will the minister release a full development plan in consultation with wildlife rescuers and carers?

### Eastern Victoria Region

**Tom McINTOSH** (Eastern Victoria) (13:39): (160) My question is for the Minister for Industry and Innovation in the other place. Minister, I note that last week was manufacturing week, and there is much to celebrate in our great state and much to look forward to for our innovative manufacturing businesses as we transition to the low-carbon economy. What is the Andrews Labor government doing to lead the way in transitioning to a net zero Victoria, and what are the expected benefits for Victorian manufacturers from this transition? Victoria is entering exciting times for industry and low-emission technology, and this is particularly the case for my electorate of Eastern Victoria with the development of offshore wind. The development of the offshore wind industry in Victoria is set to create thousands of jobs and generate clean energy, helping Victorians through lower prices as well as Victorian businesses as low-carbon credentials become increasingly important in global markets. I note that the *Made in Victoria 2030: Manufacturing Statement* cites zero- and low-emission technology as the number one priority area of opportunity for Victorian manufacturers.

### Eastern Victoria Region

**Melina BATH** (Eastern Victoria) (13:40): (161) My constituency question is to the Minister for Water. After two years my constituent is still receiving contradictory advice and cannot move forward on a planning permit to build a dream home at 62 Sandy Point Road, Sandy Point. The two government agency guidelines contradict each other in relation to flood mitigation. Department of Energy, Environment and Climate Action guidelines, including for development in flood-affected areas, and West Gippsland Catchment Management Authority guidelines for development in flood-prone areas are at odds. DEECA states 0.5 metres over the road egress irrespective of land zone category, and West Gippsland CMA states 3.3 for farm zone and 1.2 for residential zone. The South Gippsland shire are amenable to the planning permit, but they fear that the West Gippsland CMA will object. My colleague Danny O'Brien has raised this before. Minister, my question is: which guidelines are applicable on this site, and how can you offer assistance to my constituent to navigate through this and get his dream home at Sandy Point?

### Northern Victoria Region

**Gaelle BROAD** (Northern Victoria) (13:41): (162) My question is to the Minister for Environment regarding the bat population in Rosalind Park, Bendigo. Can the minister please explain what the government is doing to manage this issue? Rosalind Park is the jewel in the crown of Bendigo's CBD and is being badly damaged by bats. The destructive colony of grey-headed flying foxes has been an issue for years, and it is getting worse. The bats fly over the park, they excrete everywhere, they are extremely noisy and the park smells. Important historic trees have been damaged. As reported in the *Bendigo Advertiser*, local residents are now avoiding the park. Community events like the Anzac Day dawn service were impacted, and so too are 1800 students who attend Bendigo Senior Secondary College. Local businesses and real estate values have suffered. It is an ongoing expense for council to monitor the situation, and council workers have increased their cleaning regime as the bat numbers have risen. I understand that bats are a protected species, but they do need to be managed.

### South-Eastern Metropolitan Region

**Rachel PAYNE** (South-Eastern Metropolitan) (13:42): (163) My constituency question is for the Minister for Roads and Road Safety Ms Horne. My constituent is a Noble Park resident who has been

part of a decade-long campaign for a road safety upgrade at the Heatherton Road and Douglas Street roundabout outside of the Noble Park activity centre. Despite designs being drawn up in 2010 for a roundabout to be replaced by crossing signals, my constituent has not seen any upgrades or funding committed to improve this busy stretch of road. The government's 2018 level crossing removal project in Noble Park increased the number of pedestrians and cyclists accessing the activity centre, and after some near misses pedestrians fear that an upgrade is more vital than ever. So my constituent asks: when will we see crossing signals replace the Heatherton Road roundabout in Noble Park?

### **Southern Metropolitan Region**

**David DAVIS** (Southern Metropolitan) (13:43): (164) My constituency question is for the attention of the Minister for Creative Industries, and it concerns the decision of the City of Melbourne to cut free car parking and after-hours parking, including on the weekend, and the impact that this will have on our arts precinct in my electorate south of the river and in particular on the arts centre, the National Gallery, the recital hall and so forth. The free parking there that has operated on the weekends and in the evenings has underpinned a lot of activity in that sector. Now the decision of the council, to be made tonight, will make that much more difficult. People will not be able to park for free there. They will not be able to attend events at the low cost that exists now. I ask the minister: will he join with me in jointly approaching the City of Melbourne to stop this madness?

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

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (13:44): (165) My question is for the Minister for Roads and Road Safety, and it relates to pedestrian safety on Research-Warrandyte Road as it approaches the Research township. Just near the Research CFA the footpath along the road switches from the south side to the north side. Previously there had been a pedestrian crossing in this area, but there is not any longer. This section of road is very busy, particularly at peak hour, and the footpath is used by pedestrians accessing the shops from the residential area to the south of the road as well as a large number of students on their way to and from school. There is also a bus stop nearby which requires people to cross the road to access it. Minister, the community wants to see a pedestrian crossing reinstated in this area so that people may safely cross the road. Will the government reinstate this crossing on Research-Warrandyte Road?

### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (13:45): (166) My question is for the Minister for Environment. The Andrews Labor government's ban on firewood collection continues to impact Moira shire residents who have historically relied on wood collection as an energy source for their homes. To add insult to injury, further restrictions introduced in March 2022 excluded many Moira shire residents from accessing firewood at their nearest designated collection point near Rushworth, which was already nearly a 3-hour round trip. The latest firewood collection map shows the closest firewood collection point for Moira shire residents is Wilkinson Track west of Warrenbayne, a 3½-hour round trip from the Barmah township. With the firewood collection season underway, my office is receiving constant complaints from Moira shire residents seeking access to the copious amounts of firewood closer to home. Will the minister reverse this policy and allow residents of the Moira shire local government area to collect firewood from the areas within the regional parks in their shire?

### **Western Metropolitan Region**

**Trung LUU** (Western Metropolitan) (13:46): (167) My constituency question is for the Minister for Roads and Road Safety. Can the minister please answer: what action has the minister taken to assist my constituents with the duplication of Sunbury Road between Sunbury and Bulla, and why wasn't this road funded completely during the Big Build along with other roads? The traffic congestion along Sunbury Road is out of control, and this was needed yesterday. If nothing is done, it is going to get worse. Crashes will continue and more Victorians will suffer. The duplication of this road is needed urgently. Data from VicRoads for this road for this current week has 23,000 vehicles travelling per

day. In the last five years there have been 29 severe crashes, resulting in 28 people being seriously injured. Members of my community have voiced great concerns, strongly condemning the unsafe conditions, the congestion in and out of Bulla on this road and the wait times for them getting to work. Once again the government has not treated Melbourne's west with the equality that it deserves. I desperately urge the Minister for Roads and Road Safety to answer why. What action has been taken to advocate for my constituents for the duplication of Sunbury Road between Bulla and Sunbury?

**Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (13:48): (168) My question is for the Minister for Agriculture and concerns the direct and damaging impact of the federal budget on farmers in my electorate of Western Victoria Region. Minister, all of us accept that biosecurity is vital to primary producers, but what the announced levy does is make Australian farmers pay for their international competitors to bring their produce to Australia – and to make money while they are doing it. \$153 million will be charged to domestic producers, not the people actually importing the threats. It is outrageous, and there is an alternative. The independent Craik biosecurity review proposed an importer container levy. My question to the minister is: what representations have you made to your Labor colleagues in Canberra to propose an alternative to this unfair new farmer tax?

**Western Victoria Region**

**Joe McCracken** (Western Victoria) (13:49): (169) My question is to the Minister for Planning, and it regards the proposal for a seven-tower development of wind turbines at Brewster, just east of Beaufort in my electorate. Locals are rightly concerned about the process undertaken to get to a point where this development is under consideration, and I do note that the minister has called this matter in. Locals are concerned, particularly about the selective consultation process, which did not seek to reach all impacted locals, and the critical omissions and inaccuracies in the ecological assessments used to advocate for the proposal. The proposed development was initially for four wind turbines, and now it is seven. The proposed site sits between three wind tower sites already – Waubra, Stockyard Hill and Chepstowe wind farms, which are all in very close proximity – and is at the centre of a broilga breeding ground. The Pyrenees shire have also expressed concerns regarding the matter. My question to the minister is: will the minister meet with concerned locals on site, seek information and take all those considerations into her thoughts when she is making the decision?

**North-Eastern Metropolitan Region**

**Nicholas McGOWAN** (North-Eastern Metropolitan) (13:50): (170) My constituency question is to the minister representing the Minister for Education, and it relates to the stage 3 upgrade and modernisation at Ringwood Secondary College. Stage 3 consists of construction of a new science, technology, engineering, arts and maths building as well as a new canteen. It was announced by the Premier in a press release on 3 December 2020. The Andrews Labor government awarded the contract for this construction to the Lloyd Group with a starting date of April 2022. Unfortunately the Lloyd Group recently appointed administrators after the company collapsed. Despite the announcement of this project back in 2020 and the contract for construction being awarded 12 months ago, the stage 3 upgrade at Ringwood Secondary College has not commenced. So my question to the minister is: what action has the government taken to appoint a new contractor to complete the construction of the STEAM building and canteen so that students and teachers at Ringwood Secondary College can have what was promised and budgeted for, with contracts initially awarded to complete the final stages of the promised upgrade and modernisation process?

***Bills*****Children, Youth and Families Amendment (Home Stretch) Bill 2023***Introduction and first reading*

**Matthew BACH** (North-Eastern Metropolitan) (13:51): I introduce a bill for an act to amend the Children, Youth and Families Act 2005 to make provision for measures to assist young persons in the transition to adulthood after the secretary's or the permanent care parent's parental responsibility for the young person ceases and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Matthew BACH:** I move:

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

**Motion agreed to.**

**Racial and Religious Tolerance Amendment (Anti-vilification) Bill 2023***Introduction and first reading*

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (13:52): I introduce a bill for an act to amend the Racial and Religious Tolerance Act 2001 to prohibit the vilification of persons on the ground of gender, sexuality, disability, intersex status or HIV/AIDS status and for other purposes, and I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Aiv PUGLIELLI:** I move:

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

**Motion agreed to.**

***Papers*****Victorian Law Reform Commission***Inclusive Juries: Access for People Who Are Deaf, Hard of Hearing, Blind or Have Low Vision*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:52): I move, by leave:

That the Victorian Law Reform Commission's report *Inclusive Juries: Access for People Who Are Deaf, Hard of Hearing, Blind or Have Low Vision*, July 2022, be tabled and published.

**Motion agreed to.**

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 4*

**Sonja TERPSTRA** (North-Eastern Metropolitan) (13:53): Pursuant to section 35 of the Parliamentary Committees Act 2003, I present *Alert Digest* No. 4 of 2023, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

**Motion agreed to.***Papers***Papers****Tabled by Clerk:**

Climate Change Act 2017 –

Independent Expert Panel for the Victorian 2035 Emission Reduction Target, Final Report, March 2023.

Interim emissions reduction target for 1 January 2031 to 31 December 2035.

Commissioner for Environmental Sustainability Victoria – Strategic Audit of the Implementation of Melbourne Strategic Assessment Conservation Outcomes 2022 Report.

Crown Land (Reserves) Act 1978 – Order of 3 May 2023 giving approval to the granting of a licence at George Tindale Memorial Gardens.

Drugs, Poisons and Controlled Substances Act 1981 – Report under section 96 by the Chief Commissioner of Victoria Police for 2022.

Parliamentary Budget Officer – Operational Plan 2023–24: Priorities and protocols.

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

Glen Eira Planning Scheme – Amendment C250.

Greater Geelong Planning Scheme – Amendment C441.

Merri-bek Planning Scheme – Amendment C208.

Mount Alexander Planning Scheme – Amendment C97.

Port of Melbourne Planning Scheme – Amendment C5.

Stonnington Planning Scheme – Amendment C312.

Wangaratta Planning Scheme – Amendment C93.

Wellington Planning Scheme – Amendments C109 (Part 1) and C115.

Yarra Ranges Planning Scheme – Amendment C197 (Part 2).

Project Development and Construction Management Act 1994 – Nomination Order and Application Order of 9 May 2023, under sections 6 and 8 of the Act and a statement of reasons for making the Nomination Order of 24 April 2023, under section 9 of the Act.

Subordinate Legislation Act 1994 –

Documents under section 15 in respect of Statutory Rule No. 27.

Legislative Instruments and related documents under section 16B in respect of the EPA Designation – Classification of lead-acid batteries, under the Environment Protection Act 2017.

Victorian Building Authority – Report, 2021–22.

*Petitions*

**Whitehorse City Council**

*Response*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: a response from the Minister for Local Government to the petition titled ‘Reinstate aged care at home services in the City of Whitehorse’, number 467, presented by Dr Bach on 23 March 2023.

*Business of the house*

**Victorian Auditor-General’s Office**

*Financial audit*

**The PRESIDENT (13:55):** I have a message from the Assembly:

The Legislative Assembly have agreed to the following resolution:

That under section 79 of the *Audit Act 1994*, Mr Kenneth Weldin of PKF Melbourne Audit and Assurance be appointed for a period of 12 months:

- (1) to conduct the financial audit of the Victorian Auditor-General’s Office for the financial year ending 30 June 2024;
- (2) in accordance with the Agreement for the Provision of Services for the Financial Audit of the Victorian Auditor-General’s Office; and
- (3) at a fixed fee level of remuneration of \$46,100 (plus GST) for audit services for the year ending 30 June 2024;

which is presented for the agreement of the Legislative Council.

**Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:56):**  
I move, by leave:

That the message be taken into consideration forthwith.

**Motion agreed to.**

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

That:

- (1) the Council agrees with the Assembly and resolves, That under section 79 of the Audit Act 1994, Mr Kenneth Weldin of PKF Melbourne Audit and Assurance be appointed for a period of 12 months:
  - (a) to conduct the financial audit of the Victorian Auditor-General’s Office for the financial year ending 30 June 2024;
  - (b) in accordance with the agreement for the provision of services for the financial audit of the Victorian Auditor-General’s Office;
  - (c) at a fixed fee level of remuneration of \$46,100 (plus GST) for audit services for the year ending 30 June 2024; and
- (2) a message be sent to the Assembly informing them that the Council have agreed with the Assembly’s resolution.

**Motion agreed to.**

**Notices**

**Notices of motion given.**



**General business**

**Georgie CROZIER** (Southern Metropolitan) (14:05): I move, by leave:

That the following general business take precedence on Wednesday 17 May 2023:

- (1) order of the day made this day, second reading of the Children, Youth and Families Amendment (Home Stretch) Bill 2023;
- (2) notice of motion 54 standing in Mr Puglielli's name referring matters relating to the rental crisis in Victoria to the Legal and Social Issues Committee;
- (3) notice of motion 16, in an amended form, standing in Ms Bath's name referring matters relating to Victoria's education system across government schools to the Legal and Social Issues Committee;
- (4) order of the day 1, resumption of debate on the second reading of the Public Administration and Planning Legislation Amendment (Control of Lobbyists) Bill 2023;
- (5) notice of motion 62 standing in Mr Mulholland's name on the role of Returned and Services League sub-branches;
- (6) notice of motion 45 standing in my name on the increasing cost-of-living pressures; and
- (7) notice of motion given this day by me on the Victorian Parliamentary Former Members Association.

**Motion agreed to.**

***Committees*****Economy and Infrastructure Committee*****Membership***

**Georgie CROZIER** (Southern Metropolitan) (14:06): I move, by leave:

That:

- (1) Mr McGowan be discharged as a participating member of the Economy and Infrastructure Standing Committee; and
- (2) Mrs Broad and I be participating members of the Economy and Infrastructure Standing Committee.

**Motion agreed to.**

***Members statements*****Ballarat citizenship ceremony**

**Joe McCracken** (Western Victoria) (14:07): Last week I had the pleasure of attending and speaking at the City of Ballarat citizenship ceremony, where 82 new citizens took the pledge to become Australians. It was a great ceremony and the first ceremony, I am led to believe, where the 'Aussie, Aussie, Aussie' chant spontaneously erupted – and I hope it will not be the last time.

**A member** interjected.

**Joe McCracken**: I know. I was particularly inspired by the story of Yaqoob Kazan, who is one of the intercultural ambassadors for the City of Ballarat. Yaqoob came from Central Asia to Ballarat, and despite being here for a relatively short period of time, he has hit the ground running, establishing the wonderful Kazan Central Asian Kitchen, which serves beautiful food, including sweets, falafel, soups, kebabs and many other things that I do not know how to pronounce. He is an entrepreneur employing locals in his business. He is kind, generous and a very community-minded man and loves giving back to his local community, which he says has given him so much. He also sponsors local events. Yaqoob is a great man, and I commend him and his contribution to the Ballarat community.

**Extremism**

**Ryan Batchelor** (Southern Metropolitan) (14:08): There were more disturbing scenes on the steps of the Parliament over the weekend, with neo-Nazis once again voicing their hate-filled views, and while I really do not want to give them the attention that they so desperately crave, intolerance

and bigotry cannot go unanswered – not in Victoria, not anywhere. While the hatred and intolerance are targeted at the trans community and rainbow families, history tells us that it will not stop there. Once they threaten and intimidate one group into silence, these neo-Nazis will move on to the next – from the trans community to migrant groups and to religious communities. We have seen it all before. History also tells us the best way we can respond is by standing with those who are being targeted, by showing them our support, with solidarity and by using our collective voice to say, ‘We stand with you.’ So to the drag queens who just want to read a story: we stand with you. To the rainbow families who love their children: we stand with you. To the librarians doing their job: we stand with you. But to the hate groups who marshal on our front steps – and frankly with apologies to Woody Guthrie – our message is clear: you may be surprised. People in this state are getting organised, and you are bound to lose. You fascists are bound to lose.

### **MardiGrass**

**David ETTERSHANK** (Western Metropolitan) (14:10): On the weekend of 5 to 7 May I attended MardiGrass 2023 in Nimbin with my colleague Ms Payne. For 30 years MardiGrass has been a national celebration of cannabis culture and an organising forum for cannabis law reform. Thousands of people travelled from across the country for the festival, which included entertainment, educational sessions, much political discussion, parades, great food and of course a lot of really good quality weed. A profound optimism prevailed with a heartfelt belief that the time has finally come for meaningful reform. This was underpinned by the presence of Legalise Cannabis MPs from three states, with two forming part of the balance of power in their respective upper houses. The police presence throughout the festival was discreet, and there were, as far as we are aware, no arrests or seizures in the town. Many festivalgoers commented on what a stark contrast this was to the extraordinary police harassment at the Melbourne 420 rally only a few weeks ago. Last week the Therapeutic Goods Administration reported that there are now over 1 million medicinal cannabis consumers, so there was of course much interest in Victoria’s progress in reforming medicinal cannabis driving laws. Ms Payne and I left Nimbin invigorated and with a renewed commitment to cannabis law reform, and we look forward to engaging further with the government on this issue.

### **Our Lady of La Vang Shrine**

**Trung LUU** (Western Metropolitan) (14:11): On the previous weekend I had the honour to attend a gathering of 16 Victorian Vietnamese Catholic communities in celebration of the Marian Congress for Our Lady of La Vang – our Virgin Mary – in Victoria’s south-east, in Keysborough. This occasion holds a special place in the heart of Vietnamese Catholic communities worldwide: a celebration of faith, friendship, culture and shared identities, with Bishop Joseph Tran from Long Xuyên, Vietnam – from my hometown; Bishop Vincent Nguyen from Paramatta, New South Wales; and Father Matthew Nguyen, who travelled all the way from Texas, USA, for the celebration. The day reminded us of the incredible power of faith and the strength of the Vietnamese Catholic community. Despite the many challenges and obstacles in all the times that the community has faced, fleeing their country of birth due to communism and depression, the Catholic community has always held fast to their faith to promote unity and harmony, working towards a brighter future for all of God’s creatures. The celebration was an inspiration, deepening the community’s culture and faith and strengthening and enriching the bonds of our community in Victoria.

### **Bangs Street, Prahran, redevelopment**

**John BERGER** (Southern Metropolitan) (14:13): Today I rise to celebrate the achievements of the Bangs Street community committee. I pay tribute to the many people involved in the project. The Bangs Street development will provide the Prahran community with 445 new homes, and these homes will truly be homes, located close to hospitals, education, employment and support services. These new homes will be modern and energy efficient, with a 5-star Green Star rating and a 7-star NatHERS average rating, and the pedestrian–cyclist connections built as part of the project will be a net positive for the local community. Native flora will be planted in the vicinity, thanks to the fantastic work of the

social enterprise. At least 5 per cent of these homes are designed to be accessible for our fellow Victorians with a disability. It is all part of the Andrews Labor government's big build program, a program I am proud to support. These new homes will tackle the real problems that those in the community in Southern Metropolitan are facing – namely, housing affordability and the cost of living. It is my pleasure to have recently been announced as co-chair of the Bangs Street community project, with my co-chair Judith Klepner. I am excited to finish the work with the team and deliver this vital project to the community. I commend the project to the house.

### **Commonwealth Bank, Fawkner branch**

**Evan MULHOLLAND** (Northern Metropolitan) (14:14): I rise to raise my concern about the Commonwealth Bank's sudden decision of the proposed closure of their Bonwick Street, Fawkner, branch, on 26 May. One in four Fawkner residents is without home internet access. As a proud migrant suburb there is a high proportion of residents for whom English is not their first language, and there are many elderly and special needs residents who love accessing this community bank. These residents rely on expert support for their in-person banking services, and many are longstanding and loyal customers of our banks.

For these longstanding customers of the Commonwealth Bank, the proposed closure comes as a particular disappointment because this is not the first time they have had their local bank shut on them. Many local customers using the Fawkner branch were shifted there only because the Commonwealth Bank closed the Merlynston branch and forced them further north for their banking services. The community have given their verdict of the proposal by the Commonwealth Bank, and I would like to acknowledge local resident Hassaan Gul for his advocacy in launching a petition that has gained around 650 signatures in just two weeks. I have also written to the Commonwealth Bank asking them to reconsider this closure, and I thank Joe Perri from the Fawkner Residents Association for their advocacy. This is an issue for all of our residents, and we must stand by the Fawkner community in their time of need.

### **Father Bob Maguire**

**Lee TARLAMIS** (South-Eastern Metropolitan) (14:16): I rise to speak on the sad passing of Father Bob Maguire last month. We recently farewelled Father Bob at St Patrick's Cathedral amongst his friends, parishioners, community members and those who just admire everything he did for our community. Father Bob was a giant in his local community – indeed, a giant in the entire Victorian community. He dedicated his life to supporting the marginalised, the disenfranchised and the disadvantaged. His commitment to social justice was unwavering, and he was dogmatic in seeking fairness and equality for those he felt were left behind. Father Bob was a proud Catholic, but he also saw the Catholic Church, with all its flaws, as more than just an institution. He saw it as a vehicle for good in the community and ensured his parish helped everyone who needed it. His motto was 'No-one left behind', and every single person who passed through the foundation was offered whatever Bob could give.

He was parish priest for Saints Peter and Paul's Catholic Church in South Melbourne from 1973 to 2012 and was appointed a Member of the Order of Australia in 1989 for services to homeless youth through the Open Family foundation. After his retirement from the church he continued to work with his charity foundation, which delivers hundreds of free meals each week and operates an outreach program to those in need. Father Bob was a good friend of this Parliament, working closely through the foundation with the kitchens here to provide healthy food for a lot of people during the pandemic. Members of Parliament often shared stories about Father Bob's razor-sharp wit and how he never missed an opportunity to advocate for those in need and how he never hesitated in telling politicians when he thought that they could do things better. Father Bob's legacy will live on through the countless lives he has touched, an enduring inspiration for his devotion to community and humankind. Vale, Father Bob Maguire.

**Community legal services**

**Katherine COPSEY** (Southern Metropolitan) (14:17): In the federal budget delivered last week I was astounded that it seemed more important to the government to trumpet that a surplus was delivered than actually using that surplus to fund essential services crying out for support. I was astounded because the lack of new money for community-controlled Aboriginal legal services means that those services will begin to close their books to new clients across the country from 1 July if the funding crisis they face is not addressed. Investment in these services prevents problems escalating, improves outcomes for people and saves government money over the long term. Investing in the community legal sector returns an investment of \$18 for every \$1 spent.

Lack of action from the federal budget means that the attention on the Victorian budget is now sharp. Chronically underfunded centres need significant additional funding now. In the same fortnight we saw a number of Victorian ministers appearing before the Yoorrook Justice Commission apologising for a number of issues affecting First Nations people, including – terribly – confirmation of yet another death in Victorian custody. Will we also see a state budget delivered that will mean Aboriginal legal services may need to close their books to new clients? With less than six weeks to go, I implore the Council to encourage the government and the Attorney-General to ensure community legal services in general and Aboriginal legal services in particular are funded to keep their doors open for new clients.

**Extremism**

**David DAVIS** (Southern Metropolitan) (14:19): Today I want to draw the house's attention to two distinct matters. The first, as was brought up earlier in this session, is the concern that I think many of us have with the appearance of neo-Nazis out on the steps of Parliament and a series of demonstrations, and I think we do need to be very careful. I think we do need to make a clear stand. It is true that these groups are groups that should not be tolerated in any way, and I think across the chamber there is a strong view on these matters.

**Federal budget**

**David DAVIS** (Southern Metropolitan) (14:19): The second point I want to make today is around the federal budget and its provision for cultural and arts spending. When you read this budget it is shockingly focused on other states and territories in Australia. There is almost nothing in it for Victoria. Yes, there are some general programs, but the fact is that most of the capital spending, most of the new and available recurrent spending that is coming forward – and it is modest, I might add, in certain areas – is focused on other states and territories. Victoria has missed out. We have got 26 per cent of the population. We pay about a quarter of the taxes. Our arts and creative industries, our cultural industries, deserve their fair share, and under the Albanese government they are not getting it.

**Mullivaikkal Remembrance Day**

**Samantha RATNAM** (Northern Metropolitan) (14:20): On 18 May each year since 2009 the Tamil community marks Muḷḷivāyḱkāḷ Niṇaivu Nāl, or Mullivaikkal Remembrance Day, a day to remember the thousands of Tamils killed in the final stages of Sri Lanka's civil war. British colonisation left Sri Lanka a divided society. Like they had done in many other places, the colonisers pitted communities against each other, and Sri Lanka struggled in the aftermath. Our Tamil community paid the price for a government agenda of nationalism, and our language, culture and prosperity came under sustained attack, but our community resisted. Over 30 years of brutal conflict we lost so much. Our community was splintered into hundreds of thousands of pieces across the world, and thousands remained and fought to survive.

In the final stages of the war 300,000 civilian Tamils were trapped in Mullivaikkal in the north of Sri Lanka. Mullivaikkal was designated a no-fire zone. The Sri Lankan government encouraged Tamils to harbour there. Makeshift hospitals were set up there to treat the wounded. But instead of safety they were met with bombs. Between January and May 2009 an estimated 70,000 Tamils were killed, adding

to the 40,000 that had been killed in the conflict to that point. To date another 100,000 Tamils have not been accounted for, feared dead. We remember them.

Even as I stand here and mark these tragic events, the Sri Lankan state continues to intimidate those who seek to commemorate their loved ones. Every Tamil carries a piece of this history of attempted genocide within them. No healing will come until this is acknowledged.

### **National Volunteer Week**

**Gaelle BROAD** (Northern Victoria) (14:22): It is National Volunteer Week, and it is a great pleasure to acknowledge the incredible contribution of volunteers in our local communities. Volunteers serve in many different ways. I recently met with volunteers at MADCOW in Bendigo, who support the homeless; the Coach House Gallery and Museum in Wedderburn – they are keeping local history alive; Phoenix and KLFM radio stations, engaging people and building community; Bendigo Foodshare – they provide food relief to those who are struggling; and our neighbourhood houses, where everyone is made to feel welcome. Volunteers generously gave of their time and energy to help people impacted by last year's devastating floods, in particular our CFA and SES volunteers, many out helping others while their own homes were being flooded.

Volunteering is defined as 'time willingly given for the common good and without financial gain'. The volunteers I know do not seek the spotlight for the work they do, and our communities would not be the same without them. Volunteering brings people together. Research shows that those who connect socially are happier and more productive, engaged, energetic and resilient, and social connection bolsters your immune system. It does not matter if you are nine or 99, with an hour to spare or a few days a week, there are opportunities to volunteer doing something you enjoy. Volunteers are the foundation of our local communities. Thank you for the valuable work that you do.

### **Wild Deer Hunting Expo**

**Jeff BOURMAN** (Eastern Victoria) (14:24): This weekend past saw the wild deer hunting and outdoors expo at Lardner Park outside Warragul. This was an event to service hunters of all types as well as outdoor enthusiasts, with vendors ranging from toilet roll holders that suit camping to thermal viewing devices. To say the event was well attended would be a gross understatement. With so many people attending, it was hard to move around at times. It was also attended by all demographics, with young people, retirees and families, and they were all having a good time by the look of it. The event was a credit to Jamie Gilbert and McPherson Media, and I have to say to those who continue to say that hunting has no real economic value: you should have dropped by to have a look, like Wildlife Victoria did – and yes, I believe I saw you driving down Burnt Store Road.

### **National Volunteer Week**

**Melina BATH** (Eastern Victoria) (14:24): It is volunteer week, and as shadow parliamentary secretary for volunteers I would like to give a great big shout-out and acknowledge and celebrate the wonderful efforts of our volunteers right across Victoria – the safety, the health and the wellbeing volunteers, the restoration of the environment volunteers. 'Volunteerism weaving us together' is the theme for this year. They support every fabric of our society. The list of volunteers who give their time both formally and informally is almost endless, but to name a few there are: the SES, the CFA, St John Ambulance, our sporting clubs, our theatrical societies, Meals on Wheels, canteen volunteers, the op shop people, Lifeline, the Red Cross, the RSL welfare officers, JPs, neighbourhood houses, the spontaneous volunteers that assist in times of crisis, those volunteers who quietly cuddle newborn preemie babies, Landcare, Coastcare, 'friends of' and habitat restorers, youth mentors and disability volunteers. Thank you, one and all.

As we celebrate National Volunteer Week I just would like to highlight the L2P program across my electorate and also the one of which I am chair, the amazing Latrobe Berry Street team: Catherine Simpson, Courtney Pulis, Liz Renehan and the fantastic Acting Senior Sergeant Andy Milbourne. Last

week 500 students came to the Latrobe Valley and really assessed a simulation of what it is to have a crash and how to avoid that in the future.

### **Donvale Christian College**

**Matthew BACH** (North-Eastern Metropolitan) (14:26): From time to time I do take the opportunity to point out some of the problems in our education system. For example, the Andrews Labor government spends less than any other state or territory per pupil on education, and Victorian parents pay the most, over \$100,000 from prep to year 12 for a state school education, which last time I checked was supposed to be free – well, we pay for it through our taxes. Of course our results have been going through the floor. In the latest Programme for International Student Assessment test, which happened before the pandemic, Victorian students received their worst learning outcomes ever, and I have an embargoed copy of new data coming out tomorrow that demonstrates that when it comes to literacy primary school students in Victoria are going backwards. We are the only state or territory where that is happening.

But today I wanted to focus entirely on the positive. I met with students once again from Donvale Christian College last week, and I am always impressed with students from this fabulous school. They came into Parliament. We spent some time in the Assembly chamber and a little bit of time watching debate in here, then went into the Liberal party room, which they enjoyed very much as they had heard a little bit about it in the news over the course of the preceding days. We talked about a range of matters. It was actually a very productive, positive and happy meeting. We talked about Australia's constitution, our system of government. They were really fascinated by our Westminster model – they are legal studies students – and how it is that our system differs from others. There are deep problems in our education system; one of them most certainly is not our fabulous students.

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

#### **Notices of motion and orders of the day**

**Lee TARLAMIS** (South-Eastern Metropolitan) (14:28): I move:

That the consideration of notices of motion, government business, 2 to 69, and orders of the day, government business, 1 to 3, be postponed until later this day.

**Motion agreed to.**

### ***Bills***

#### **Disability and Social Services Regulation Amendment Bill 2023**

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

**Debate resumed on motion of Jaclyn Symes:**

That the bill be now read a second time.

**Georgie CROZIER** (Southern Metropolitan) (14:28): I rise to speak to the Disability and Social Services Regulation Amendment Bill 2023. This is an important piece of legislation that we are debating in the house this afternoon. It is largely non-contentious in terms of the aspects that the Liberals and Nationals have pointed out. We support reforming what needs to be reformed. My colleague in the other place Tim Bull has laid out the issues in relation to what the government has undertaken. I think everybody in this chamber supports the ability to get the right services to those most vulnerable members within our community.

I want to go back to 10 years ago, 4 May 2013, when the then Premier Dr Denis Napthine stood with the then Prime Minister the Honourable Julia Gillard and Victoria came on board and signed up to the national disability insurance scheme.

That was a very significant moment for this state, and I recall that very well. I had the privilege of being here at that time. The minister, Minister Wooldridge, worked with the Premier and their federal counterparts in terms of getting this important piece of reform across the country up and running.

We know that there have been issues, and this bill largely goes to addressing a lot of the duplication and working out some of those points where it needs to be made sure that we are not duplicating and that the services are actually provided to the most vulnerable, as I said. But the point I want to make is to remind the chamber, especially those who were not here in the Parliament at the time, that it was a very, very significant piece of reform that governments around the country came on board with. I will read from this article where it quotes the then Premier Dr Napthine:

As a person, as a family member, as a carer, as somebody who's worked in the disability area, and as a politician, I'm very, very proud to be here today as a Victorian, with Victoria signing up to the full disability care system from 2019 and the lead-up to it ...

It's a great day for Victoria, it's a great day for people with disabilities, their carers and their families. It is a day we can all be proud of.

Of course he said that because he had a son with autism, so he knew better than most about the difficulty of caring for and having somebody so close and dear to you with a disability. Indeed many of us in this chamber know or have family members who do have significant issues – some with more profound disabilities than others. So those members in this house and the other house will understand the importance of this piece of legislation as well.

What the legislation does is it amends the Disability Act 2006 in relation to the secretary's functions under the act, the sharing of information about persons with a disability and persons subject to restrictive practices and supervised treatment orders, residential services, the compulsory treatment of persons with an intellectual disability and other related matters. I will just speak to that part of the bill, because as I said, this bill is important as the transition is continued through the NDIS. It will amend the Disability Act 2006, and I have just read out some of those functions that it will do. It will clarify that the secretary is only responsible for services that the secretary funds. When the Social Services Regulation Act 2021 commences next year, the majority of disability service providers will not be providing services funded by the secretary, and these amendments will reduce any overlap of legislative responsibility. Again, we are looking to not have duplication or not have an overlap of those legislative requirements, as I have stated.

It also does a number of other things. It gives powers to the secretary around land acquisition and the disposing of land for disability accommodation providers and other things, which is highly appropriate in terms of what this bill is trying to achieve, and it looks at improving information-sharing arrangements. That obviously is important in light of what some of those vulnerable Victorians and some of those providers are dealing with, the responsibilities of government and the secretary and having that ability to understand the issues around vulnerable Victorians who are part of this scheme. But there are obviously issues around those privacy components – and I spoke about that in the debate on the Health Legislation Amendment (Information Sharing) Bill 2023 – and unauthorised people accessing information under that piece of legislation that we debated a few weeks ago and also what we are debating now. There are amendments in this bill that will ensure that critical information can be shared when it is necessary and that the safeguards are in place. I do hope that actually transpires and that that very, very relevant information and very sensitive information in many ways is not accessed and shared inappropriately.

Amending the Disability Act does a number of other things around the compulsory treatment of persons with an intellectual disability, as I said, and that is also going to assist with dissolving the Disability Services Board and expanding the properties that community visitors can visit. Now that the majority of disability services have transitioned to the NDIS, the roles of the disability services commissioner and board have been significantly reduced and the board is no longer required.

There is a whole range of other points in this part of the bill that my colleague Tim Bull has spelled out very clearly. The second part of the bill goes on to amend the Residential Tenancies Act 1997 in relation to SDA-enrolled dwellings. That really goes to the point about removing barriers for residents of group homes provided by disability service providers to receiving rights under the Residential Tenancies Act. He went on to look at highlighting the bill that was presented in the last Parliament – this bill is basically the same bill with a couple of technical issues, and I will come to those – and the point that Mr Bull made was that the original objective of previous amendments to the Residential Tenancies Act was not realised, which the government said was due to unanticipated impediments for persons to access specialist disability accommodation providers under the NDIS. This appears to be an oversight by the government, but it is something that we are supportive of in correcting that oversight and ensuring that those barriers are removed. That slight amendment can make this bill more efficient so it will be working as it should.

The third part of the bill goes to the point about amending the Disability Service Safeguards Act 2018 in relation to registration requirements, and that will then allow the Disability Worker Registration Board of Victoria to accept an NDIS clearance in lieu of a criminal history check when disability workers voluntarily seek to register. The screening checks for NDIS-registered disability workers are currently duplicative, so the amendments will reduce red tape for disability workers seeking registration. We know there is a shortage of workforce. We want to get rid of that red tape, we want to get rid of that duplication wherever we can, so amending that to make it more efficient seems a reasonable and commonsense approach.

The fourth part of the bill, to amend the Social Services Regulation Act 2021 – I should say this is the fourth main amendment, or change, to the bill – in relation to interviews and hearings for worker and carer exclusion scheme service users and powers of entry and other related matters, goes to really the only major change to the previous bill that was brought into the Parliament. This outlines a new regulatory scheme for social services which will take effect from 1 July 2024. This aspect aims to strengthen protections for those accessing social services.

The other part to this is around authorised officers and their ability to enter bedrooms of those who live in supported residential services and disability residential services without consent or a warrant. Of course this can be very contentious. These sorts of practices should only be used as a last resort. I hope, as the government has highlighted, that there will be significant reviews in place to ensure that any undue access or coercion or any other unacceptable behaviour that occurs through these authorised officer dealings will be taken into consideration. This is obviously going to be something the government will have to monitor very carefully and provide assurances that it is not being abused and that it is being used appropriately.

Again, obviously those authorised officers will have the ability to undertake that work so that they can ensure that this bill is working, that there is compliance, so those most vulnerable are actually receiving the care and services that they need and those accommodation facilities and those caring for those vulnerable people are also complying. So it is an important part of the overall monitoring and regulatory component for ensuring that the most vulnerable within our community are getting safe and adequate support. Although it is an increased power – as I said, we want to monitor that and see how that will evolve – we do understand that there does need to be some compliance and monitoring of that compliance so that those caring for the most vulnerable are complying with what the NDIS is intended to deliver.

I know that there was considerable feedback from various stakeholders that my colleague Mr Bull sought to get from them, and there was some strong support in relation to ensuring that there are robust quality safeguards for the disability sector. I think everyone agrees that we do need to ensure that those most vulnerable within the Victorian community are supported, that there are appropriate regulations in place, that there is proper compliance and monitoring, that those providers that are providing services and accommodation are doing what they should be doing and that those people with disability



can have a very worthwhile, meaningful and high-quality life so that they can achieve to the best of their capacity and they can feel very much a part of the Victorian community.

As I said, it was 10 years ago almost to the day when the Premier of this state signed on with the federal government. There was a significant amount of goodwill to ensure that all governments got this right. Obviously there are issues with the NDIS at certain levels, but overall the intent is there, and this bill will only strengthen those provisions to ensure the most vulnerable Victorians can get the support and care that they need.

**John BERGER** (Southern Metropolitan) (14:43): I rise to speak on the Disability and Social Services Regulation Amendment Bill 2023. This is a fantastic piece of legislation that aims to enhance services, safeguards, rights and protections for people with a disability. This tells the story of a state that is modern, fair and informed on the needs of every single one of its constituents. This bill reflects wholeheartedly a government that cares about every single resident in this state.

This bill covers a range of amendments that will help reform disability and social services regulation legislation into the 2020s. Over the past decade it has become apparent that there are some changes that need to be made, as some Victorians are not given the chance they deserve, and this is not acceptable. The 1.1 million Victorians living with a disability deserve better, and that is exactly what this bill delivers. A tenet of the Andrews Labor government is that we listen to experts. We take on what they have to say, and that is just what we have done here. The Disability and Social Services Regulation Amendment Bill 2023 forms the second stage of the Disability Act 2006 review. The amendments being presented today are the second part of this review of the Disability Act 2006. The Disability Act review started in 2019 and will identify and address issues within our state's disability legislation. Many of the amendments are informed by public submissions ranging back to 2021, collected by Engage Victoria. The outcome that this will achieve is a modern, strong and fit-for-purpose Disability Act that helps Victorians with disabilities for many generations to come, a Disability Act functionally written by Victorians with lived experience of a disability.

This bill is in some part the adoption of *Inclusive Victoria: State Disability Plan 2022–2026*. *Inclusive Victoria* is a review of Victoria's disability legislation, concluding with a recommended four-year plan with six systemic reforms and four broad-based areas of commitment. The review is comprised heavily of community voices, the voices of people who know firsthand exactly what needs to change in our disability support programs – Victorians with disabilities. That means that this legislation is heavily influenced directly by the exact people it seeks to help. To quote the foreword from the then Minister for Disability, Ageing and Carers, my friend in the other place Minister Carbine, 'Victorians with disabilities deserve no less.' The report covers many areas or aspects of lived experience of Victorians with disabilities, specifically what can be improved and how it can be improved. The plan offers a valuable guide to ensuring a path to a safer, fairer, more inclusive Victoria for Victorians living with a disability. The plan touches on six systemic reforms: co-design with people with a disability, Aboriginal self-determination, intersectional approaches, accessible communications and universal design, disability-confident and inclusive workforces and effective data and outcomes reporting. The plan has been co-designed by Victorians with disabilities, with findings and recommendations that this principle be used whenever policies, programs or services are designed. This is called a 'nothing about us without us' principle. This is the best way to ensure that disability policies, programs and services are informed as to the best course of action.

Aboriginal self-determination across all portfolios, policies and programs is essential. This goes without saying. Every finding in the *Closing the Gap* reports points towards better outcomes for Aboriginal and Torres Strait Islander people when they are allowed to run community and culturally informed programs, especially in fields like health.

Intersectionality is incredibly important when building services that are sensitive to the needs and experiences of people who will be using them. It allows for programs to be better informed and responsive to the overlapping disadvantages faced by many Victorians.

Ensuring that all communications are accessible and equitable is key to an effective policy, program or service. What would be the point of a service if groups of the people it was established for cannot even access it due to the communication barriers?

Inclusive workforces will be integral in creating a truly inclusive Victoria. For Victorians living with disabilities there are many educational measures workplaces should take, but none more effective than employing people with disabilities.

Finally, effective data and outcome reports mean that the relevant bodies can appropriately adapt and address measures taken to create a more inclusive space and know what is possible, what is working, what is not and how to achieve the best possible outcomes.

Additionally, the plan presents four commitments, with 22 priorities spread under each commitment. These four commitments are inclusive communities; health, housing and wellbeing; fairness and safety; and opportunity and pride. The Disability and Social Services Regulation Amendment Bill 2023 focuses mainly on fulfilling commitments 2 and 3 – health, housing and wellbeing, and fairness and safety. The bill is also informed by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. It showed that action needed to be taken, and that is what we are doing. This is a matter of wellbeing and safety, a matter of basic human rights.

This bill clarifies and strengthens safeguards for Victorians with disabilities, especially those in care. Further consultation on this bill has been widespread to ensure the best outcomes for Victorians with disabilities and those working with the disability service sector. Stakeholders who have also been consulted include the Victorian Civil and Administrative Tribunal, the Office of the Public Advocate, the Victorian senior practitioner, the Office of the Victorian Information Commissioner, the health complaints commissioner, Victoria Legal Aid, National Disability Services, the Victorian Council of Social Service, Carers Victoria and the Victorian Disability Worker Commission.

This bill is comprehensive, deserving this chamber's support, which is important because it deals with some of the most vulnerable people in our state – people that we in this place and the other have the responsibility to ensure never fall through any of the cracks in the system again.

We have a responsibility to ensure that the government bodies are structured and supported in such a way that the opportunity for independence is readily available, and most importantly, we have the responsibility to ensure that Victorians with disabilities can thrive in all areas of their lives. As a responsible government, the Andrews Labor government does what the facts and the experts suggest is best for the community at large and the individual. The bill addresses several acts of Parliament at the recommendation of the *Inclusive Victoria* report. This includes, but is not limited to, the Disability Act 2006, the Residential Tenancies Act 1997, the Disability Service Safeguards Act 2018 and the Social Services Regulation Act 2021.

Where do I even start with this bill? It addresses screening, treatment, carers, education, housing and much more, and it is for the purpose of ensuring the Victorian legislation has clarity and is beneficial to Victorians with disabilities. Much of this bill is ensuring or solidifying the rights and protections of Victorians living with disabilities. The bill also sets out to provide a framework to improve the delivery of disability services in Victoria whilst addressing certain bureaucratic barriers that have negatively affected the swift, effective and helpful delivery and implementation of the NDIS and other disability services. We are going to update and modernise the disability services sector, improve it and make it fit to be used but without sacrificing the safeguards and the protections needed for a modern legislative framework. In line with requests from the community shown in the findings from the 2019 Disability Act review and *Inclusive Victoria* plan, we have taken a long, hard look at the Disability Act 2006 and found there are necessary changes that must be implemented for a fairer and safer Victoria.

This is executed within the bill in a variety of ways, including clarifying legislation regarding frameworks for sharing and seeking information; slimming down legislative duplication surrounding the requirements for the use and authorisation of restrictive practices used by registered disability

service providers – NDIS and otherwise; clarifying the roles, responsibilities and functions of the Secretary of the Department of Families, Fairness and Housing; and many other amendments to deliver the modernisation and improvement of disability legislation in Victoria. Amendments to the Disability Service Safeguards Act 2018 alter the process by which a would-be employee applies to the Disability Worker Registration Board of Victoria. In accordance with recommendations and findings from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, the amendments allow for a current NDIS worker's clearance to be accepted as a satisfactory supplement for a criminal background check. This will cut the costs, putting money back into other areas of disability services whilst not sacrificing the safeguards for and safety of the NDIS service clients.

The role of the Secretary of the Department of Families, Fairness and Housing will also be better defined by amendments in this bill. It refines, defines and clarifies the roles and responsibilities of the secretary for families, fairness and housing. It limits the services that the secretary has power over to those services which are funded by the secretary. This will ensure that there is clarity over the exact responsibilities of the secretary. The secretary will be able to, using the information they will come across naturally in their role, advise the relevant ministry – in this case, the Minister for Disability, Ageing and Carers – on the relevant issues in families, fairness and housing. The secretary will also be awarded the right to acquire land for the establishment of a specialist disability accommodation dwelling and, depending on the circumstances, dispose of the said land without consideration.

On the topic of specialist disability accommodation, amendments will be made to the Residential Tenancies Act, which will provide much-needed clarity on the rights of those living in specialist disability accommodation. At this stage renters living in specialist disability accommodation and/or group homes exist in something of a legal twilight zone as they are not addressed in many of the express rights given under the Residential Tenancies Act. This bill will ensure such a predicament is a thing of the past, awarding renters in specialist disability accommodation the express rights they deserve.

This is compatible with one of the four commitments over the four years set out by the *Inclusive Victoria* state disability plan: a commitment to health, housing and wellbeing. Additionally, this legislation extensively covers restrictive practices on people either in the care of a disability or NDIS service or in the Disability Support for Older Australians program. The second public hearing of the royal commission identified restrictive practices as one of the key drivers of forms of violence, abuse and neglect used on children with a disability, and we have learned over the last decade that abuse and negligence is a real threat to our loved ones who are in care. This is entirely unacceptable, and our legislation should reflect efforts that stamp out any kind of risk or harm to NDIS, DSOA or disability services clients. Thanks to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, these stories can be used to understand how to improve our systems and our institutions and how they can make sure we can create strong legislation to avoid repetition of this abuse.

This bill, under amendments to the Disability Act 2006, seeks to centralise the appointment of the APO, or authorised program officer, to a Victorian public practitioner. This is to minimise the confusion and costs caused by the NDIS and non-NDIS APO appointments falling under different authorities. The primary role of the authorised program officer is:

to promote the reduction and elimination of the use of restrictive practices by disability service providers and registered NDIS providers to the greatest extent possible ...

so it is possible to ensure that the assignment program is efficient and effective. This will be achieved by this amendment without sacrificing safeguards that protect the users of these respective services. It is essential that state governments effectively aid the delivery of the NDIS service.

The national disability insurance scheme is another important Australian program, and I believe it goes to the core of what it means to be Australian: making sure everyone gets a fair go. It is the duty and

responsibility of each and every state government in Australia to assist and strengthen the delivery of the NDIS and the NDIS service in their respective states. With new advantages being made by the federal Minister for the National Disability Insurance Scheme every day, it is important that state governments keep up for all Australians with disabilities. I am proud to say that the Andrews Labor government is committed to a smooth, strong and efficient delivery of the NDIS within Victoria.

The bill also includes countless minor amendments to the Social Services Regulation Act 2021 to ensure the effective operation and update of the regulatory scheme. This is all about ensuring Victoria has an effective, robust and compassionate framework for disability services and NDIS services, a framework that does not sacrifice the safety of its users nor sacrifice their dignity. *(Time expired)*

**Melina BATH** (Eastern Victoria) (14:58): I am pleased to rise this afternoon to speak on the Disability and Social Services Regulation Amendment Bill 2023, and I note that my colleague Ms Crozier has put on record our position of ‘not oppose’ for this bill to travel through the house. Indeed I would like to thank my colleague and member for Gippsland East the honourable Tim Bull for his dedication in this space and the work that he has done in providing some commentary to me and some analysis with the key stakeholders and peak bodies.

The purpose of this bill is, as most do, to enact changes within a number of acts. It amends the Disability Act 2006, the Residential Tenancies Act 1997, the Disability Service Safeguards Act 2018 and the Social Services Regulation Act 2021, and it makes consequential amendments to other acts. This is a bill that lapsed back in the previous Parliament, and it has been slightly workshopped in order to be presented today in the upper house. It is really around safeguarding those frameworks and strengthening safeguards and protections for our most vulnerable people, those people who may not be able to stand up and fully verbalise their needs or their concerns about treatment in a variety of capacities. In this space – and we heard both Georgie Crozier and the Labor member speak about the NDIS and the important reform that occurred almost a decade ago now – this bill then really takes on some of those state services that are still transitioning towards the NDIS.

In doing so we have heard – and I know my community has heard – the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. The royal commission really has been over a number of years a very important listening tool. As a royal commission should, it has heard from a breadth of communities, individuals and organisations, and I say this in the context of this bill, because that royal commission should be and will be producing its final report in September of this year. There is an argument to be put that the government should have contemplated at least having synchronicity with the recommendations from the royal commission. Very important recommendations are going to fall out of that royal commission. What about leaving this bill until that September time period, only six months away, and providing greater alignment in terms of these safeguards and incorporating any recommendations from that very important report?

I know in terms of the royal commission there were constituents who I have worked with and who have spoken with me many times, when it came to the Latrobe Valley, who provided evidence to the royal commission about their particular issues. It was very concerning for them and the children who they were in charge of and had encountered, and they just felt a great sense of frustration that the Andrews government was not listening to the compelling arguments that they were putting forward. Indeed I know that there are certain cases before the commissioner for children and young people. I am highlighting this because families often feel that they are not listened to or that there are just barriers to an understanding of their condition and to the very important work that needs to be done in the disability sector, and quite often every day is a very challenging day for family members of people with disability. They need to feel that government is listening, and they need to feel that there is a way forward for their particular issue.

This bill does address many important issues around safeguards, and I will just touch on a few of them now. It aligns state services better with the NDIS, and it removes those discrepancies, so it is trying to harmonise the services within the NDIS and improve practices around supervised treatment orders.

Supervised treatment orders are quite a topical and contentious issue. As we know, they should only be a last resort in order to protect the person themselves and potentially those around them. But I know that there needs to be supervision. There needs to be a structure that enables the authorised officers, whoever they be, whether it is a teacher or a support worker or a disability worker, to know what they can and cannot do so that they feel comfortable working in that space but also so that loved ones know that the activity, the restraint, is not overburdening and is not compromising health or wellbeing. Clarity around those rules and education within this space is really important, and I hope the government then really conveys the improved practices throughout the disability sector so that everything is clear and on the table.

The bill also updates information-sharing opportunities for improved safeguards. Indeed there is always a balance that needs to be held between that information-sharing ability, so there is better service delivery and a better outcome, whether in terms of health or residential conditions, and the privacy of the individual. All Victorians, whether we are able bodied or not, need to have that level of privacy as well. There needs to be that balance.

The bill also disbands an obsolete Disability Services Board. It expands the role of the community visitor program, and I think that is something that we could all certainly agree with – the need for community connection to feel valued, to have social interaction – so an expanded role is very important.

The bill also improves the tenancy safeguards for people with a disability and removes those barriers to residents of group homes provided by disability service providers receiving the same rights as others under the Residential Tenancies Act. One of the things that I do regularly hear about across Eastern Victoria Region is the lack of affordable homes, and this is certainly the same for the disability sector as well. I know my colleague Tim Bull made some comments in his contribution in the lower house about the need for more disability beds and disability homes so that people, whatever their needs, whatever their particular position, can feel that if they can live independently, then there is a home for them and that if they need to have a very supervised and safe environment, there is a home for them.

The bill also clarifies the role of the secretary as being responsible for the state services, so it really clearly defines the role of the secretary and provides greater oversight in terms of inspection powers for those living in supported residential services. Again, we want to ensure that people living in those services and their families know that there is a level of comfort there and that there is a greater level of oversight so that people can certainly go about their business where they can but are protected and there is oversight of that.

The other part of the bill allows the Disability Worker Registration Board of Victoria to accept NDIS clearance in lieu of a criminal history check. Again, we need to have the rigour around the right people working in this sector with the appropriate qualifications, but we do not want onerous duplications of paperwork for the sector workforce, so hopefully this will tidy that up. The bill also removes the barriers to residents of group homes provided by disability service providers receiving rights under the Residential Tenancies Act.

In terms of my Eastern Victoria Region, I would like to just reference some of the fantastic disability service providers, and there are multiple and many: Aurora; Melba Support Services; Interchange Gippsland, which I have had the pleasure of working with over many, many years; Headway Gippsland; Yooralla; Scope; Cooina Hill; Statewide Autistic Services; Daily Living Disability Services – and indeed during the Christmas parade in Traralgon, the day after the election, I had a fantastic time when I sponsored a Daily Living Services participant to really enjoy the parade, and I am sure I got far more out of it than they did, but it was a fantastic event and really good to hopefully put a smile on many people's faces; Gippsland Support Services; Latrobe Valley Enterprises – they are a long-running institution that does amazing work, and it is always a pleasure to go and visit the various activities that Latrobe Valley Enterprises have; Maxima; Wellways; Bass River Country; Gippsland Total Care – and I could keep going on.

It is really important that we serve our community and we serve them well in the disability sector. It is also important that we create those safeguards in a streamlined way. I am concerned because this bill could have been delayed further until the royal commission recommendations come out, but having said that, we certainly take a not-opposed position and thank everybody who works in the disability sector for all their care, professionalism and kindness and the joy that they receive working in the sector while also certainly supporting the government to ensure that there are safeguards around participants, workers and their families.

**Ryan BATCHELOR** (Southern Metropolitan) (15:10): I am very pleased to contribute to the debate on the Disability and Social Services Regulation Amendment Bill 2023. We know that every Victorian has the right to participate fully in all areas of life. Around 1.1 million Victorians live with a disability, and we are working to make Victoria a safe and accessible place for them to live and work and learn. As others in the debate have been discussing, we are obviously doing so in a vastly different context now that we have a national disability insurance scheme, which certainly reshaped the disability service landscape in this country. We all I think collectively have a responsibility to ensure that the national disability insurance scheme delivers on its promise to provide a better deal for people with a disability, their carers and their families.

As I mentioned in my inaugural speech to this Parliament, one of my proudest professional moments was working under the last federal Labor government to help establish the NDIS. A lot of work was put into that by a lot of people over an extended period of time. The NDIS certainly revolutionised disability care and support in Australia. One of the things that I think everyone clearly now knows the NDIS has done is certainly to revolutionise the service offering that exists for people with a disability here in Australia with the massive expansion of services and supports that are available. It has obviously done that on the back of a much-needed injection of funding, which has seen significant increases in the amounts that governments across the nation are putting in to support people with disability.

I think in all the debates about services and funding we sometimes miss, I think, what was one of the more fundamental things that the NDIS did, which was to put human rights based principles and a human rights based approach at the core of how we think about disability services here in Australia. Certainly in the conversations that we had in the early days of policy development thinking about the shape and nature of what has become the NDIS, a rights-based approach to thinking about disability services was very, very important, particularly to the people with disability who were part of that journey with us. It was very clear in those debates that not only did people with a disability want to be seen and heard but they wanted to be part of decision-making about issues that affected them. The fundamental principle at the core of the NDIS is one of choice and control for people with a disability. I think with all the debates that we have subsequently, we cannot lose sight of that fundamental point.

I want to as part of that discussion just reflect on a contribution that was made in a very early and I believe very influential report released in 2009 by the National People with Disabilities and Carer Council, which was chaired by Rhonda Galbally. The report was called *Shut Out: The Experience of People with Disabilities and Their Families in Australia*, and it was describing the service system that existed hitherto. What Rhonda says in the preface to that report describes the consultations that she had been involved with in the context of that report:

What I heard was both intensely moving and profoundly shocking. We live in one of the wealthiest countries in the world and yet all too often people with disabilities struggle to access the very necessities of life – somewhere to live, somewhere to work. All too often they are unable to access education, health care, recreation and sport – the very things most people in the community take for granted. They are denied access to kindergartens, schools, shopping centres and participation in community groups. They are often isolated and alone. Their lives are a constant struggle for resources and support.

Rhonda goes on to say in the preface:

But the consultations and submissions also showed that people with disabilities are determined and strong. They have fought hard to achieve their goals. They have refused to take no for an answer.

I think in the context of this debate today those words still ring true. Obviously the NDIS and the investment that governments and the Australian people through their taxes have made to support people with disability has been changing the lives of so many, but still there are issues that we need to address. There are ways that we need to improve our service system, and hopefully we as legislators can help to achieve that task. We know fundamentally that the NDIS is far from perfect and that the hope and the vision of a decade ago were subject to potentially different ways of being developed and implemented under the former federal coalition government than we may have envisaged at the time. Hopefully what we have now in Canberra with Minister Shorten at the helm is a real driving commitment to make sure that the national disability insurance scheme can work as it was intended for those who it was intended for.

Obviously the concept of rights being very important to our disability framework is fundamental also here in Victoria, and that is why we have launched the state disability plan, *Inclusive Victoria*. This legislation that we are debating today is an important part of that plan. It will increase residential protections for Victorians in disability accommodation and strengthen quality and safeguards in services for people with disability. Victoria makes a significant contribution to the NDIS – around \$2.9 billion – and around 150,000 Victorians are active participants in the scheme. Following the launch of the state disability plan, \$15 million was allocated in the last state budget to help implement the plan. Just over a third of this, around \$5.5 million, is earmarked for 30 Changing Places facilities. These Changing Places facilities have height-adjustable, adult-sized changing benches with a tracking hoist system and enough space for two people. They are a very important and practical part of making our community spaces, whether they be popular tourist destinations or event spaces, more accessible for people with disability. It just shows how Victoria is leading the way. Half of all the accessible Changing Places facilities in Australia are located here in Victoria, and it is one of the ways we are working to create a more inclusive and accessible place for everyone.

We have also funded a public education campaign to help promote better attitudes and behaviours towards people with autism through the Change Your Reactions campaign. Last year \$2.4 million was announced for 27 universal design grants to improve the accessibility of public spaces and community facilities. Our government has also invested approximately \$630 million in services for people with a disability across a range of portfolios. It is all part of our plan to make Victoria a safe, inclusive and accessible place to live.

The amendments included in this bill offer increased rights and protections as well as improved services for some of our most vulnerable citizens. People living in residential services are often vulnerable, and we do have a responsibility to ensure that they live safe and fulfilling lives. The bill clarifies residential rights and duties for people subject to civil and criminal orders in disability residential services and parameters for service providers in delivering residential and treatment services. The bill also ensures residential rights protections for people living in specialist disability accommodation that currently do not meet the definitions in the Residential Tenancies Act 1997.

Restrictive practices are things that do need to be monitored, and we need to ensure there is accountability for those who use them. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability has heard shocking evidence about a range of practices in the disability sector as well as evidence about a tripling of reports for unauthorised restraints used in the year 2020–21. The government has been listening. We are listening to people here in Victoria, such as Victorian mother Dariane McLean, who spoke about her son being prescribed psychotropic drugs by a locum doctor in a residential home. His parents were not informed until after the drugs had been administered, and he was kept in a caged area in a group home and labelled as an escape risk.

The bill, importantly, increases the accountability of those who use such restrictive practices and adds consistency to the approval requirements for the use of restrictive practices for both NDIS- and state-funded disability service providers. The bill makes it an offence for a registered NDIS provider to use restrictive practices or compulsory treatment on a person without appointing an authorised program officer who will be able to approve restrictive practices.

It also clarifies the criteria and processes for compulsory treatment and placement in residential facilities to support client safety and strengthen clinical oversight of initial admissions and the extension of existing admissions. Many of these amendments were included in bills that were introduced into the last Parliament and received our support in the Assembly before lapsing at the end of the parliamentary sittings, and it is important that we reintroduce many of these measures through this bill today. However, there are some new additions to the bill – in particular, changes to the social services regulatory scheme to ensure it protects vulnerable service users. Protecting residents and ensuring appropriate safeguards for vulnerable citizens are paramount in the bill. The amendments balance residents' rights with the need to ensure that they are not being improperly influenced by proprietors to prevent an inspection and the need to ensure that residents are receiving appropriate care. Authorised officers will be able to enter rooms in supported residential services and disability residential services without consent in limited circumstances, and there are safeguards to ensure the limited use of these powers, always with a focus on the rights and safety of residents.

The disability royal commissioner and the public advocate have both spoken extensively about poor standards of care for vulnerable people living in supported residential services. Under the NDIS we have seen an explosion in different forms of disability accommodation, many of which sit outside the remit of state-based independent monitors to check for signs of abuse, neglect or assault, and data collected by the Office of the Public Advocate in the year to June 2022 shows an increase in suspected incidents across a wide range of abuse measures. So to address this we are extending the ability of community visitors to be some independent eyes and ears for all people with disability who are vulnerable to abuse. Appropriate safeguards for vulnerable residents are a key focus of the bill, and entry powers such as the one that I have spoken of are subject to multiple safeguards.

The bill also introduces safeguards in relation to mitigating any negative effects when interviews or hearings involve children in out-of-home care under the worker or carer exclusion scheme. These provisions are modelled on the reportable conduct scheme and the child safe standards scheme. Last year the government introduced the Disability Amendment Bill 2022 to increase residential protections for Victorians in disability accommodation and strengthen the quality of safeguards and services for people with disability, and this bill incorporates all of the amendments that were previously made to the 2022 bill and includes important additional changes to support the effective operation of the new regulatory framework for the Social Services Regulation Act 2021. So this is one but a very important part of our commitment, the government's commitment, to supporting some of our most vulnerable citizens through our *Inclusive Victoria* plan.

Before I finish I did want to take a short moment to particularly thank all of the exceptionally hardworking staff who work with people with disability in disability services. They do an outstanding job – tireless, dedicated, compassionate – and without these disability service workers, some of the most vulnerable people in our community would not be able to live the independent and fulfilling lives that they have a right to. The work that is done in partnership with people with disability, supporting them to be able to fully exercise their right to live the kinds of lives that we all deserve to be able to, is really a shining example of what great service delivery is all about, and I want to particularly thank those workers for the work that they do. Their work is appreciated by the community and by the government. This legislation is another step in ensuring that Victoria is safe, inclusive and accessible for everyone. It is a strong signal of this Labor government's commitment to improving the services that people with disability experience here in Victoria. It remains committed to their fundamental human rights, and I commend this bill to the house.

**David ETTERS HANK** (Western Metropolitan) (15:25): I rise to speak to the Disability and Social Services Regulation Amendment Bill 2023. The Disability (National Disability Insurance Scheme Transition) Amendment Act 2019 followed the first stage of the review of the Disability Act 2006, enabling the transition of many Victorians with disability from state-based services to the NDIS. This current bill represents stage 2 of the review and addresses areas of concern flagged by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, as well as other



disability advocacy bodies, around the rights of residents living in supported accommodation. The bill clarifies the reasonable expectations of residents living in a residential service and what they can expect of service providers delivering residential and treatment services. The bill also strengthens the community visitor program and, most importantly, clarifies existing offences relating to restraint and restrictive practices. As such, Legalise Cannabis Victoria welcomes and will be supporting the bill.

**Evan MULHOLLAND** (Northern Metropolitan) (15:26): I rise to echo the statements of my colleagues Ms Bath and Ms Crozier. I thank them for their thoughtful contributions to this debate. These amendments provide better regulatory alignment with the NDIS, cutting down the complexity of regulation across two tiers of government, and streamlined processes. This is the kind of sensible reform that Liberal governments in this state and around the country are renowned for. It is good to see this philosophy of streamlining regulation being taken up by those opposite. We are also supportive of this bill's improvements in standards for people with disability around tenancy and communication around treatment plans and treatment orders. We want to revisit these reforms once the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability reports back later this year to ensure our legislation remains fit for purpose. Nonetheless it is good to see the starting steps of reform being debated now.

In a past life I was an adviser to Senator the Honourable Mitch Fifield, who held the disability portfolio in opposition and in government and was responsible for many achievements in the disability space, and it is incredible through this journey, speaking to old friends in the disability and carers community and stakeholders, to hear how warmly they still speak about Mitch and his time in that portfolio and what he was able to achieve. It is important to recognise I think the great steps forward in providing disability services by that Liberal government. I can remember back in 2014 there was an independent review commissioned of the NDIS by the National Disability Insurance Agency. We have come a long way since then, but that review assessed the chaotic state of the rollout and how it was handled by the Rudd–Gillard–Rudd governments. They assessed the NDIS as being:

... like a plane that took off before it had been fully built and is being completed while it is in the air.

I know this because I was there at the time. We saw the Labor Party more focused on winning marginal seats and rushing administrative trial sites and offices into target electorates first rather than getting the program up and running properly to deliver for Australians living with a disability. I do think the former federal government did get the NDIS on the right path and enabled the most successful scheme in our history to look after disabled Australians and for them to live their lives to the fullest. If not for their tireless work, we would not be in a position to be able to move our state to a national standard.

I still believe firmly that there is more work to do, and I think on a personal level that it is right for the minister Bill Shorten to float the idea of reform to shave billions off the NDIS's rapid growth trajectory. I credit him because it is up to mature, sensible politicians to have a reasonable discussion about how we make sure this scheme is fit for purpose and sustainable in the long term. We owe people with disability no less. I note that the federal government hopes to save another \$59 billion over the seven years to 2034, taking the total savings to \$74 billion over a decade, and I support and welcome that the minister Bill Shorten is moving on that path. I just kind of bemoan that a sense of bipartisanship about the unsustainable growth trajectory of the NDIS was not forthcoming from the federal Labor Party when in opposition. They, at any glimpse of similar reform floated by the former coalition government, would threaten and actually run campaigns about Liberal cuts to the NDIS rather than acknowledge a shared belief in the scheme and goodwill on all sides to make sure the NDIS is sustainable going forward and into the future.

I was very pleased to have been involved in the name change back to the NDIS. It used to be called DisabilityCare. It was changed to that by federal Labor after spending hundreds of thousands of dollars on focus groups. It was seen as patronising to many people with a disability and did not reflect the intent of the scheme, which was to put individuals in charge of their own care and services. People

with a disability do not want so much to be cared for as to be supported and be as independent as they can.

Consulting with National Disability Services, the peak industry body for non-government disability service organisations, it is clear that the bill is a step in the right direction. However, there is still a long journey ahead before our regulatory environment for disability services is where it needs to be. We need a high-quality disability services environment to protect the safety and rights of people with disabilities, but the current mix of state and national requirements and authorities is complex and confusing for many service providers and will remain confusing despite the small steps taken in the bill. We are not going to allow the perfect to be the enemy of the good, but we call on the state government to not see this as a one-and-done kind of reform but as an ongoing reform process in this space that delivers for disability providers, Victorians with a disability and their carers. Service providers are calling out for much better alignment of state and national disability safeguard requirements to lessen the administrative burden – to cut red tape, which I am a big supporter of. It is important that there is oversight, and it is important to remind ourselves that box ticking for the sake of box ticking has never done anything to help people with a disability.

I would think that this was a statement of the obvious, but for some in this Labor government it does not seem to be. That is because we have received a lot of concerned feedback from service providers about the new state regulatory scheme for social services, which comes into effect from July next year and which may actually duplicate some areas. We will have new registration and accreditation schemes, and our feedback indicates that some service providers may choose to leave the disability care sector and these areas altogether rather than engage with yet another scheme. So as I said, this bill cannot be a one-and-done reform. We must always look to further reform in this space to cut that regulatory burden but also lower the administrative barriers for disability assistance for people with disability and for their carers and get on with delivering to those in our communities who need it most.

**Sheena WATT** (Northern Metropolitan) (15:35): Thank you so much for the opportunity to speak today on the Disability and Social Services Regulation Amendment Bill 2023, which is a bill that enhances services, safeguards, rights and protections for people with a disability in our state. The Andrews Labor government genuinely cares about supporting people with a disability. We engage, we listen and we take action on the issues that people with a disability have identified as areas of need. This bill reflects our ongoing and longstanding commitment to supporting people with a disability not just through platitudes and hand-wringing but through real, genuine action.

The Andrews Labor government has committed to a more accessible state. This is reflected in our four-year state disability plan, *Inclusive Victoria*, which is a plan for an inclusive, accessible and safe Victoria that upholds the rights of people with a disability, celebrates our diversity and pride and expands our opportunities to belong and to control our lives. The Andrews Labor government launched that plan last year, and we worked closely with the sector and advocates to develop it. It will help make Victoria the most disability-inclusive community for the more than 1.1 million Victorians living with a disability.

Can I take this opportunity to acknowledge the hard work of carers, whose dedication in supporting individuals with disabilities makes a real difference in their lives and the lives of those around them. Being a carer is an often thankless task, and your compassion and kindness often goes unrewarded and unnoticed, but I take this moment to assure you that our government sees you. I want to say thank you for your work. I certainly appreciate you all.

There are of course so many wonderful organisations full of wonderful, wonderful workers that make the lives of people with a disability more enriched and fulfilled. I cannot name them all, despite my best wishes to, but I will take a moment to acknowledge the work of Merri Health in my community in the Northern Metropolitan Region. As members of this chamber may recall from my previous contributions, I have a long and deep respect for the community health sector. Merri Health provides a range of critical health services to our community, including the Carer Gateway. Carers, especially

carers for people with a disability, have for too long not had the supports around them to be the best carers they can be, and I know that is what so many carers in our community aspire to. I know all too well the burdens that our carers face, and I will take a moment to acknowledge young carers in particular. I know that the work of Merri Health continues to ensure access and support for our valued carers and is worth every single dollar that we spend – not only us, but also our friends in Canberra. To the workers at Merri Health, thank you for doing what you are doing to ensure fairness and dignity for people with a disability and to the carers supported right across our state by the good work of Merri Health and their Carer Gateway. Thank you so much to you.

Of course it is not the only community health service, it is just the one that I am most familiar with through their work across the Northern Metropolitan Region. My fellow members for Northern Metropolitan Region – there are a few of us here in the chamber right now – will also know the good works of Your Community Health, DPV Health and of course Cohealth, just some of the stellar community health organisations supporting the good people of the Northern Metropolitan Region. There are of course many other community service providers in the northern suburbs. I will note also that the workers in those organisations are often members of the mighty trade union movement and of course the Australian Services Union. Your work is essential, it is important and it changes lives for the better. As a former ASU member in the community sector I know very much firsthand the amazing work of this union and want to give a big thankyou to you for all that you do in representing members. I know, because they represented me as a community worker in the northern suburbs.

There is of course a moment for reflection when looking to the 2022–23 state budget that is worthy of some consideration here in the chamber today and the funding of the disability sector in particular. Under the state disability plan the Andrews Labor government invested \$15.1 million in funding in that state budget. Of that, \$5.4 million of funding was provided to construct 30 Changing Places facilities. Each Changing Places facility has a height-adjustable, adult-size changing bench, a tracking hoist system and enough space for two people, making community spaces, including popular tourist destinations, and events even more accessible for people with disability. We also announced around \$3 million to build 19 new fully accessible Changing Places bathroom facilities, meaning that we now have half of all Changing Places facilities in our whole country. This is what we mean when we say that we want this to be the place for accessible options for people with a disability.

There is the universal design grants program, which provided accessible infrastructure grants to improve access at community facilities. Last year \$2.4 million was announced for 27 universal design grants to improve the accessibility of community facilities and public spaces. In addition to these actions within the disability portfolio, the *Report on Government Services* highlights that the Victorian government invested \$630 million in services for people with a disability. As part of our commitment to supporting those with a disability, Victoria contributes around \$2.9 billion – that is \$2.9 billion, worth repeating – to the NDIS. Now there are over 150,000 Victorians who are active participants in the scheme. Victoria is of course working closely with the Commonwealth and other states and territories on how to sustain and improve the NDIS.

Last year on 2 August the government introduced the Disability Amendment Bill 2022 to increase residential protections for Victorians in disability accommodation and strengthen quality and safeguards in services for people with disability. The bill received bipartisan support in the Legislative Assembly before it lapsed at the end of the 59th Parliament. The Disability and Social Services Regulation Amendment Bill reintroduces those reforms as soon as is reasonably possible to enable parliamentary passage. The bill is one of the key outcomes of the Disability Act review which has been underway since 2018. It is a priority government reform aimed at ensuring our legislative frameworks are fit for purpose and contemporary and create meaningful change for people with disability.

The bill amends the Disability Act 2006; one that I am quite interested in, the Residential Tenancies Act 1997; the Disability Service Safeguards Act 2018; and the Social Services Regulation Act 2021 to bring about critical amendments that will increase rights and protection, strengthen safeguards, bring

about better service coordination, clarify functions and responsibilities and reduce duplication. The bill incorporates all the amendments that were previously included in the Disability Amendment Bill 2022 and includes additional time-critical amendments to the Social Services Regulation Act 2021 to support the effective operation of the new regulatory frameworks commencing on 1 July 2024. There are still a small number of minor and technical variations to provisions in the previously introduced bill but no changes in the policy.

We know it is also important to people with a disability to be part of the decision-making process, and this bill has been informed by extensive consultation during the development of the Disability Amendment Bill 2022, including submissions received through the public consultation process in 2021 and engagement with the expert Disability Act review advisory group chaired by Graeme Innes AM, Australia's former disability discrimination commissioner. Knowing of his work, can I just say that that does fill me, and I am sure many advocates in the community, with such confidence. Of course there was a targeted consultation that occurred across the sector and government to support that work further. Stakeholders are in broad agreement around the proposed reforms, and the Andrews Labor government will work closely with people with disabilities, families, carers, frontline workers and disability providers to assist in the implementation of these changes.

A comprehensive communication plan will include some fact sheets and guidelines, emails to stakeholders and uploaded information to the department's website. Look, there is so very much more that we could talk about when it comes to this bill, but it is worth knowing that this is not the only piece of reform we are doing in the area of disability support. I know that the work is enormously complex and very, very significant, and it is planned to be considered next year as part of the next stage of the Disability Act 2006 review. This will enable more time for detailed consultation with the public advocate – a role just so important in developing good public policy in our state – and other key stakeholders, as well as enabling the review to be informed by recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability to be released in September 2023. Whether it is workers, carers, people with a disability, experts or researchers, so much time, expertise and lived experience have gone into the disability royal commission as it has travelled all around our fine nation. I for one – and I am sure others here in this chamber – look forward to the findings, with the final report of the disability royal commission to be released later this year. I am hopeful that the federal government will work with state governments to see the vision of that work and the enormous, enormous efforts of the disability royal commission taken up right across our country, and most certainly here in our state. I know this work is deeply significant to our government and deeply significant to our minister, and I would like to take a moment to acknowledge her work and thank her for all that she does. Working with people experiencing vulnerability can be an enormous burden, and I just want to acknowledge that.

I know that this of course is just some of the work we are doing to support people with a disability right across our state. I began by talking about what the Andrews Labor government is doing to support people with a disability to achieve a more inclusive state – a state that supports people with a disability. With this bill, titled the Disability and Social Services Regulation Amendment Bill 2023, we will undoubtedly make Victoria a much stronger community, having listened to and implemented a range of changes that will very much impact not only the lives and the lived experience of people with a disability and their carers, families, loved ones and workers, but also the lives of those people with a disability who are yet to come to our great state.

There are more speakers to join us here in the chamber, but thank you very much for the opportunity to speak today on the Disability and Social Services Regulation Amendment Bill 2023. I will end as I began, by thanking people with disability for their incredible commitment to making Victoria a better place and for very meaningfully engaging in this work.

**Samantha RATNAM** (Northern Metropolitan) (15:49): I rise to speak in support of the Disability and Social Services Regulation Amendment Bill 2023. This bill is substantially the same as the Disability Amendment Bill 2022, which lapsed at the end of the 59th Parliament. The Greens are

pleased to see this legislation brought back for debate this year. We know that improving disability rights and services should be a priority for all governments but that too often people with a disability are denied the same rights as non-disabled people and continue to experience discrimination, violence, abuse, neglect and exploitation. Too often we hear from constituents who are unable to access the support services they need, who are locked out of our woefully inaccessible public transport network, or who still face discrimination and barriers in education, employment, health care and housing. We hear that the services and supports for people with a disability are not up to standard, and there have been some truly awful stories of neglect and abuse in the disability care sector, particularly in supported residential services.

We know that there is so much more we need to do to strengthen disability rights, improve disability services and empower the disability community in decision-making and policy development. I know the government is in the middle of a major rewrite of its disability and social services legislation, including developing a new disability inclusion bill. The reforms in this bill that seek to improve that regulation and oversight of the disability and social services sectors are an important part of this reform.

The Greens are supportive of measures that improve the quality and standard of disability care services and strengthen the checks and safeguards that protect people from abuse and neglect, but we would also stress that all disability policy and legislation must be led and designed by people with a disability. ‘Nothing about us without us’ has been a rallying cry in the disability community for decades. This goes beyond co-design or opportunities to provide feedback for meaningful reform; we must empower the voices of people with a disability and allow people with health conditions or impairments who benefit from disability services to lead in disability policy, planning and implementation. On this note, the Greens want to put on the record a number of concerns that we have heard from disability stakeholders regarding this bill and disability service regulation more broadly, and while we are happy to support the bill today, I would encourage the minister to take these concerns on notice and work with the sector to progress additional reforms to address these issues.

This bill is amending the Residential Tenancies Act 1997 to ensure that residents of group homes provided by disability service providers can access the rights and protections for tenants within the act. However, we have heard concerns that this bill has not also extended these rights to people living in residential services under the Disability Act 2006, who are now the only people not to have had their residential rights transferred to the Residential Tenancies Act. This means they are unable to access rights that other tenants have under the Residential Tenancies Act, such as having a pet or challenging rental fees. These residents are some of our most vulnerable and often spend years in residential services with no choice about where they will live and from whom they will receive services and with very little access to advocacy. It is disappointing that the government has not taken the opportunity to rectify this with this bill, and we would encourage the minister to work with the sector to address rights for all residents in residential disability services.

The bill also removes a requirement to notify the public advocate when notices to relocate or vacate are issued to residents living in specialist disability accommodation. We have heard concerns that this will put people at risk of being unfairly or inappropriately evicted from their homes and at risk of homelessness. The public advocate plays an important safeguarding role for people with a disability and in this scenario can often provide support and mediation to prevent unnecessary evictions. It is disappointing that the government has removed the role of the public advocate here, especially when these concerns were flagged last year in the previous iteration of this bill.

This bill is also amending provisions regarding restrictive practices to align requirements and responsibilities for NDIS- and state-funded disability providers. It is also expanding the role of the senior practitioner so that their role is not just developing guidelines and standards for restrictive practices but also promoting the reduction and the elimination of the use of restrictive practices to the greatest extent possible. Restrictive practices involve restricting the rights or freedoms of movement of a person with a disability in order to protect them or others from harm, and while there are

safeguards in place regarding their use, we have heard concern from the sector that these are inadequate, particularly regarding the use of the independent person. While the independent person is designed to be a person independent of the disability service provider but connected to the person with a disability, who can explain the use of restrictive practices to them, we have heard that in practice some independent persons are unable to properly explain independent practices and that some providers apply restrictive practices without using an independent person at all. For a measure as serious as applying restrictive practices, it is even more important that the safeguards in place are thorough and protect against abuse or exploitation. I would urge the minister to work with the sector to improve the use of this safeguard, including by allocating funding so that disability advocates can take on the role of an independent person where necessary.

The Greens look forward to working with the government to protect and enhance the rights of people with disabilities and to improve the quality of support services.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (15:55): I also rise to speak on the Disability and Social Services Regulation Amendment Bill 2023. As a member of the coalition, we are always very supportive of improvements, treatment plans and opportunities to bring reforms into areas where we feel they are going to be of benefit to the people. So revisiting these reforms is great and being able to have this bill is great, but I would also like to reiterate, just as many members of this house have, how this should not be once and for all – ‘We’ve reformed it, and now we can move on and do other things.’ This needs to be an ongoing conversation, and it needs to be done in consultation with those people that are in the services and using the services as well as those who care for them. I say this quite passionately as someone who not only has family members that are in services at times – they do not have to live in residential care but have had to access some of these services – but also has had a family member who has worked in this area and has genuine concerns and has many times advocated for change and opportunities.

I look at this and I consider again the great work that has been done by so many disability services and those that work so selflessly to provide wonderful opportunities. I think that this bill of reform is very good in so many aspects, but we do need to constantly consider sensible reform in order to have services that are going to be, as has been said before, fit for purpose.

I think that the number and variety of disability services that are in the South-Eastern region is quite substantial. There are a number of people who do access the NDIS in the South-Eastern Metropolitan Region of Victoria. We do have a number of opportunities for people but there are simply not enough services, and we do find that there are people who have to move into our region sometimes to utilise the services that we provide who are from other areas. This means that they are a long way from family because there are not services in each of the areas that people live in, so we do need to consider that. It does concern me when we have situations where or we have reports that there could be violence and abuse. I think that is not only a concern for the carers, who also need to be protected in these services, but a genuine concern for those people with a disability, especially those who do not have the ability to actually advocate for themselves. So I think that having an amendment bill that is going to bring about reform is a very, very good thing, but I also think that we need to continue to have that conversation and not be afraid to have that.

There are a variety of disability services, and there are a number of things that can actually allow for personal empowerment. I think that we need to continue to look at this space, because ultimately people with a disability need to have opportunities that allow them to have dignity. As we know, as a state we have a duty of care to people, and that duty of care is paramount. It will be incredibly important for us to revisit that as we continue on and we look at how this is working, as we look at amendments that we make in this house and in the other place. As they become working documents for how things happen in the real world, I think it is incredibly important that we continue to have those conversations, because we must have people protected who are using our social services.

I am pleased to say that this document appears to have some genuine thought. It shows some consultation, and I will say that I think that continually looking at how we reform and review this is incredibly important. I think it is also incredibly important that we continue to have that space of inclusiveness and that we look at how we can make it inclusive for people who are accessing disability services, because – and I know that schools are starting to look at that and different places are looking at how they can be inclusive – sometimes people think that just by building a ramp they have been inclusive: ‘We can tick that box and we can move on.’ That is just the very beginning of the conversation. We need to look at how we can actually improve so that we are more inclusive. I am glad to say that in the work space and in a number of other fields there are genuine attempts to find ways to allow people who have a disability to access opportunities that might otherwise have been more difficult for them, and I think we need to continue to look at this and how we can build on this.

These are all really great innovations that we can continue to push, and I think that all of the ones that are actually meeting needs and that are actually helping people to have self-preservation and a sense of personal dignity and autonomy over their own lives are wonderful, but of course there are other areas and times where there have to be decisions that are made. I would be interested to see how these reforms will work, as time goes on, in favour of the people who have a disability as well as in making it easier for those who work with people in a disability service.

I also wish to acknowledge my genuine appreciation for the many people who are part of the community that serve in this area. I once again want to reiterate how much I appreciate what people do in the South-Eastern Metropolitan Region in disability services and want to thank them for their tremendous work. We still have barriers. We still have things that have to be overcome. There are still going to need to be reforms and reviews in areas to make sure that people are not suffering from violence and abuse. I think that that is incredibly important, and it will be something that I will be watching and looking out for. But overall I would like to thank the government for making this starting point a very comprehensive starting point and for looking at how it is going to reform with the Disability and Social Services Regulation Amendment Bill.

**Jacinta ERMACORA** (Western Victoria) (16:02): I am pleased to speak in support of the Disability and Social Services Regulation Amendment Bill 2023, which is primarily focused on a number of important rights and protections for Victorians with disabilities. The government is committed to its promise to make Victoria more inclusive for the 1.1 million Victorians living with a disability. The state disability plan, *Inclusive Victoria: State Disability Plan 2022–2026*, was launched last year after careful and deliberate consultation with the disability sector. Alongside its launch the state disability plan also had \$15.1 million allocated in the budget. This funding was committed to upgrading facilities in a campaign to promote education surrounding changing the public’s attitude towards autism. The bill is yet another example of the Andrews Labor government following through with commitments and focusing on introducing legislation that makes a difference to the lives of members of the community who often fall through the cracks.

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, since its commencement in April 2019, has shed light on what governments, institutions and the community can do to prevent and better protect people living with a disability, and the government is committed to doing its part. That is why this bill has been reintroduced in this Parliament following the previous iteration lapsing at the end of 2022. These issues are important in helping the most vulnerable have greater protections, freedoms and rights that are parallel to those of people who are able bodied. So far the government has assisted by engaging with the royal commission however it can through participating in hearings and providing numerous submissions and responses. Similarly, in preparing this bill, the government engaged thoroughly with disability advocates and entities, and the amendments were driven by submissions from a public consultation process in 2021 and were considered by the Disability Act review advisory group.

This government’s commitment to equality for people of all abilities will be implemented through amendments in this bill to the Disability Act 2006. Among other important functions, the key

amendments include focus on promoting the rights of persons living in residential services, particularly those pursuant to compulsory treatment orders and restrictive practices; alignment of requirements to implement restrictive practices for registered NDIS and disability service providers; and modifying and aligning processes for those on supervised treatment orders.

This bill aims to promote the rights of persons residing in residential services and those subject to compulsory treatment and restrictive practices. The importance of this amendment is to facilitate a clean transition of all group homes that operate as a residential service under the Disability Act to NDIS specialist disability accommodation. Most importantly, the transition will enable equality of tenancy protections provided for those in specialist disability accommodation under the Residential Tenancies Act 1997. This includes short-term accommodation, such as forensic disability accommodation, which is a service that provides assessment, treatment, support and residential services for people with intellectual and cognitive disabilities who display high-risk antisocial behaviour and who are involved or at risk of being involved in the criminal justice system. The amendments will definitely set out the residential services that are being provided pursuant to the Disability Act, the rights and duties of residents within the service, the requirements for residents under court orders and the roles and responsibilities of providers. In short, the amendments provide the rights of residents living under long-term arrangements with specialist disability accommodation to be aligned with the same protections provided by the Residential Tenancies Act. It is ensuring that such residents' rights are protected and they are not discriminated against because of their disability.

The bill plans to facilitate this in a number of ways. The first is by amending the definition of 'residential service' to reflect the actual living environments and to pre-empt emerging styles of long-term disability accommodation. Another is by amending residential statements, a document provided to a resident upon commencement of living at a residential service which sets out details such as the services to be provided, the cost and the details of the residence provider. These amendments will require specific information to be included in the statement, such as any restrictions, supervision requirements, conditions of residence and, most importantly, duration of stay. Also, an amendment to include a requirement to comply with conditions of any order they are subject to and not knowingly breach the conditions will be included in the residential statement. Finally, the amendments set out the terms surrounding termination of residency and the protection of residents' rights. These conditions have never been in the Disability Act before.

Obviously, it is a priority that when a person with disability is at risk of losing their home, the matter be dealt with cautiously. This bill succeeds in setting a high bar before a residency can be terminated, which includes a requirement to notify the secretary and comply with the secretary's requirements before the termination can be effected. It is anticipated these conditions will prevent future occurrences of residents refusing to leave once their order or treatment plan has ended. This has unfortunately caused delays for other individuals who are waiting and are needing to move into a residential service. Conditions of termination of a tenancy have been clarified, for example, in the following circumstances: when the residency period of the residential statement has expired, when the resident is no longer subject to a court order requiring the resident to live at the premises or when the resident has moved to another premises, among other situations. To protect the rights of residents and prevent undue evictions, residents are safeguarded by stringent guidelines surrounding termination of a person's residency.

Another difficult subject this bill seeks to streamline is restrictive practices on persons with a disability. It is important to ensure restrictive practices are authorised and approved, as it involves a form of seclusion and physical restraint so therefore must be held to the highest standard, as it imposes on the rights of people – specifically, in this case, people with a disability. These amendments, importantly, align and reduce duplication of requirements for the use and authorisation of restrictive practices for registered NDIS and disability service providers. Victoria shares with the Commonwealth the responsibility for regulations of restrictive practices on persons experiencing disability pursuant to the *NDIS Quality and Safeguarding Framework*. The amendments sought to be implemented by this bill



are chiefly to tidy up and support implementing restrictive practices provisions. This is due to amendments made to the Disability Act 2006 in 2019 to facilitate the transition to the NDIS, which included introducing a new part about authorisation of restrictive practices by registered NDIS providers. This led to two parts dealing with restrictive practices in the act.

Unfortunately, when disability service providers are also registered as NDIS providers, this has caused some confusion. This bill will reduce the duplication and align the provisions for both NDIS providers and disability service providers. This will ensure that the use of restrictive practices is clear. This will provide effective and efficient services without confusion. A major focus is the approval process for the authorisation of restrictive practices and appointment of authorised program officers. The senior practitioner will be able to approve, refuse and revoke the appointment of authorised program officers for disability service providers. The senior practitioner is already fulfilling this role for registered NDIS providers and will now be able to undertake that role for disability providers as well. This is a logical simplification of roles that will make life better for people with disabilities as well as service providers. This is enforced by creating an offence for NDIS providers who use restrictive practices or compulsory treatment on a person without appointing an authorised program officer with approval from a senior practitioner.

To continue on with legislating for sensitive subjects, this bill addresses supervised treatment orders. In some circumstances, persons with intellectual disabilities requiring specific services have circumstances where it is necessary to seek a supervised treatment order. At best, at present the only circumstance where the disability service provider can seek a supervised treatment order is for a person currently residing in a residential service. This has led to several situations where the accommodation provider does not meet the standards for being a specialist disability accommodation dwelling or disabled residential service. In these difficult scenarios the service providers are encumbered with additional administrative work to maintain registrations, which detracts from the service they are dedicated to providing. That is why this bill is essential: to enable providers to apply for supervised treatment orders for a person residing in their service. Although it is never ideal to make supervised treatment orders, it is a priority that the procedure not be encumbered with unnecessary administration.

It is always heartwarming to see the community embracing differences and fostering those who may not be afforded an opportunity in typical society. This bill allows persons with disabilities to no longer be victims of circumstances beyond their control, as it fosters a sense of self-determination through legislating rights and protections. In my electorate of Western Victoria, self-determination of persons with disabilities is not a novel idea. Based in Warnambool, Tasty Plate is a catering service which specifically provides employment opportunities for persons with disabilities. Just like this bill provides, Tasty Plate provides an opportunity to people with disabilities to live a life that is not defined by their disability. Tasty Plate offers work, skill development and a level of dignity that comes with contributing to our society as a citizen who shares the same rights and responsibilities as everyone else. It is a fantastic initiative and a hallmark of our local community.

To conclude, I am proud to represent a government that has a laser focus on the needs and service experiences of people with disabilities. This government is committed to leaving no-one behind. I am proud to endorse this bill and the human rights protection that it contains.

**Gaëlle BROAD** (Northern Victoria) (16:16): Today I am pleased to speak on the Disability and Social Services Regulation Amendment Bill 2023. I would like to begin by acknowledging the amazing contribution of disability support workers, who do such great work in our communities.

Earlier this year students from Kalianna specialist school in Bendigo visited this very chamber. I joined the school tour, and I was very impressed with the questions that they asked. Just last week I was delighted to be able to visit PepperGreen Farm in Bendigo. PepperGreen Farm is a social enterprise of Access Australia. A social enterprise is a not-for-profit business that provides training and employment for people with a disability or those who are experiencing disadvantage. PepperGreen Farm is a stunning 2 hectares in Bendigo with a cafe on site. It provides tourist attractions and

experiences to visitors and the community, school programs, environmental practices and workshops, horticulture and a range of biodiversity activities. It offers unique opportunities for skill development across a range of areas, including microbusiness, horticulture, retail, tourism, hospitality and creative manufacturing. PepperGreen Farm do important work in our community to support people with a disability to improve their quality of life. I was speaking with the manager, and she was telling me a story about a non-verbal man in his thirties that came to PepperGreen Farm. He was not able to speak, but through learning how to weld he actually started speaking to people and selling products at the market. It is just a reflection on how incredible it is to impact the life of an individual.

It is good to see legislation in this house that will streamline and improve outcomes for those living with a disability in our region. This bill is based on recommendations that have been requested by the disability sector. It does not propose major policy changes or the introduction of new policy, instead clarifying and streamlining existing processes. I am aware that this bill has several similarities to the legislation proposed in 2022 that was allowed to lapse by the government. There have been some additional reforms from the bill put forward last year, which include the tidying up of some technical errors.

Those living with a disability deserve the highest level of protection, while at the same time those working in this sector need a regulatory system that is not overly burdensome and does not require duplication of administrative requirements. Our disability service providers are now operating in a competitive world with the national disability insurance scheme, and it is important that governments do all they can to avoid duplication and support viability. This bill appears to be based on continued NDIS transition amendments and streamlining of processes. It clarifies that the secretary can acquire, hold or dispose of land for the purposes of being a specialist disability accommodation provider. Amendments are also being made to enable the secretary to dispose of or deal with land with or without consideration in certain circumstances. The bill improves information-sharing arrangements, and there is often a fine line between information sharing for good reason and respect for privacy. The bill clarifies residential services rights for disability residents whose accommodation is exempt from the Residential Tenancies Act 1997. The bill clarifies the services being provided; the rights, duties and requirements residents may be subject to within the service; and the roles and responsibilities of service providers delivering residential and treatment services.

The second-reading speech indicates these amendments are required to remove uncertainty about the application of existing parts and divisions in the act, better align requirements and responsibilities for NDIS and state-funded disability providers and ensure there is consistency and accountability in the use of restrictive practices.

The bill will also dissolve the Disability Services Board as the majority of disability services have transitioned to the NDIS. The role of the disability services commissioner and board has been significantly reduced, and the board is no longer required. The bill also allows the minister to declare new types of accommodation at which persons receive disability services to be subject to the community visitors program, which is good. It is a change we strongly support, because community visitors do amazing work in the community.

The bill will amend the Residential Tenancies Act 1997 in relation to SDA-enrolled dwellings and remove barriers for residents of group homes provided by disability service providers to receiving rights under the Residential Tenancies Act. The bill will provide for the transition of existing group homes to specialist disability accommodation residency arrangements. This introduces a new concept into the Residential Tenancies Act: an SDA dwelling. It seems the intention here is to pick up supported independent living clients. One of the challenges here is how the government will inform the disability community of this change.

My colleagues Tim Bull and Melina Bath have spoken of the need for additional housing options for people with a disability. According to the figures released, it seems that there are only four new homes for disability clients out of five years of the big build. I was at Seymour expo recently and a mother

and daughter came up to me. They told me of the daughter who was in supported accommodation in Melbourne and how important it would be for them to have more supported accommodation in the local area. As the parents get older they are struggling to go down and get her, with the dad now in his 90s, to bring her back to visit the family.

The bill will also amend the Disability Service Safeguards Act 2018 in relation to registration requirements. The amendments will allow the Disability Worker Registration Board of Victoria to accept an NDIS clearance in lieu of a criminal history check when disability workers voluntarily seek to register, and we support this change. The screening checks for NDIS-registered disability workers are currently duplicative, and the amendments will reduce red tape for disability workers seeking registration. The amendments and subsequent streamlining should encourage more disability workers to register by removing an administrative barrier. We support this, but there is more that needs to be done in relation to administrative streamlining.

People with a disability need to be supported in our communities. One such area in need of support is people in our communities who experience stroke, as many stroke survivors continue to live with a disability. I have spoken to this before in this chamber: that stroke can happen to any one of us at any age, but regional Australians are 17 per cent more likely to suffer a stroke. I am very concerned that this Friday 19 May the Bendigo Stroke Support Centre, part of the Stroke Association of Victoria program, is closing its doors. Originally the government planned to evaluate the program in October, and as I have spoken about in this house previously, that was far too late. Thankfully the evaluation was brought forward and has just been completed, and it was found that the service provided by the stroke support centres has been exceptional. To quote the *Bendigo Advertiser*:

According to the association, a lack of state government funding has made the support centres in Bendigo, Shepparton, Ballarat, Geelong and Gippsland “untenable”.

A state government spokesperson said it was “disappointing this decision was taken while future funding and the sustainability of the organisation were being explored with the Government and the Department of Health”.

I have spoken with the CEO of the Stroke Association of Victoria and staff and volunteers at the Bendigo Stroke Support Centre, and they are devastated. With the centre closing its doors this Friday, the systems and resources that have been established to support those recovering from stroke could be lost. At the moment they do hospital referrals and they help with job replacement, and it is very important support that they are providing stroke survivors in our region.

Research for stroke prevention is important, but funds are also needed for rehabilitation following stroke. Due to project cost blowouts and this government’s wasteful spending, Victoria now has the highest debt of any state in Australia, and we pay an interest bill of over \$10 million every single day. Government is all about priorities, and I certainly hope that this government will prioritise ongoing funding for stroke support centres in the coming state budget, because people living with a disability in regional Victoria need our support. We present a stance of ‘no opposition’ to this bill, a bill that, as I mentioned, introduces changes that have been proposed by the disability sector with good intentions towards people with disability.

**Michael GALEA** (South-Eastern Metropolitan) (16:25): I am also pleased to rise today to speak in favour of the Disability and Social Services Regulation Amendment Bill 2023. This bill reintroduces many of the same reforms that were proposed in the Disability Amendment Bill 2022 when that bill was introduced in the previous Parliament. That bill received bipartisan support as it sought to increase residential protections for Victorians in disability accommodation. It also sought to strengthen the quality safeguards and services for those Victorians living with a disability. The bill was consistent with this government’s commitment to supporting the 1.1 million Victorians with disability.

This bill incorporates all of the amendments that made up the Disability Amendment Bill 2022, as the ambitious reforms they provided for are still very much needed. The amendments will promote the

rights of persons in residential services, enhance services and safeguards, align and reduce duplication between the national disability insurance scheme and state-funded service providers and improve processes and practices relating to supervised treatment orders. The bill provides for much clearer legislative authority to disclose protected identifiable information, clarifying the functions of the secretary of the minister's department as well. It will allow the Minister for Disability, Ageing and Carers to declare additional categories of disability accommodation.

Where the Disability and Social Services Regulation Amendment Bill 2023 builds on the Disability Amendment Bill 2022 is in the addition of minor and technical amendments to promote and provide for greater clarification, as well as additional time-critical amendments to the Social Services Regulation Act 2021 to support the functions of the Social Services Regulator when it comes into operation from 1 July 2024. There was a genuine need for these amendments in the previous Parliament, and that need remains today. Nearly every day there is another report that we see on the lived experiences of Victorians and people across Australia with a disability. We have an obligation to ensure that the most vulnerable are provided with dignity, care and respect, which is at the very heart of this bill.

This bill reflects the dedication, care and passion that the minister has in this space, and I would like to commend her for all her work so far in this portfolio as well. The amendments build upon the ongoing commitment of the Andrews Labor government towards Victorians with disabilities and the dedication to working in consultation to address the concerns of experts and those with lived experience. The government conducted extensive consultation with people with a disability, disabled persons, organisations, self-advocacy groups, peak bodies and the Victorian Disability Advisory Council across 2020 and 2021 in the lead-up to the launch of the state disability plan *Inclusive Victoria: State Disability Plan 2022–2026*. This plan lays out the way in which the government will build a more inclusive and accessible community for Victorians with disabilities. Under the Disability Act 2006 a new state disability plan must be developed every four years. Not only does the plan fulfil this obligation – that is, as the implementation plan for reaching the outcomes set out in *Australia's Disability Strategy 2021–2031* – but our state plan is also an ambitious vision, an opportunity to change lives and to ensure long-lasting change for people with a disability. This plan sets out 22 priority areas under four pillars: inclusive communities; health, housing and wellbeing; fairness and safety; and opportunity and pride. The plan goes into detail for each of these priority areas, setting out goals and specifying how they will be achieved. The plan is well worth reading, and I encourage all members in this place to do so.

I will briefly touch on what outcomes this plan seeks to achieve under each of these four pillars. Firstly, 'inclusive communities' means that people with disability will attain increased social connections and increased activity in the community and that local neighbourhoods will also be made more inclusive. As part of this, it means more accessible public transport, access to transport and more accessible and universally designed spaces.

Giving people with disability greater mobility across the community through this better transport and community infrastructure will allow for greater participation with fewer barriers to their engagement, like the rest of us.

Secondly, health, housing and wellbeing means improved access to suitable, secure, sustainable and affordable housing. It means improved physical health, improved mental health and better healthy living. Wellbeing means increased life satisfaction and increased resilience. Having access to housing and adequate health care is vitally important to all of us. Currently there are still barriers for Victorians with a disability. That does lead to poorer health outcomes and struggles with accessible, suitable housing.

Thirdly, fairness and safety means lowering the rates of unfair treatment, disability-related discrimination, bullying, abuse, neglect and violence. It means higher levels of community safety, because feeling safe is a basic human right. The reality is that people with a disability do face higher

levels of abuse and discrimination. Everyone should feel respected and safe in their homes, in their workplaces and in their communities, and we do need to do more to address this treatment.

Fourthly and finally, that leaves opportunity and pride, which starts by increasing educational engagement, outcomes and wellbeing for students with disabilities. It means increased employment opportunities, job quality and flexibility and workplace attitudes improving to support improved financial stability and independence. Starting with education and through to employment, better opportunities to pursue and achieve aspirations are everyone's fundamental human right.

Achieving action on all 22 priority areas will involve every government department and agency working in tandem to deliver on the commitments of the plan. So how do we make this happen? This is a government that does something about it. Following the launch of this plan the Andrews Labor government allocated \$15.1 million in the 2022–23 budget in this space. \$5.4 million was provided for Changing Places facilities, which includes height-adjustable, adult-sized changing benches, a tracking hoist system and increased space, allowing disabled people to enjoy more of our state, removing barriers to travel and improving access to community spaces. Victoria already has a plurality of Changing Places across Australia which are used by hundreds of thousands of Victorians to access tourist locations, parks and events. \$2.4 million in funding was announced for 27 universal design grants, providing accessible infrastructure grants to improve the accessibility of community facilities and public spaces. Universal design distinguishes itself from an accessible design by focusing on a user-centred design from the earlier stages of a project. Funding is also being provided for a public education campaign to promote better attitudes and behaviours towards people with autism through the Change Your Reactions campaign.

In addition to these actions within the disability portfolio the *Report on Government Services* highlighted that the Victorian government has also invested approximately \$630 million in services for people with a disability, so funding is undoubtedly a key aspect of addressing the 22 priority areas of the *State Disability Plan*. Programs and grants like the examples I have mentioned do lead to meaningful and life-changing outcomes for Victorians with disabilities.

The Disability Act review is another key component. The first part of that review was done in 2019 in the lead-up to the commencement of the national disability insurance scheme. As part of stage 2 the Andrews Labor government released an exposure draft in September of last year. I note the government's and the minister's commitment to carefully considering the public feedback whilst working on these proposed legislative reforms.

The Disability and Social Services Regulation Amendment Bill 2023 is a component of the second part of the Disability Act review and will see the Disability Act 2006, the Residential Tenancies Act 1997, the Disability Service Safeguards Act 2018 and the Social Services Regulation Act 2021 all affected. It addresses several policy and legal issues that will improve the rights, services, protections and safeguards for people with disabilities.

I have already mentioned the amendments that this bill makes to the Disability Act 2006 by promoting rights for persons residing in residential services, reducing duplication of requirements for registered NDIS and disability service providers, improving the processes and practices relating to supervised treatment orders, providing a clear legislative authority to disclose protected identifiable information with necessary safeguards, clarifying the roles, responsibilities and powers of the Secretary of the Department of Families, Fairness and Housing, dissolving the Disability Services Board and allowing the minister to declare additional categories of disability accommodation.

The amendments to the Residential Tenancies Act 1997 will address gaps that currently exist in residential rights for people living in specialist disability accommodation. Currently those residents' accommodations are exempt from the act. This change will ensure that those individuals are afforded the same rights and protections as everyone else under this act. The amendments to the Disability Service Safeguards Act 2018 will ensure that NDIS workers' screening clearance is accepted in lieu

of a criminal history check as a requirement for voluntary registration of disability workers. This gets rid of a form of duplication in background checks of potential disability workers who have already gone through an adequate process of checks for the NDIS. All of these changes received bipartisan support in the Assembly of the previous Parliament when they were part of the Disability Amendment Bill 2022. They complied with – and still comply with – the ambitious reform agenda enclosed in that state disability plan as well.

The most significant change in the Disability and Social Services Regulation Amendment Bill 2023 from the Disability Amendment Bill 2022 is in the amendments introduced to the Social Services Regulation Act 2021. These changes will ensure that the operation of the social services regulatory scheme will apply from 1 July next year. The effective operation of this scheme is important, as it strengthens protection for some of our most vulnerable Victorians.

The amendment which enables authorised officers to enter bedrooms in supported residential services and disability residential services without consent, albeit in highly limited circumstances, is the largest change to the Social Services Regulation Act. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability has importantly illustrated the need for this amendment. This power will ensure the protection of residents against improper influence that a proprietor could exercise to prevent an inspection, ensuring care is the focus of this change and safeguards are in place to limit its use to the most appropriate circumstances. The safeguards include the requirement that the authorised officer must believe it is reasonably necessary for the purposes of monitoring compliance with a provision of the act or investigating a possible contravention of the Social Services Regulation Act and that there is also no less intrusive way to achieve the purpose of this inspection. Furthermore, the regulator will develop operating procedures requiring an authorised officer to record any use of the power to enter when a resident is present and has not given consent. The decision of authorised officers to exercise this power may then be subject to a review by the regulator to ensure they have been made properly.

I would also note that this amendment establishes safeguards to mitigate any negative effects when interviews or hearings involve children in out-of-home care under the worker and carer exclusion scheme. These provisions are modelled on similar provisions in the reportable conduct scheme and the child safe standards scheme.

The Disability and Social Services Regulation Amendment Bill 2023 has undergone strenuous consultation during the drafting of the necessary amendments to the Disability Act 2006 and other acts. It has widespread support amongst disability advocates, experts, community members and other stakeholders. Further consultation on other areas of the Disability Act will be conducted during the next stage of the Disability Act review, being further informed by the recommendations of the disability royal commission.

So let us consider the various amendments within this bill which all move towards achieving the aims of the state disability plan and a more inclusive community, better access to health and housing, greater fairness and safety and, perhaps most importantly, more opportunities for Victorians with a disability. The Disability and Social Services Regulation Amendment Bill 2023 is part of the Andrews Labor government's commitment to making Victoria the most inclusive and accessible community for the more than 1.1 million people in our state living with a disability.

I would like to acknowledge the disability support workers who have had such a profound impact on the lives of people with disabilities in the South-Eastern Metropolitan Region and across Victoria. I commend the bill to the house.

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (16:40): Can I firstly thank everybody for their contributions today. I am sure those who are listening at home, and particularly those with disability and their friends, families and communities, would be very heartened to hear the contributions that

those in the chamber have put today in support of improved safeguards for those with disabilities and also for other vulnerable Victorians. Can I also thank all members of the chamber and those in the other place for the respectful contributions that they have put in relation to this bill. They have certainly been very well thought out and, for those I have listened to today, I have indeed appreciated in particular the local acknowledgements of stories and experiences from those in this place representing their communities, be they organisations, the workers themselves or indeed people with disabilities and their families.

Can I also particularly acknowledge the Shadow Minister for Disability, Ageing and Carers in the other place, Mr Bull, the member for Gippsland East, for the constructive way in which he has engaged with me and my office on this bill in particular. I know that he has a very deep and personal commitment to furthering the interests of people with disabilities and their families in their communities, and I thank him for that. Can I also acknowledge the contributions of those on the crossbench and many of those who have engaged with this bill. In talking about consultation, can I acknowledge those from the public consultation processes but also those in relation to meetings, experiences and accounts that have been shared with me as minister. I have certainly appreciated those in the development of this bill. I am sure those with disability will be reassured to know that their safety, their wellbeing and their future is certainly above politics.

This bill will enhance services, safeguards, rights and protections for people with disability. It introduces amendments that clearly define the responsibilities of the Secretary to the Department of Families, Fairness and Housing. It clarifies information-sharing powers, and it reduces duplication in worker screening processes. The Disability Act 2006 is being amended to promote rights for persons residing in residential services and those subject to compulsory treatment and restrictive practices; align and reduce duplication of requirements for the use and authorisation of restrictive practices for registered NDIS and disability service providers; improve processes and practices relating to supervised treatment orders; provide a clear legislative authority to disclose protected identifiable information with necessary safeguards and create an offence to support unauthorised disclosure; ensure the secretary's functions only relate to disability services funded by the secretary; clarify the secretary's functions in relation to acquiring, holding or disposing of land for the purposes of being a specialist disability accommodation provider, enabling the secretary to dispose of land or deal with land without consideration in certain circumstances; dissolve the Disability Services Board, as the role of the board has been substantially reduced, with the majority of service providers transitioning to the NDIS; and allow the minister to declare additional categories of disability accommodation so that community visitors can inquire into the quality and standard of support provided to residents. The bill also does a number of other technical things, as has been discussed in the chambers over the course of the last few weeks.

It is important that this bill pass now. To go to some of the comments from Ms Bath earlier, and I appreciate the contribution that she made, the Disability Amendment Bill 2022 was introduced in 2022 to address critical gaps in residential protections for Victorians in disability accommodation and to strengthen quality and safeguards for people with a disability, and this cannot wait. The bill lapsed in the previous Parliament due to a lack of sitting days. I was indeed then Leader of the House in the other place, and I tried to ensure that bills in relation to disability improvements would make the necessary progress. But the bill did lapse in Parliament due to a lack of sitting days, and it is important that these reforms are passed as soon as possible to meet stakeholder expectations and to address these matters. There has been the disability reform response, feedback received through the consultation process which I spoke of in relation to the Disability Act through Engage Victoria in September 2021 and public announcements to make legislative amendments. There was a high level of stakeholder and public expectation that the amendments would pass in 2022. Indeed I do take this opportunity to thank stakeholders and people with disabilities and their families and communities for their patience in this regard.

Ms Bath did refer to some of the aspects of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, and I guess the key point in relation to the disability royal commission is that the amendments in the Disability and Social Services Regulation Amendment Bill 2023 are indeed responsive to the focus of the royal commission and what government institutions and the community can do to prevent and better protect people with disability from violence, abuse, neglect and exploitation – something I know that everyone in this house is committed to.

The bill will enhance services, safeguards, rights and protections for people with disability, and it will do this in a number of ways: by amending the Disability Act 2006 but in particular by promoting rights for persons residing in residential services and those subject to compulsory treatment and restrictive practices, improving processes and practices related to supervised treatment orders, aligning and reducing duplication of requirements for the use and authorisation of restrictive practices for registered NDIS and disability service providers and allowing the minister to declare additional categories of disability accommodation so that community visitors can inquire into the quality and standard of support provided to residents.

There is one other aspect of this bill in particular that was explored in people's contributions that I just do want to make some mention of, and that relates to the amendments to the powers of entry in the bill. These powers will protect residents in supported residential services and disability residential services by balancing the rights of residents with the need to ensure residents are safe and are receiving appropriate care. The amendments in the bill are necessary to ensure that residents are not being improperly influenced by proprietors to prevent an inspection from occurring. Residents often have multiple and complex needs and limited options for other accommodation. These factors can place these residents at greater risk of harm than service users in other services, such as time-limited crisis accommodation services.

The Office of the Public Advocate has reported concerns about the condition of supported residential services and a need for stronger oversight of these services. In the *Community Visitors Annual Report 2020–2021* community visitors documented that a growing number of supported residential service residents are susceptible to exploitation by proprietors. This is simply unacceptable. In 2022 the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability heard testimony of some of the poor conditions faced by residents in some supported residential services.

The proposed amendments to the powers of entry are necessary to ensure that the new Social Services Regulator maintains similar inspection powers in relation to supported residential services. The powers will also be able to be used in residential disability services due to the vulnerability of some residents in those facilities. These amendments in the bill very much go to ensuring that we protect the dignity and the human rights of people who are most vulnerable, and I am very pleased to commend it to the house.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (16:48): I move, by leave:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

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



*Questions without notice and ministers statements*

**Written responses**

**The PRESIDENT** (16:48): At question time today I undertook to review *Hansard* in relation to three questions without notice asked by Mr Davis to Minister Shing. On Mr Davis's first and third questions I believe the minister answered those questions more than adequately. On the second question I will order the minister to provide a written response to the substantive question only. Due to the fact that it is now late in the day I will order that the response be provided within two sitting days rather than what is normally prescribed.

*Adjournment*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Disability, Ageing and Carers, Minister for Child Protection and Family Services) (16:49): I move:

That the house do now adjourn.

**Family violence legal services**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (16:49): (199) My adjournment matter is for the Attorney-General, and the action I seek is for her to advocate for further funding for the Eastern Community Legal Centre and for Ringwood Magistrates Court's Specialist Family Violence Court. Our government has been the country's most progressive when it comes to our response to family violence, beginning with our establishing the world's first Royal Commission into Family Violence. One of the royal commission's 227 recommendations was to establish Specialist Family Violence Court divisions at each of the Magistrates Court headquarters across the state.

These courts would seek to provide a safer court experience for family violence survivors, with specially trained magistrates, court staff and family violence practitioners. Institutions within our justice system play a critical part in tackling the devastating impacts of violence, including those in the North-Eastern Metropolitan Region such as the Eastern Community Legal Centre and the Ringwood Magistrates Court. We know that the Magistrates Court of Victoria received \$35 million through the 2021–22 state budget for capital works at seven new specialist family violence sites which are due to be completed over the next three years. These will provide for safety features, including safe waiting areas and separate entry and exits where practicable. The Ringwood Magistrates Court already has a specialist court established; however, there remain concerns as to the resources available to operationalise the critical aspects of these specialist courts. Many users of the Ringwood court and its services also rely on the services of the Eastern Community Legal Centre, who provide high-quality legal advice for many members of the North-Eastern Metropolitan community, including those from low socio-economic backgrounds who rely on accessible legal advice. Further funding for this community legal centre is critical to ensuring that the Eastern Community Legal Centre can continue its critical work in supporting members of the community in need of advice.

Attorney, I ask that you explore all possible avenues to ensure that these specialist courts and wraparound legal services are given the funding needed to operate and to provide some of Victoria's most vulnerable people a safe court experience.

**State Emergency Service funding**

**Georgie CROZIER** (Southern Metropolitan) (16:51): (200) My adjournment matter is for the Minister for Emergency Services, and it is in relation to adequate funding for the SES. As others have said and have made note of the importance of this week, it is National Volunteer Week this week, and I would like to place on record my thanks to all those men and women who provide their time and effort to the SES right across the state in terms of undertaking such significant work. Whether it is in times of emergency or times post emergency, they really do a remarkable job and are invaluable. There is no amount of money that the government could provide for so many volunteers across our state who do so much work in various areas, but the SES is one organisation that I am well aware of, and they

have done, as I said, an extraordinary amount of work over the last few years. I have a number of SES services in my region of Southern Metropolitan, as do all members in this house. I am sure that they are well aware of those that provide services and of the work they undertake and that they know many of those volunteers – in fact many of us do have family members that do work as volunteers for a number of emergency services, including the CFA and SES – so it is important that we keep these services running and that they are funded adequately. The vital support that they provide to the Victorian community, as I said, is immeasurable. So the action I seek is for the minister to guarantee that there will be no budget cuts to the SES in the upcoming budget and that they are all funded adequately so that they can undertake the work that they need to do right across the state in times of emergency.

### **Southern Metropolitan Region multicultural communities**

**John BERGER** (Southern Metropolitan) (16:53): (201) Tonight my adjournment is for the Minister for Multicultural Affairs in the other place Minister Brooks, and in making this adjournment I pay tribute to multiculturalism in Victoria. In my own community of Southern Metro, Stonnington shines as a bright example of multiculturalism. In 2021, 31.5 per cent of residents were born overseas, from as far and wide as China, India, New Zealand, Greece, Malaysia, America, South America, Ireland and Hong Kong. 8495 people arrived in Australia within the five years prior to 2021 and now live in Stonnington. There were 2797 people who spoke a language other than English at home, reporting difficulties speaking English. 89.1 per cent of the labour force needing assistance were employed, and 10.9 per cent were unemployed. The Ethnic Communities Council of Victoria have identified that certain groups are more vulnerable than others – think financial stress and unemployment, major concerns for temporary visa holders, asylum seekers, refugees and people that are not proficient in English who may have experienced racial discrimination. Multicultural and ethnic communities face additional mental health inequities. That is why tonight I pay tribute to the work of multicultural charity organisations in Victoria and in particular the Sikh community.

Since 2015 Turbans 4 Australia has been helping Australians from all walks of life. It promotes multiculturalism and religious tolerance. Turbans 4 have been at the scene when Aussies needed them most – think of those impacted by natural disasters or those facing homelessness, domestic violence and isolation – and during the pandemic they helped those who could not leave home and those struggling financially, providing nutritious hot meals and hampers. Since 2019 Khalsa Aid Australia has been providing aid to those in need; I would like to mention Khalsa Aid Australia. During the bushfires in early 2020, two truckloads of hay were delivered to bushfire-affected farmers in Gippsland, and during the pandemic 56,528 kilos of food aid was distributed across the country and long-life milk and dry pasta were distributed to isolated families during the Shepparton lockdowns.

The best of this can be shown in Sikh community leader Ravneet Singh Sohi. Ravneet is the definition of a leader who fights for his community, whether it is Punjabi seniors at work, immigrants from Punjab, those with mental health issues or parent visa problems and the Türkiye earthquake appeal. Sikhs first came to Australia in the 1830s, and there are an estimated 126,000 who proudly live in Australia. Tonight I celebrate their contribution to our state and my community. The action I seek is an update on how the government is supporting diverse communities in my electorate of Southern Metropolitan Melbourne.

### **Commonwealth Games**

**Sarah MANSFIELD** (Western Victoria) (16:56): (202) My adjournment matter is for the Minister for Commonwealth Games Legacy. The 2026 Commonwealth Games, to be hosted in regional Victoria, has been touted by the government as an opportunity to leave a lasting legacy, including with respect to housing. However, to date the government have failed to detail how they will use this opportunity to address the housing shortage in regional Victoria or ensure that the games do not make it worse. Regional Victoria is already experiencing a housing crisis. Homelessness is on the rise and is expected to increase. According to the latest census data, for the first time this century population

growth in Victoria's regions has outpaced that in Melbourne, but regional home building, including public and community housing, has not kept up. Vacancy rates are extraordinarily low. There are hardly any rentals in some areas, let alone affordable rentals for those on low incomes. In the two years to June 2022, regional rent increases outpaced rent rises in capital cities.

The Victorian government has promised some of the 2026 Commonwealth Games athletes villages will be converted into affordable housing when the games end. While any increase in affordable housing is welcome, the Labor government should be going much further. The games should be an opportunity to significantly increase Victoria's regional stock of public housing, housing for Aboriginal-controlled community organisations and key worker housing. The government have also failed to outline what steps they will take to ensure that the games do not deepen the housing crisis for regional Victorians. We know that major sporting events like the Commonwealth Games can actually further exacerbate housing shortages. Games staff and tourists increase demand for housing and incentivise people to convert long-term rentals to short stays, potentially displacing people from their homes. Prices for rentals can increase. We know that the rents increased 400 per cent in London during the Olympics and never came back down. There is also evidence that major sporting events increase demand for crisis accommodation due to higher levels of family violence, while the availability of many types of accommodation used by people in crisis, such as caravan parks, is lower. We have heard these sentiments echoed by regional councils and peak housing bodies. I ask the minister to publicly commit to measures that protect renters and those needing crisis accommodation during the Commonwealth Games and agree to allocate at least 30 per cent of our athletes villages to public housing at their conclusion.

### **Shepparton infrastructure projects**

**Wendy LOVELL** (Northern Victoria) (16:59): (203) My adjournment matter is directed to the Treasurer, and it concerns several priority projects in the Shepparton electorate that require funding in the 2023–24 state budget. The action that I seek is for the Treasurer to ensure the upcoming state budget contains funding commitments for the many important infrastructure projects that are needed in the Shepparton electorate, including the four I will highlight in this contribution. The October 2022 flood event impacted many communities in northern Victoria, and as many people continue to rebuild from the devastation of the floods, such a natural disaster highlighted the need to deliver better infrastructure for local communities. The 2023–24 state budget is a chance for the Andrews Labor government to provide the appropriate funding for many of the key infrastructure projects identified as priorities both during and due to last October's floods.

In Greater Shepparton one of the greatest issues of the floods was Mooroopna being cut off from Shepparton due to the necessary closure of the Peter Ross-Edwards Causeway. This closure highlighted the need for a second river crossing built above flood level to ensure our community is not divided in the future. The bypass has been the number one priority for the Greater Shepparton community for many years. Stage 1 of the Shepparton bypass project is a vital piece of road infrastructure that will not only remove dangerous heavy vehicles from the Shepparton CBD but also deliver a much-needed second river crossing between Shepparton and Mooroopna. This project requires a state contribution that should be 20 per cent of the cost, with 80 per cent provided by the federal government, and in the wake of the floods the Treasurer should see the importance of the project and deliver this funding in the state budget to allow this vital project to commence.

Many Shepparton residents were shocked at recent comments by the Minister for Health that the Goulburn Valley Health redevelopment was now complete. The Treasurer himself would know that the current work is just stage 1 of the hospital's redevelopment as he provided \$2 million in the 2019 state budget to develop a business case for the completion of the redevelopment. The necessary final stage will provide much-needed healthcare services for the Goulburn Valley community, and a funding commitment in the upcoming state budget is necessary to complete the hospital redevelopment.

In September 2018 four members of a school family were seriously injured in a motor collision at the Kialla West Primary School crossing during pick-up time. Despite my continued advocacy for a pedestrian underpass, this Labor government have done nothing to improve the safety for that school community and motorists, and the government must invest in the underpass to ensure student safety at the Kialla West Primary School.

The fourth important project that needs to be addressed is the critical shortage of medical professionals in our region. Goulburn Valley Health is experiencing a shortage of nurses and allied health professionals. They need 360 additional nurses by 2025. Establishing a clinical school on the grounds of GV Health would assist to train nurses and allied health professionals locally.

### **Glen Huntly level crossing removals**

**Ryan BATCHELOR** (Southern Metropolitan) (17:02): (204) My adjournment is for the Minister for Transport and Infrastructure. I seek an update on the progress of the Level Crossing Removal Project in Glen Huntly in my electorate of Southern Metropolitan. Everyone wants a faster, safer commute to work and school, and that is exactly what we are about to deliver in Glen Huntly, removing two dangerous and congested level crossings as well as one of Melbourne's last remaining tram squares. Last week I got to see the end of an era, with the boom gates finally removed at Glen Huntly Road. I cannot wait to drive through the newly designed intersection without having to wait for trams and trains to clear.

*Members interjecting.*

**Ryan BATCHELOR:** Members are really interested in this. As I said, Glen Huntly is home to one of Melbourne's last tram squares, which is where trams and trains intersect with the road. This is notorious in the local area for causing traffic delays. The implications of this are that to cross this tram square, trains were forced to slow down to a maximum speed of only 20 kilometres per hour, trams had to stop moving through the intersection and vehicles were forced to wait for the intersection to clear. That meant that boom gates at the tram square level crossing were sometimes down for 60 minutes during the 2-hour weekday peak, meaning commutes through the area were unpredictable and dangerous with the intersection of trams, trains, pedestrians, cyclists and passengers.

Just wait until it comes around, because on 2 June we are officially beginning the big dig in Glen Huntly. A kilometre-long tunnel is being dug underneath the existing railway line, and about 65 Olympic swimming pools worth of soil is being excavated. It is amazing. There will be a brand new station at Glen Huntly, and I am pleased to say that we have fixed Victoria's oldest spelling mistake. By adding the space back into the name 'Glenhuntly station', we are fixing a mistake that was introduced back in the 1930s.

These two level crossings and the tram square are going to be gone by August, meaning the 20,000 vehicles travelling through the intersections every day will have significantly reduced travel times. I cannot wait to see the new intersections in Glen Huntly. I invite all members opposite to join me at the opening, and you will see how good it is too.

### **Liquor licensing**

**Bev McARTHUR** (Western Victoria) (17:05): (205) My adjournment matter is for the Minister for Casino, Gaming and Liquor Regulation and concerns the process of applications for liquor licensing in Victoria – just another slowdown that is happening here. Minister, even those of us who take a sceptical view of government regulation would accept that some activities, sites and trades require licensing, but in order to avoid stifling individual freedom or smothering the development of businesses these licensing mechanisms should be simple, proportionate and timely. They should not spawn unnecessary huge, complex bureaucracies which constantly expand and involve ever higher barriers to licensees and entry and become ever more financially onerous.

The example I wish to raise tonight is the process of application to vary a liquor licence. This ought to be even more straightforward than an initial application – you would think so, normally. Yet I have had a number of discussions with a Melbourne business because they have waited now for two months and they still have not received even an acknowledgement of their application. At a time when we should be supporting the resurrection of tourism and hospitality businesses in our CBD and across the state – outside the tram tracks – we should be fast-tracking applications like this which allow the resumption of trade and the boosting of trade. This requires far better response times on matters such as this than we are receiving now.

So the action I seek, Minister – I do not know where they are, but anyway – is the release of figures demonstrating how the system is operating. This will be enlightening. How many full-time equivalent staff are currently employed in issuing liquor licences, how many days are worked per week in the office and at home and what is the average number of days from application to the granting of a new liquor licence, let alone a variation of existing licences? We cannot be having people working from home when this urgent work needs doing. I am told there are only four people in the office and there used to be 16 or 18. They cannot all be in their pyjamas at home. It is not good enough. We need them back in the office, back getting these licences streamlined, and that is the action I seek from the minister. Streamline the whole process, respond to people's applications and get it happening quickly, please, Minister. We need action here.

#### **Motorcyclist safety**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:08): (206) My adjournment matter is to the Minister for WorkSafe and the TAC, and the action I seek is for the minister to advise me and my fellow Victorians on what he is doing to help reduce the terrible death toll of motorcycle riders on Victorian roads. 2022 was one of the deadliest for Victorian motorcyclists riding on Victorian roads, with 56 people tragically being killed. This was up a staggering 30 per cent from the previous year and a terrible 44 per cent above the five-year average for motorcycle deaths on Victorian roads. Victorians know that under this government roads are being neglected. In particular, many country roads are in a terrible condition, with unrepaired damage remaining, and instead of the problems being fixed, new signage designating reduced speed limits is being installed. Of great concern to motorcyclists is the huge number of extremely dangerous potholes that adorn our roads. In most cases hitting a pothole in a car, despite the damage it causes, will not be life threatening, but on a motorbike this is not the case. Motorcycle riders are required to pay an annual motorcycle safety levy, an MSL, which:

... contributes to projects that improve the safety of people who ride motorcycles and contributes towards our goal to eliminate road deaths by 2050.

The TAC state that their focus is on accident prevention when it comes to motorcyclists' safety, and they have run various campaigns on this. Victorian road users, including many of my constituents who ride motorbikes, deserve to have roads that are properly maintained and fit to ride on. With Victorians paying more taxes and charges than ever before, there is no excuse for letting Victorian roads get into the disrepair they are currently in. Minister, I look forward to hearing from you as to what you are doing to address this dangerous situation.

#### **Victorian patient transport assistance scheme**

**David LIMBRICK** (South-Eastern Metropolitan) (17:11): (207) My adjournment matter is for the attention of the Minister for Health and is related to the Victorian patient transport assistance scheme, otherwise known as VPTAS. My request for action is that the minister lower the threshold of the Victorian patient transport assistance scheme from 100 kilometres to 80 kilometres. On 19 April I had the honour of visiting Ronald McDonald House Monash. They do some incredible work. In 2022, 300 families stayed at Monash House and 4128 nights of accommodation were provided by 31 volunteers who donated their time. This week is volunteer week, and these 31 volunteers help Ronald McDonald House Monash with their important work. This involves helping families with

structured support while children access services, including premature birth care, oncology, respiratory, renal, orthopaedic and more.

One of the few areas where the government does get involved and support this program is through the VPTAS, which covers some of the travel and accommodation costs incurred by rural Victorians when they must travel more than 100 kilometres one way for specialist medical treatment. Ronald McDonald House has informed me that several families that they work with fall just outside this threshold for the patient support service. A small change – lowering the threshold to 80 kilometres – would allow them to offer better support to vulnerable families in need.

### **Melbourne Airport rail link**

**Trung LUU** (Western Metropolitan) (17:12): (208) My adjournment is for the Minister for Transport and Infrastructure. The action I seek is for the Minister for Transport and Infrastructure to support connectivity in the west, advocate to the federal Labor government during its review of the Melbourne Airport rail link and allocate the necessary state funds to ensure the project can proceed as planned.

Melbourne's west includes some of the fastest growing suburbs in Australia, including in my electorate in Wyndham and Brimbank City Council, so it is disheartening to see the state government continues to neglect our community's needs and to push back the Melbourne Airport rail link project – much-needed infrastructure for the state's connectivity and transport network. Any indefinite delay of the Melbourne Airport rail link is another blow to our already neglected region. The Melbourne Airport rail link project, connecting Melbourne city to our airport and the Sunshine super-hub station, is critical infrastructure for futureproofing Melbourne's west connectivity. Melbourne Airport is a world-class destination, and again the state Labor government is prioritising wealthy suburbs in the east over the neglected suburbs in the west. The government favours its own initiated project of the Suburban Rail Loop in the east over the needs of the community and Victorians in the western suburbs, putting the Melbourne Airport rail link project on the backburner once again.

I call on the Deputy Premier and the Andrews government to take some responsibility for their poor financial management, which has led to this situation. Please allocate the necessary funds and proceed with the project as planned.

### **Commonwealth Games**

**Joe McCRACKEN** (Western Victoria) (17:14): (209) I do not know what has really come over me today, but my adjournment matter is for the Minister for Commonwealth Games Legacy. I have just got a thing today; I have got to get it out of my system.

**A member:** So sporting.

**Joe McCRACKEN:** It is. It relates to the athlete's village which is up for construction at the old saleyards site in Ballarat located in Latrobe Street. Minister Allan was in Ballarat recently, and she was asked about the project. In her prelude Minister Allan correctly identified that the site had challenges, noting 'the historical consequence of it being a saleyards for a really long time and then looking at how we can have the site Games ready for 1800 athletes and officials will be difficult' – blah, blah, blah.

**Harriet Shing:** It wasn't quite blah, blah, blah.

**Joe McCRACKEN:** I think it was. She was then asked whether the buildings on the site are going to be permanent or portable structures, and her response was, 'That is something we are working through at the moment.' I remember when I contributed to this last time I predicted that exact response, so I am glad to be correct in that. One local media outlet was quoted as saying, 'It's all sounding rather temporary – rows of dongas.' It will probably be better than that – hopefully better than that.

The minister may also not be fully aware that the site is located in the middle of an industrial zone. Businesses in the area under planning law have existing use rights and also have different planning controls in place – for example, buffer zones regarding residential construction and amenity, particularly due to significant noise and light created as a result of business activity. The action that I seek is this: can the minister give an assurance to Ballarat locals that athletes will have a world-class experience, given the proposed athletes village is basically going to be in the middle of an industrial site? Can the minister ensure that all planning regulations have been adhered to, including that all existing use rights have been respected, and that all buffer zones and other control mechanisms will be adhered to in both the construction and utilisation as an athletes village and also the ongoing use as residential housing into the future?

### Goldstream RV

**Renee HEATH** (Eastern Victoria) (17:17): (210) My adjournment matter is for the Minister for Transport and Infrastructure, and the action that I seek is that the minister join me in Pakenham to meet with Goldstream RV, one of Australia's most successful camping vehicle manufacturers, which is under the threat of closure due to the Labor government's compulsory acquisition of their land. Earlier this year Major Road Projects Victoria entered their premises to notify them of the government's decision to acquire a crucial part of their property under the proposal to widen the Bald Hill Road in Pakenham. What should have been a joyful year celebrating 30 years in business has now turned into sleepless nights and worry. Goldstream's concerns have not been genuinely heard by the government. When they asked for a chance to express their concerns and arguments against this, they were given a generic email address, and when they spoke of the destruction this would cause for their business and the 70 local employees they were told, 'Just move somewhere else.' Goldstream's owners told me that a business of their nature and size simply cannot be put in a different location.

This is an example of yet another overreach of government. This is a government that made a decision to take their land, which they own. It is theirs, not the state's. It is their patch of Victoria. This government is destroying a business which was first a dream in seed form that they have built from the ground up over the past 30 years. Narelle, a co-owner of Goldstream, told me:

To politicians this is just a piece of land, but to the 70 families this is their livelihoods. To our founders, this is their super, and without even bothering to ask us the government could simply take it away.

To treat local manufacturing businesses like this is nothing short of disgraceful. Shutting down other sustainable jobs in our region like the sustainable native timber industry and the local power industry, the Labor government just will not stop their war on regional jobs. Seventy people are on the verge of losing their livelihoods and the only consultation they have been offered is a generic email address. I ask you to come, hear the stories of the 70 families, sit with us and watch the local traffic, and you will quickly see why the proposed changes simply will not work. While of course I welcome the increased road and infrastructure investment in our region, it is deeply troubling to see that Australian owned and operated businesses like Goldstream RV have their land taken away without their concerns even being heard. At a time when Australian manufacturing continues to suffer, I ask the minister to join me, hear the community's concerns and find an alternate solution.

### Teachers

**Matthew BACH** (North-Eastern Metropolitan) (17:20): (211) I was filled with trepidation when I looked at my diary last Thursday – not as much as I was when I looked at my diary last Friday, but that is a different story. On Thursday I saw –

*Members interjecting.*

**Matthew BACH:** Well, on Thursday things actually went quite well, because I saw that in the middle of the day I had a scheduled meeting with the secretary of the Victorian branch of the Australian Education Union Meredith Peace. Ms Peace and I do not agree on everything, but we actually agree on a great deal, and I respect her immensely for the important role that she plays and that her union

plays. She is a great warrior on behalf of Victorian teachers. We talked about a range of matters. We talked about school funding here in Victoria. We are nowhere near the minimum standard set many years ago federally, here in Victoria, for the funding of our state schools. It is simply a matter of fact that the Andrews Labor government spends the least per pupil of any state or territory. So we spoke about school funding.

We also spoke about the crisis in our schools at the moment. There is a retention crisis that I fear the government is not focused on enough. We know we do not have enough teachers. I am on the record as previously saying that I do not have a problem with some of the measures that the Minister for Education is taking in seeking to get more teachers into the system. Advertising campaigns are obviously things that this government likes. I think in this instance an advertising campaign is perfectly reasonable, but what Ms Peace is calling for, and I do agree with her wholeheartedly, is a really thorough retention strategy. So for the benefit of Ms Shing tonight, the action that I am going to seek from the Minister for Education is for her to outline to me the government's retention strategy.

Ms Peace and her senior staff wanted to talk with me about some of their ideas – ideas like retention payments and ideas like studentships. I confess that given the scale of the crisis right now I am not against looking at really interesting ideas like studentships. My mum received a studentship many years ago and was assigned by the Department of Education to then go and teach at the old Footscray tech, which she loved doing for many years. We need to be innovative and creative, especially when it comes to retention. It is all very well to focus on the front end, but we have got so many fabulous, sometimes older, teachers who I do not think we are doing anywhere near enough to retain, which is one of the reasons why I just cannot wait to debate Ms Bath's broad-ranging motion tomorrow.

We have the budget upcoming, and I am really mindful that the budget is blown. Victorian taxpayers are having to spend \$10 million every single day just to service this Labor government's debt, and so I do not think that we can ask for much in that context. Yet retention is critical and school funding is critical. I would love a response on those matters from the Minister for Education.

### **Eastern Victoria Region police numbers**

**Melina BATH** (Eastern Victoria) (17:23): (212) My adjournment matter is for the Minister for Police, and it relates to the recruitment and retention of Victorian police force officers in my electorate of Eastern Victoria Region. The action I seek from the minister is to inform the people in my electorate of the measures the government will implement to address this high rate of attrition of VicPol's workforce from our region and to ensure that our communities have the protections they deserve and that the force certainly has the on-the-ground resources that it needs to alleviate this overburden and overwork.

Minister, your government promised to recruit 502 new police officers and 50 protective services officers over a two-year period. That is what it has been spruiking. However, the Chief Commissioner of Police Shane Patton said that he is concerned that police are resigning from the job in significant numbers. Indeed recently on the radio he stated that over 700 officers have left the force in the last financial year, and this is 200 up on the previous year. To cover these losses he is talking about the need to recruit double that – in effect upwards of a thousand people.

During COVID police officers were asked to complete fairly tedious and minute tasks in the enforcement of COVID protocols by the Andrews government, so it is no wonder that as well as their normal burden and their normal workload in Eastern Victoria Region the fact is that they are disenfranchised and fatigued after this. Crime is rising, unfortunately, in Eastern Victoria Region and particularly over the last eight years in the field of justice procedure offences: 85 per cent in Bass Coast, 129 per cent in Cardinia, 186 per cent in South Gippsland and 200 per cent in Baw Baw Shire Council area. Crimes against the person have increased in the past eight years, including 37 per cent in Bass Coast, 56 per cent in Cardinia, 55 per cent in South Gippsland, 50 per cent in Casey and 50 per cent in Baw Baw as well. On-farm crime is also an issue that is often spoken about. People come into my office or write emails concerned about the lack of officers who are able to get out there, and it is



not for want of trying or caring from our frontline police officers, because they do an amazing job. I certainly have the highest regard for the ones that I speak to. So, Minister, will you inform the people of Eastern Victoria Region what you will do to stop the drain of police force members leaving Eastern Victoria Region?

### Hurstbridge train line

**Nicholas McGOWAN** (North-Eastern Metropolitan) (17:26): (213) My adjournment is to the Minister for Transport and Infrastructure, and it relates to the lack of community consultation –

**Bev McArthur:** To the King.

**Nicholas McGOWAN:** no, not for the King, not for King Charles III – and the upgrade of the Hurstbridge line and in particular the new station at Montmorency and the new path. The action I seek is for the minister to provide an update to the community on the changes to the design concept of Montmorency station, the design of the shared pathway between Greensborough and Montmorency and to keep the community abreast of any changes that will occur in the future.

Concerned residents have constantly, it would be fair to say, been asking for the government to provide clear and precise consultation regarding the Hurstbridge line upgrade. Unfortunately this does not appear to have eventuated. Local residents have been in contact with my office advising that they have tried contacting the relevant government departments and agencies to voice their frustrations at the lack of community consultation around this project.

**Bev McArthur:** Is that inside or outside the tram tracks?

**Nicholas McGOWAN:** They are inside, I am guessing. They have made repeated attempts to engage the relevant authorities, with no or little success. As part of the Hurstbridge duplication the Montmorency station is being replaced; however, the community has not been properly consulted regarding the design concepts of this station. Originally the station was to be upgraded; however, the station is being totally redesigned, relocated and a portion of the vegetation removed. There also appears to be confusion between the government agencies as to what information has and can be given to the community. In an article dated 8 April 2023 in the *Whittlesea Leader* the level crossing removal program director stated that the:

... final designs have been shared with the community ... we always take into account the unique local feel of the area when designing stations, including at Montmorency ...

However, the Level Crossing Removal Project have previously stated to residents that they do not provide detailed drawing documents and plans to the public. Lack of community consultation is a constant theme of the Daniel Andrews government, be it the level crossing removals, road upgrades or injecting rooms, to name just a few. Putting a link on a website asking for community consultation is not good enough. The government needs to meet with the community and provide them with more transparent information. The government has listed the Hurstbridge line upgrade on its Engage Victoria website. The website states the following:

Engage Victoria is designed to be used by the Victorian Public Service ... for consultation on policy or projects where there is a meaningful opportunity for the public to influence and shape outcomes through providing feedback.

It appears listing a project on this site is just a tick-in-the-box exercise to cover the government's obligation to conduct so-called community consultation. The public should have every opportunity to influence and shape the outcome that is going to affect them, their community, their neighbourhood and their street. It is important to keep an open dialogue with residents that are affected by changes which the government is implementing. The government is certainly not achieving this nor its statement of upholding high standards in public engagement.

**Port Melbourne public housing**

**Samantha RATNAM** (Northern Metropolitan) (17:29): (214) My adjournment matter tonight is for the Minister for Housing, and my ask is that he stops the planned demolition and privatisation of the Barak Beacon estate in Port Melbourne. Last Thursday I joined the residents of Barak Beacon estate, including Margaret Kelly, who is with us in the gallery today, on the steps of Parliament in protest at the government's plan to destroy their homes. Barak Beacon in Port Melbourne has been home to a community of public housing residents for over 40 years. Residents have lived there for decades. They have raised their families, built friendships and created a close-knit, supportive community. But this community is about to be torn apart as a result of this government's plans to demolish the public homes on this site, replace them with private housing and funnel profits to property developers.

This is another in the series of public housing demolitions by this Labor government that they insist on pursuing in the midst of a housing affordability crisis. After the rally Margaret went to the office of the Minister for Housing to ask for an appointment, something that she has not been able to gain without going there herself, but instead of meeting her the police were called and Margaret was threatened with arrest. While it was devastating to see this government's response up close as police created a barrier to entering the building and seemed to surround Margaret, who was inside, perhaps it should not come as any surprise given this government has treated its public housing renters with contempt for years. Instead of looking after its public housing tenants and protecting our precious public housing stock, it has let their homes fall into disrepair, refused to respond to maintenance or security concerns and then moved to forcibly evict tenants when it saw an opportunity to send more money to its mates in the property industry.

Today, 16 May, is the official date on Margaret's notice to vacate. That is right, this Labor government is threatening to begin VCAT proceedings against Margaret instead of hearing her out. You are threatening to throw her out of her home of 25 years. Margaret wants to talk to the minister about alternatives to what is planned at Barak Beacon.

A study that has been conducted by an architectural firm, Office, has found the site could be refurbished and upgraded for tens of millions of dollars less than what the government plans to spend. If this government actually cared about creating more public and affordable housing, it would keep this land in public hands and get on with building the tens of thousands more public homes we need, not knocking them down. You can try all you want to spin your way out of this with your PR machine, but it will not work. Labor, you are abandoning public housing. Your Prime Minister reminds us that he grew up in public housing, but the modern Labor Party is now showing its true colours, the colours of neoliberal centrism. You have drunk so much of the neoliberal Kool Aid that you cannot even acknowledge what you are doing.

We are in a housing affordability crisis. Tens of thousands of people are sleeping in cars, in tents, on the streets, on couches. You are making the problem worse, and we know who is writing your housing policy – just this week cosy meetings with the development industry. How can anyone have confidence that you care about affordable housing when you are demolishing our public housing, crushing all our hope that we can ever find a way out of this crisis?

**Responses**

**Harriet SHING** (Eastern Victoria – Minister for Water, Minister for Regional Development, Minister for Commonwealth Games Legacy, Minister for Equality) (17:32): What a broad church we are in the issues that have been brought to the Parliament this evening: 16 matters in total from Ms Terpstra, Ms Crozier, Mr Berger, Ms Lovell, Mr Batchelor, Mrs McArthur, Mrs Hermans, Mr Limbrick, Mr Luu, Mr McCracken – it is so lovely to see that you have stuck around in the chamber for the answer this evening – Ms Heath, Dr Bach, Ms Bath, Mr McGowan and Dr Ratnam. And, Dr Mansfield, thank you also for being here in the chamber. It is disappointing that in fact the audience that I might otherwise have had has all disappeared and flown to the hills, which is –

**Bev McArthur:** The best are left here, Minister.

**Harriet SHING:** Thank you. Yes, it is the best left for the end of the day, Mrs McArthur. I will refer the matters that have been raised, those 14 matters, to the relevant ministers for responses in accordance with convention and the standing orders.

What I would like to do is address the two matters that have been raised for me tonight in my capacity as Minister for Commonwealth Games Legacy, which I think we will also find, as it relates to Mr McCracken's adjournment matter, relevant to some of the issues raised by Dr Ratnam.

Dr Mansfield, the question that you have put and the action that you have sought relate to housing in regional Victoria and the impact that will be felt as a consequence of the Commonwealth Games coming to regional and rural Victoria. By way of background, the first time the world will see a games being unfurled across rural and regional Victoria will be in Victoria 2026. This is an enormous opportunity. It means that we will see over \$3 billion as a return on investment. It will mean hundreds of thousands of people visiting rural and regional Victoria to enjoy all that it has to offer, from our natural landscapes and the activities and experiences that we all know and love and in fact prize here in Victoria around the various parts of the state where the games will be happening and the areas around them right through to the hospitality and the opportunities to participate in and be part of elite sporting competitions, demonstration and exhibition sports and a very rich and inclusive cultural program.

We do know that there will be a demand on housing, not only as a consequence of the games but also as the population grows. We are seeing modelling that suggests and indeed indicates that by around 2056 we will see a population in Melbourne of more than 9 million people, so this is not a challenge unique to rural and regional Victoria. This is why the \$5.3 billion Big Housing Build has been a landmark investment from this government. No other government around Australia has invested in housing infrastructure for social and affordable housing like Victoria. This is about making sure that we are providing for people who are particularly vulnerable to insecure housing and particularly at risk of homelessness. We are proud to deliver this policy, which again makes sure that as part of the delivery of public and social housing we have accommodation for Aboriginal and Torres Strait Islanders, for victims and survivors of family violence and for people who are in need for a range of other reasons, including, as the former Minister for Mental Health Martin Foley indicated, people with those complex social and psychosocial needs that need and deserve that attention and the security that a home brings. We are delivering in rural and regional Victoria \$1.25 billion as part of that overall \$5.3 billion spend.

We will see that by 2026, when the Commonwealth Games come to Victoria, there will be an additional 12,000 homes able to be utilised by people who have previously not had access to public and social housing. At the moment we have more than 7600 homes that are completed or all but completed, and this is a really important part of the investment that is happening there. We have also got a private rental assistance scheme and the Aboriginal private rental assistance program, which both go to the issues that you have raised around vulnerable community members who need and deserve that particular attention.

There is a crossover here between Commonwealth Games legacy and the work of the athletes villages, which again goes to the issues that you have both raised here tonight, and the work in regional development. When we look at the regional workforce pilots, for example, that \$5 million that has gone into fast-tracking or unlocking land on the one hand will mean that on the other hand we have an opportunity to meet the demand and the growth in demand that will continue to escalate across our rural and regional areas.

On that, it has been really wonderful to see these sorts of programs in action. In Robinvale not that long ago it was great to see the completion of a project which was delivered in combination with Regional Development Victoria and the Swan Hill Rural City Council to make sure that we could

have as part of the four pilot sites four three-bedroom homes, which will then be available for locals or people who come to the area, meaning that accommodation is one less thing that they have to worry about. Council will then use the profits made available from those residences to build another four. It is also about projects like Ararat and the trunk infrastructure being developed with council to provide homes for around 317 extra people and the Timboon and Simpson and Corangamite shire partnerships to unlock that land for housing.

We have also – and I will turn to Mr McCracken’s answer momentarily – the athletes villages. This is where again the work is going in to make sure that we are identifying opportunities for this housing to be deployed in the most meaningful and appropriate way possible to meet need as it evolves between now and 2026. We want to make sure that not only are we assisting councils with planning processes, not only are we leaning into the challenges of affordability and availability, but we are also using the opportunity of Commonwealth Games village development to partner with our regions to make sure that that housing after the games is put to the very best use possible.

This is where again the work will continue apace. The work leading up to the Commonwealth Games in 2026 is informed by community engagement and consultation. I have been part of five regional engagement forums to date across Ballarat, Bendigo, Geelong, Shepparton and Traralgon, and there are legacy round tables that are also taking place to identify how we can work alongside communities to meet those needs now and into the future, because the needs across different parts of rural and regional Victoria will be different; they will evolve differently. We want to make sure that inclusion, accessibility and engagement are at the heart of that work.

So to that end I would invite you to talk with communities and be part of those conversations for the Commonwealth Games legacy. We are determined to make it as accessible as possible. I would urge those people who want to get involved to hop onto the Commonwealth Games legacy and office of Commonwealth Games websites to find out more about when and how those Commonwealth Games legacy round tables will be conducted. I hope that that acquits the question that you have put to me tonight, Dr Mansfield.

On that basis I will turn to you, Mr McCracken. This was a question about the old saleyards site village. The question that came from you related to the village of 1800 accommodation options, and the request from you was for assurances around a world-class experience for athletes and the work that needs to go into making sure that you and your community are satisfied as to the processes that have been undertaken around the development of that site and around the way in which we will meet the needs of the community, reduce the impact of development on residents and make sure that those people who come to Ballarat for the games have the very best experience they can and that public safety and resident impact are managed. The office of Commonwealth Games, Development Victoria, the City of Ballarat and the EPA are all working very closely together, and that relates as much as anything to the buffer zones that you have identified, the distances between sensitive use sites and the way in which the athletes village and light industrial sites will be developed. It is important to note that this is a process of constant engagement, so we are working very, very closely with a range of partners, and there are contractual obligations that exist around the way in which athletes’ accommodation is provided. So nobody should be under any illusions about the standard and the quality of this accommodation. We are bound to deliver accommodation that meets the expectations of the Commonwealth Games Federation.

We are keen to make sure that we not only meet those obligations and commitments but exceed them. This is about accessibility, and it is about energy efficiency – we are talking about athletes’ accommodation that will be 7½ stars in energy efficiency. We are also talking about the way in which this accommodation will fit within an overall precinct with gardens, with common areas and with an epically appropriate and diverse dining hall and gathering area, because we all know that athletes have very particular needs in competition. This is about making sure that when and as we build ourselves up to the final stretch in Commonwealth Games preparation, we have athletes village accommodation that is absolutely fit for purpose and that is an achievement and a landmark opportunity for rural and

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regional communities to meet growth. Then, after the Commonwealth Games, we look forward to being able to deploy some of that housing, some of that accommodation, into the areas where it is needed. Have those decisions been made about the proportion of accommodation that will be allocated to different purposes? No. And the reason that those decisions have not been taken is because we need to have conversations to ensure that the outcomes reflect what it is that communities want and meet the needs of communities into the future.

I am really looking forward to continuing these conversations, I am really looking forward to developing the framework through engagement with communities and I look forward, Mr McCracken, to seeing you at some of the round tables and ongoing conversations that have been happening for many months now.

**Joe McCracken:** Invite me along. I'll come along.

**Harriet SHING:** You don't have to be invited. Just put your hand up.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 5:44 pm.**